GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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SPECIAL PUBLIC MEETING
RE APPLICATION NO. 16553
BY THE GEORGE WASHINGTON UNIVERSITY

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TUESDAY

DECEMBER 12, 2000

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The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 9:30 a.m., Sheila Cross Reid, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

SHEILA CROSS REID	Chairperson
ROBERT N. SOCKWELL	Vice Chairperson
RODNEY L. MOULDEN	Board Member
ANN RENSHAW	Board Member

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Commissioner
CAROL J. MITTEN	Commissioner

OFFICE OF ZONING STAFF PRESENT:

Jerrily R. Kress,	Director
Sheri Pruitt,	Secretary, BZA
Beverly Bailey,	Office of Zoning
Paul Hart,	Office of Zoning
John Nyarku,	Office of Zoning

OTHER GOVERNMENT STAFF PRESENT:

Gerald Forsburg,	Office of Zoning

D.C. OFFICE OF CORPORATION COUNSEL:

Alan Bergstein, Esq.
Mary Nagelhout, Esq.

C-O-N-T-E-N-T-S

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(9:35 a.m.)

CHAIRMAN HOOD: This action we are going to proceed with right now has nothing to do with the GW campus plans. This is an order I have to read for the Zoning Commission.

The hearing will please come to order. Good morning ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Tuesday, December 12, 2000.

My name is Anthony J. Hood, Chairman of the Zoning Commission for the District of Columbia. This hearing will please come to order.

As published in the D.C. Register on December 8, 2000, the review of campus plans has been transferred from the Board of Zoning Adjustment to the Zoning Commission. Therefore, the public hearing of the campus plans for American University scheduled for this morning has been rescheduled to February 15, 2001, at 7:00 p.m. in this room.

As a procedural action, the Zoning Commission of the District of Columbia now adjourns today's public hearing.

First, let me ask, is anyone here for the American University? Okay. So, again, that date is going to be February 15, 2001, at 7:00 p.m. in this room. Thank you for your patience in this matter. The Commission sincerely regrets any inconvenience this postponement may have caused.

I now declare today's public hearing adjourned. Thank you.

Again, that has nothing to do with what most of you are here for.

(Whereupon, at 9:37 a.m. off the record until 10:46 a.m.)

CHAIRPERSON REID: Good morning, ladies and gentlemen. This is the December 12 public meeting of the Board of Zoning Adjustment. We will now proceed with the case that we will be deliberating on today and that is the one of the campus plan for George Washington University.

Mr. Hart, will you please read the case for our consideration.

MR. HART: Certainly, Madam Chair. The case this morning is application 16553 of The George Washington University, pursuant to 11 DCMR 3104.2, for a special exception for the review and approval of the University Foggy Bottom Campus Plan - years 2000-2010 under Sections 210 and 507; the boundaries are as follows:

Pennsylvania Avenue on the north, 19th, H, 20th, and G Streets on the east; F Street on the south and 23rd, G and 24th Streets on the west, and also includes a portion of Square 122 extending south of F Street along 19th Street, N.W.

Within the campus plan boundaries, the property owned by the University is devoted to a variety of University

uses, including but not limited to classroom, dormitory, library, research, office, support, assembly, athletic and hospital purposes. These uses would be continued under the campus plan in a variety of existing and new buildings in the R-5-D, R-5-E, C-3-C and SP-2 Districts.

The hearing dates were March 15, April 26, September 13 and 26 in the year 2000.

The board requested the following information: George Washington University (Applicant)

. Provide the Office of Planning information (not previously discussed) that Charles Barber discussed in closing remarks.

. The date of the vote by the GWU Student Government Association (SGA) on the resolution approving the campus plan. The information is to be submitted by the SGA president David Burt.

. David Burt's response to questions, submitted in writing, by Dorothy Miller.

. Provide information about property that is located at 2537 Queen Ann's Lane.

. Identify where students live in Foggy Bottom neighborhood and the total number of students.

. Provide additional traffic and parking data to the Department of Public Works (DPW).

From the Office of Planning:

. Provide a revised report to succinctly addressing the issues of the case.

. Provide graphic chart to show the GWU has expanded since the approval of the last 10-year plan.

. Request from the Department of Health an assessment of any potential environmental; impacts on the old hospital site.

. Provide additional detailed information on the establishment of an Advisory Committee.

. Provide specificity about enforcing the baseline figures. Who should be responsible for enforcing the numbers.

From the DPW:

. Determine if a supplemental report is necessary base on additional information submitted.

From Corporation Counsel:

. Provide information concerning legality of GWU providing incentives for students to live off campus and its consistency with the Human Rights and Fair Housing Policy.

That is it, Madam Chair.

CHAIRPERSON REID: Okay. Thank you very much, Mr. Hart.

Board members, we are well aware of this particular case as a very complicated case. It has certainly been very difficult. In going over some of the various degrees of complexity inherent in this case, obviously it is not something that we can very easily decide upon given the fact that there are

so many different issues that we have to address in trying to come to a reasonable conclusion.

I would like at first to commend the Office of Planning and the community and the applicant for the seemingly tireless effort that they have made to try to come to a resolution.

They have worked together to come to some semblance of compromise in some of the issues, at least, so that when we come today, it makes our job our little bit easier given the fact that it has been proffered to us some of the areas of resolution that it appears that has already been agreed upon.

What we will be dealing with primarily today are the areas where there are still problems and then making a determination ourselves predicated upon what we are able to glean from all the testimony, all the submissions, and all the voluminous amount of materials, letters of support, letters of opposition that we have before us which is not a very easy thing to do.

So here goes. Board members, I think that, and you can determine if this is the best approach, enter into some discussion regarding this particular case and then make a motion. Or we can make a motion and then enter into discussion. What is your pleasure?

COMMISSIONER MITTEN: Madam Chair, I think I would suggest that some discussion would be worthwhile in advance of

putting a motion on the table mainly for the reason that I don't think that some of the most contentious issues don't have a clear solution.

CHAIRPERSON REID: And readiness.

COMMISSIONER MITTEN: Yes. So it's almost premature to make a motion so I think some discussion would be helpful.

CHAIRPERSON REID: Okay. Does everyone agree?

MEMBER RENSHAW: Yes.

CHAIRPERSON REID: Okay. Ms. Mitten, do you want to lead off the discussion this morning?

COMMISSIONER MITTEN: I would be happy to. To me there is a whole variety of issues that we could talk about. I don't know the best way to proceed but I could suggest a couple of ways.

Reflecting back on what had been said by the Office of Planning in their recommendation for denying the application, some of the reasoning behind that is that the campus plan as it had been provided to us has changed a lot.

The issues of contention are bound up in the text of the campus plan. One way that we might want to approach this is to go to the campus plan itself, as it has been proposed to us, and take it section by section and see if we can reach some resolution on the issues.

This would be beginning on page 22 of the

applicant's submission on December 28, 1999, recognizing that there have been some modifications since then. Basically we haven't been given a revised plan in total and we'll need to confront each of those issues as it would affect the plan.

There is really a structure to it, a structure for potential discussion here because there are different sections. For instance, the first section is location, boundaries, and zoning.

That's a whole topic for discussion in itself. It goes on from there. That's one way of approaching the discussion today if that suits you. I could lead it off if you thought that structure would work.

CHAIRPERSON REID: Okay. Any other suggestions?

MEMBER RENSHAW: It's reasonable.

CHAIRPERSON REID: All right. Well, the idea is to get into a discussion. There are several ways we could go at this. I have no problem with that and there's no objection to it so, Ms. Mitten, please.

COMMISSIONER MITTEN: Okay. So if we're on page 22 of the proposed campus plan and the topic there is location, boundaries, and zoning, I guess the very first issue that we have to decide is there's boundaries that have been put forward and these are the same boundaries that existed in the prior campus plan. I think we need to decide if those boundaries are meaningful boundaries. I could throw a few ideas out for

discussion.

The first idea would be how appropriate is it that commercially zoned properties are within the boundaries of the campus plan given that there is no requirement in the zoning ordinance that properties that are commercially zoned would come for a special exception before the Board of Zoning Adjustment if a university use were being proposed.

Secondly, they are not being put to university use so there's an issue there, I think, about whether or not it's appropriate to have those properties included.

CHAIRPERSON REID: Which ones are you --

COMMISSIONER MITTEN: Let's see. It's probably best represented -- there's a Figure F4 which would probably suffice. This is in the same document, the proposed campus plan, Figure D, existing land use. It's a map with different colors on it.

CHAIRPERSON REID: Okay. All right.

COMMISSIONER MITTEN: So all the things that are in red I think we need to decide if it's appropriate that they be inside the boundaries of the campus.

CHAIRPERSON REID: Okay. Now, I think that we have a great many things we have to consider and I don't think we are here today to consider what should or should not be inside the boundary. The boundary has already been established. Has it not?

COMMISSIONER MITTEN: Madam Chair, I think that the

boundary has been proposed. The boundary has been proposed by the applicant because this is a plan going forward from whenever our decision is made into some point in the future. There is a boundary that has existed in the past and we need to decide whether that boundary is appropriate.

Just on that point as it relates to the commercial properties, in reading the 1985 to 2000 plan, the one that is currently valid, and there is references made to the 1970 plan in that document, there was a thought at some point in the past that these properties would actually be converted to university use.

I think that is no longer being considered. I think in the past there was some motivation for keeping those properties inside the campus boundaries but I don't think that is a legitimate consideration anymore.

CHAIRPERSON REID: Okay. Can you just tell us which ones?

COMMISSIONER MITTEN: The ones that are in red.

CHAIRPERSON REID: Specifically which properties are you referring to? Are you going by lot or are you going by property?

COMMISSIONER MITTEN: The easiest way is to say all the properties that are illustrated in red on Figure D.

CHAIRPERSON REID: You're saying that they are what?

COMMISSIONER MITTEN: Commercially zoned and they

are in commercial use. They are not in university use.

CHAIRPERSON REID: But they have been included in the proposed campus boundaries?

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: So what are you saying?

COMMISSIONER MITTEN: I'm saying that we have to decide if it's appropriate to include them. The campus plan is supposed to reflect the uses by the university that are subject to control by the Board of Zoning Adjustment.

I'm saying that those properties are not subject to control and they are not even being used by the university. They are effectively investment property. I'm suggesting that it may not be appropriate to include them.

In fact, when there was some discussion about it in the one of the hearings, Mr. Shear said he thought there was no effect on the university of removing them from the campus plan.

CHAIRPERSON REID: So you're saying that all of the lots that are in red which consist of -- hold one second. All the properties that are in red, you're saying that you don't think they should be included in the campus plan?

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: So you want to extract those properties from the campus plan?

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: All right. Okay. That would be

--

MEMBER RENSHAW: Madam Chair, in this Figure 4 on page F4 there is red and there is red.

Ms. Mitten, would you clarify is it deep red that you're looking at with no numbers?

COMMISSIONER MITTEN: There's four categories at the bottom. The key is for four categories. I'm referring to the deep red that reflects commercial/investment.

CHAIRPERSON REID: Okay. So you want to take those properties out of the campus boundaries. What is the reason? Because you say it's not under control of the BZA?

COMMISSIONER MITTEN: Because they don't fall within the zoning category that would appropriately require them to be within the campus plan boundary. They are not even, in fact, in university use. There's two --

CHAIRPERSON REID: When you say not in university use, what do you mean by that?

COMMISSIONER MITTEN: They are investment properties. They are not being used for university purposes.

CHAIRPERSON REID: But they are part of this campus plan?

COMMISSIONER MITTEN: As it is proposed, yes. I'm saying that based on reading the 1985 campus plan and the references that it made to the 1970 campus plan, you can understand why it's traditionally been included.

But I'm saying that whatever motivations there might have been in the past have effectively been eliminated because there is no longer any notion that these properties are going to be converted some day to university use.

Even if they were, they are not zoned such that the BZA would have control over that. I guess just to ask for a counter argument would be other than the fact that the applicant drew the line there, what is the motivation behind including them?

CHAIRPERSON REID: Well, I would think, Ms. Mitten, that would have been a question asked of the applicant during the hearing.

COMMISSIONER MITTEN: Well, it was discussed. Maybe not as directly as that but it was discussed in some way with Mr. Shear. Mr. Shear said there is no harm to us that they're in or they're out.

CHAIRPERSON REID: I would think that just from a logical standpoint that if, in fact, they included them within the proposed campus plan, that they have some merit or there is some rationale for them being a part of it on the part of the applicant.

COMMISSIONER MITTEN: Well, then I would suggest that is an area that I don't fully understand and that I would want some follow-up about why are they included because based on my understanding --

CHAIRPERSON REID: Well, again, I think that would

have been something better brought out at the hearing rather than at this point. That's a major issue that you're raising and I would think that if that were something that was of that paramount importance that we could have kind of worked out some response to it and try to get some further clarification as to why those particular properties were included.

Now, it appears to me that looking at the proposed campus boundaries per se that the properties that are included therein are those that are considered to be of some significance to the university, notwithstanding the response to Mr. Shear.

I think that we really start to tread a slippery slope if we go into trying to extract with the confines of those boundaries various properties and then start to try to chip away at what has been presented to us as what was proposed as being a part of the overall campus plan. That's dangerous.

COMMISSIONER MITTEN: Madam Chair, I guess I would say that everything that is in this proposed campus plan is proposed. If we have to ask for -- I mean, if it's my fault that I didn't ask in a timely manner about what significance there is to including these properties in the campus plan, then that's my fault.

I don't think that it erodes the significance of the question. I think that we have to make a studied analysis of everything that is being proposed because once we approve it, that becomes the plan for whatever that period of time is.

If there are changes in land use designations that have been proposed, we have to look at each one of those individually and decide if that is something that we want to endorse.

I mean, this is not even the biggest issue on campus boundary but this was the first one that I tossed out. There are certainly other issues and we'll explore this more fully in talking about on-campus housing and if we are going to have a requirement that is related to meeting some minimum percentage of housing for full-time undergraduate students.

We are going to get into deciding, I believe, whether or not the campus boundaries should be expanded to include some of these other areas where they are proposing to build new dormitories. I don't want you to get bogged down in thinking I'm creating an issue where there is none on the commercial properties.

The issue of the boundary is bigger than that. I'm saying we need to look at each property individually that we may want to include or exclude and say is it meaningful that it be included or excluded. We are bound to do that.

CHAIRPERSON REID: I don't think that it is wise for us to get into chipping at what is included and excluded. I think that if we are going to consider this -- this is my own feeling -- I think that we should either consider it as proposed or not and not get into being the judge as to what, in fact,

should or should not be included within those boundaries other than what has been proposed to us.

COMMISSIONER MITTEN: I guess maybe that goes back to the original statement that I made which is if we don't examine these things individually and perhaps propose alternatives, then we are put in the position of do we endorse this plan fully, yes or no.

That means to the extent that we don't, we don't send a very meaningful message back to the applicant about what we don't agree with because we haven't talked about it.

CHAIRPERSON REID: I think, again, those issues are issues that would be best answered by the applicant during the very lengthy and protracted hearing that we had so that I have some answers to it to be able to address the concerns that you are now raising today. Let me hear from the other board members on this issue.

MEMBER RENSHAW: Madam Chair, I support at this juncture what Ms. Mitten has proposed. I am not in agreement at this point to just take a look at endorsing the plan totally as proposed. I believe that we have an obligation to look at these different issues.

Not everything comes before the board at the time of the applicant presenting and the community presenting arguments to the board to support their positions. It is often in the quiet when the board is reviewing the materials leading up to a decision

that questions are formed that are then aired at this point.

Ms. Mitten has presented an argument to take a look at some of these various issues. I am certainly not against taking a look at the boundary issues to discuss it in this open forum because that is our right to do.

Therefore, at this point I would say I would like to hear from Ms. Mitten her other issues. Not to get bogged down right at this point on boundaries, but I would like to hear from her the range of issues she would like to bring before the BZA and let's see if the other members of the BZA don't have additions to the list. In that way we form a basis for the day's deliberations.

CHAIRPERSON REID: Are you referring to just the boundary issues or all issues?

MEMBER RENSHAW: I'm saying that I would like to hear from Ms. Mitten additional issues that she would like to bring before the board. I would like to hear from the other members of the board whether they have additional points that they would really like to discuss based on reviewing this material in order to come to this deliberative session and --

CHAIRPERSON REID: My question was are you referring to just the boundary issues or are you speaking of all the issues?

MEMBER RENSHAW: All the issues. I would like to get a feeling for all the issues that we would like to discuss or

deliberate on and from there decide how we would like to proceed. I am certainly not against taking a look at these issues in depth.

CHAIRPERSON REID: Certainly, Ms. Renshaw. I really appreciate that, but that was what we intend to do as we are going to look at all the issues.

My question was we talking specifically about the boundary issue right now and the question was not so much Ms. Mitten has and will be given additional opportunity to discuss it further if she would like, but I want to hear specifically from what you had to say as to what your position is and what your feelings are in regard to what Ms. Mitten has just raised.

MEMBER RENSHAW: I am not in disagreement with Ms. Mitten in discussing the boundary issues whether investment, commercial property should be removed from the campus plan and, as she is proposing, take a look at whether lines should be redrawn to include some of the dormitory issues. I would say right at this point it is fine to discuss the boundary issues in greater depth and not just accept what has been proposed and go from there.

CHAIRPERSON REID: Okay. Thank you.

Mr. Sockwell.

VICE CHAIRPERSON SOCKWELL: I think I understand the direction that Ms. Mitten was going in with regard to the investment properties. I believe that there is some recent

history for our discussions of uses that fell outside of campus designated usages and whether or not there were specific impacts of those when they were included in the campus plan boundary.

With regard to the particular uses that Ms. Mitten referred to, they are all located within a C-3-C zoning classification at the parameter of the campus.

While this campus is somewhat different from other campuses in that it is mapped through a normal grid of public streets, we may have erred in not putting this in the same context as a more traditional campus environment in the deliberations or the public hearings.

I would want to get a little bit more of Ms. Mitten's rationale before I made a decision personally one way or the other.

CHAIRPERSON REID: Mr. Moulden.

MEMBER MOULDEN: This is a decision hearing so I think we need to put the issues on the table specifically and get through the issues and hash them out and vote on them. I don't think we should be too detailed in going back over the entire plan again. We know what the issues are and we need to just discuss them and address them and take a vote.

VICE CHAIRPERSON SOCKWELL: Let me make one correction. There was one property in the SP-2 area.

CHAIRPERSON REID: Okay.

Ms. Mitten, did you want to further elaborate on

this issue as requested by Ms. Renshaw and Mr. Sockwell or what?

COMMISSIONER MITTEN: Well, I guess I just want to have people keep in mind the commercial properties notwithstanding, that as we proceed through our discussion and what we'll be talking about, a dormitory on square 43, we'll be talking about the fact that the university has proposed squares 58 and 81, or portions thereof, as potential housing sites that are currently outside the campus boundary.

There's this notion of a housing opportunity area and there are properties that are university controlled housing, effectively dormitories, that are outside of the campus plan boundaries.

I think we'll need to decide one by one whether or not any of those, all of those would be appropriately included within the campus boundaries. Just as something to keep in mind, I think we need to remember that as the discussion proceeds.

CHAIRPERSON REID: As they pertain to the campus boundaries, that's one area that I definitely thought was rather confusing. I thought that perhaps we would have to determine what we deem to be the housing opportunity area. We have one explanation of it as defined by the applicant and then another by Office of Planning.

I guess we have to determine what, in fact, would be the housing opportunity area per se. The approach to that I'm not really sure but I think that the best thing to do is to take a

look at both our proposals or both submissions.

The university defines the housing opportunity areas as all the areas on campus, and existing off-campus residential facilities owned or controlled by GW as of November 8th of 2000, the properties located in squares 43, 58, 81, and 122, as well as property located outside the Foggy Bottom area. That is, the area bounded by 19th Street, E Street, Rock Creek Park, and Pennsylvania Avenue, not including housing opportunity area.

Then Office of Planning says existing university residential facilities privately owned by GWU on squares 43 and 122 and any property located within the campus plan boundary. I think we need to get our arms around what, in fact, to we deem to be the housing opportunity area.

COMMISSIONER MITTEN: Madam Chair, if I could just make a suggestion about that, which is I think we need to decide notionally what does the housing opportunity area mean to us. How does it fit into the plan that we will ultimately agree upon and only once we decide what are we trying to accomplish through the housing opportunity area can we define the housing opportunity area.

I would think maybe a discussion of the whole issue of on-campus/off-campus housing would precede that, precede making a decision on what the housing opportunity area actually is.

CHAIRPERSON REID: Well, are you saying that you

want to enter into a discussion about the basis for that decision? Is that what you're saying?

COMMISSIONER MITTEN: Well, I just think that discussion should precede defining the housing opportunity area, whether that occurs now or whether that occurs later on.

CHAIRPERSON REID: We could do it now or do it later. Do you think that it's better to look at some of the other issues first and then come back to this since it's such a big area?

COMMISSIONER MITTEN: I do, actually.

CHAIRPERSON REID: Okay. Then let's not utilize the approach that you at first initiated and that was the campus plan format. Perhaps let's go to looking at another format that would allow us to get to some of the other issues and then come back to the boundaries. Would that be acceptable to everyone?

VICE CHAIRPERSON SOCKWELL: That's fine.

COMMISSIONER MITTEN: Madam Chair, in terms of using the campus plan as the touch point for structure, we can definitely come back to issues that we don't want to discuss or are too lengthy to discuss or are premature to discuss.

I think there is something to be said for following the outline that the applicant has provided through the campus plan. That's my last suggest about how to structure the discussion. If you have another notion about that, I'll just go along with that.

CHAIRPERSON REID: Okay. What is the next issue on the campus plan? Let's see if we can follow that.

COMMISSIONER MITTEN: Well, the next issue would be on page 23 which is property ownership. The basic thing I draw from this is just that the university has as its goal that it will acquire all the land within the campus plan boundaries and that is unchanged from the previous plan. I don't know that there is any discussion necessary on that point but that was the main point I drew out of Section B related to property ownership.

CHAIRPERSON REID: Okay. So basically there's no issue there.

COMMISSIONER MITTEN: Not that I have. The other board members might have an issue.

CHAIRPERSON REID: Okay. I think that's fine. That's fine. All right. Then what about land use?

COMMISSIONER MITTEN: Well, maybe we just want to take a minute.

CHAIRPERSON REID: That's with the boundaries?

COMMISSIONER MITTEN: The land use designations within the boundaries. They constitute more or less the equivalent of special zoning categories for the campus and there's four of those categories.

There's a map, that same map we had been looking at earlier, Figure D, that illustrates existing land use. I think this existing land use parallels existing land use designations,

although these are not precisely the same designations that had some out of the 1985 plan.

Maybe what I would just say as background for anyone that this would be of benefit to is that there is a philosophy behind the plan that has existed since the 1970 plan and this is explained, I think, in more detail in the 1985 plan, basically that there is core area and then there's peripheral area.

Then there's this medical school/hospital area. Then there's the high value frontage. Those are the four broad areas that have been a repeating theme throughout the plans that have been put forward over the last 30 years.

The core areas that have been defined in the past, and I was looking to find where I had gotten this. I'm thinking I got this out of the 1985 plan but basically it had been identified as being concentrated at the center of campus between 20th and 23rd Streets and between I and G Streets. You can draw a big block and that's basically where we're targeting these core academic areas. All of those uses fall under this academic/administrative category that is being proposed. I think it's important to remember that we are trying to concentrate those uses at the core of the campus because that's the philosophy.

Then the peripheral areas include such things as athletic facilities, administrative offices, dormitories and parking which is actually a mix of two categories as it's being

currently proposed.

The residential campus life athletic category includes athletic facilities and dormitories. Then some of these other peripheral uses like administrative offices and parking are actually now within the academic/administrative category.

The notion is the more intense use is at the core. Less intense use is on the periphery. Then the medical school has its own sort of quadrant in the campus. The high value frontage are these commercial properties that we have been talking about earlier.

That is just background. I think that because each of those categories has proposed new construction in it and the campus plan identifies preferred sites and alternative sites for each of those use categories, we need to make sure that those sites are consistent with what is the philosophy of the plan. In approving the plan we re approving those locations effectively.

CHAIRPERSON REID: Okay. Do you see a conflict?

COMMISSIONER MITTEN: Just give me one minute and I can answer that.

CHAIRPERSON REID: All right. While she's doing that, does anyone else have any comments in this particular area as to land use? Is there any conflict or any problem we have with that particular area of the campus plan?

MEMBER MOULDEN: Madam Chair, I think what Ms. Mitten is also trying to say is as we look at this land use plan

we keep in mind the impacts of the existing and proposed uses.

CHAIRPERSON REID: We'll get to impact.

MEMBER MOULDEN: That could happen based on transportation, parking, pedestrian access, just some visual impacts and any other impacts that could occur.

CHAIRPERSON REID: Thank you. We are going to take up the impacts of every aspect of it within the course of this deliberation. We definitely will consider that.

COMMISSIONER MITTEN: Okay. I think I'm prepared to answer the question. I can make reference to the different exhibits that all of this is derived from.

I guess the first point that I'll make is not really within our control at the moment, which is as a notion of concentrating academic uses at the core of the campus. The idea of moving the Elliott School off campus effectively is going to draw a concentrated use out of the core.

From the philosophy standpoint, the idea is to have these intense uses close to each other so that there is synergy, so that there is the opportunity to buffer and so on.

If there is an idea of creating synergy with the Elliott school off campus, I would just say from a philosophical standpoint, not that we can control it, there is going to be this pressure or this pull to the south which I think we've already seen. I just mention that as a side issue but I think it's important.

The preferred development site for academic/administrative in square 103, which is illustrated on --

MEMBER MOULDEN: I have a question about the school before you move on. What type of impact do you think it will have if it is pulled away from the core area specifically?

COMMISSIONER MITTEN: Well, if I can answer that in a broader way, which is if you look at the campus and you look at the evolution of the campus over time, and you layer in land use economics to the equation, what you see is that originally the campus had gone up to Pennsylvania Avenue and the notion of the core was more or less preserved.

What's happened is that the properties along Pennsylvania Avenue have become very valuable which is why I believe they have become investment properties is because that's what makes sense from handling your assets well. That's what makes sense to maximize the value of those.

What happens is as you sacrifice the more valuable portions of the campus and effectively take them out of campus use and you want to preserve the notion of a core, you push the core to the south. That's what's been happening.

Because the notion of the peripheral uses is still a valid notion, that is why the university has pushed outside of the campus to provide their dormitories outside the campus to the south is because it's a valid notion. It's just that there was nothing from a zoning standpoint preventing that sort of migration

of uses.

I guess, just to answer your question, the Elliott School is facilitating this southern expansion of the academic core of the campus.

MEMBER MOULDEN: So in a sense you're saying that they are really expanding the central core area. Will it impact pedestrian movement and traffic? Is it more a real estate value concern or is it more movement throughout the area and increased parking? I'm not sure what.

COMMISSIONER MITTEN: Well, there certainly is that impact which is if the core is supposed to be a six-block area and the core is expanding and the core is the intense uses, then you are moving the intense uses closer to an area that you intended to actually buffer with peripheral uses so there is that impact.

I think what is happening really, if you look at the FAR, is that the campus is going to be basically built out without some accommodation.

I think there have been suggestions made by the Office of Planning, and I think maybe the university had endorsed this as well, that we provide some relief from the maximum density requirements under section 210 which I don't think we can do.

But that is something that is being evaluated by the Office of Planning in these new campus plan regulations is how can we -- since we do value the notion that the boundaries are meaningful when a campus becomes too intensely used, we have to

have some kind of relief available.

So far the relief that has been facilitated by the regulations as they exist is that the university has just been moving south. It's actually very understandable why they have done that.

But the question is now, okay, we looked ahead and we see they are going to be maxed out in their density. Do we basically bless the southern migration because what else are they going to do, or do we say we know some relief is coming in the form of the new campus plan regulations.

Let's make the boundary meaningful and wait for the relief that would allow more density where everybody wants it concentrated and where the university wants it concentrated. They want that efficiency that would permit.

CHAIRPERSON REID: Any further comments?

COMMISSIONER MITTEN: Would you like me to go back to the question that you had asked me about whether or not -- I don't know exactly what it was but whether or not there was any issue with the location of the preferred and alternative sites that had been proposed.

CHAIRPERSON REID: With the what?

COMMISSIONER MITTEN: I believe that you had asked me whether I had any issues with the alternative and preferred sites that had been proposed within the core land use categories.

CHAIRPERSON REID: I thought that was what you just

addressed.

COMMISSIONER MITTEN: That was more of a broad discussion of the situation.

CHAIRPERSON REID: You have more?

COMMISSIONER MITTEN: Well, I have specifics.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: This you can view on Figure M which is page F13 and there is a preferred development. This will illustrate very well the southern migration and I think we need to decide if in endorsing preferred sites we need to decide if we are willing to endorse a departure from the idea of maintaining the core.

The preferred academic and administrative development site in square 103, which you see is the darker pink as opposed to the hatched pink, that's outside the core because the core runs from G to I, 20th to 23rd.

If we say, yeah, that's a good preferred site for academic administrative, that's a departure from the philosophy of the plan.

CHAIRPERSON REID: Also, doesn't the plan say that they would basically try to keep predominately within the core. It doesn't say it has to be very rigid and specifically that there can be no departure from that. It just said predominately.

COMMISSIONER MITTEN: I agree with you. I agree with that. I'm just saying once you start to allow that, then

that effectively then displaces that frontage in square 103 as the potential for performing the function that it originally had which was to be a peripheral use to buffer residential to the south.

CHAIRPERSON REID: But another thing, too, is that when you're looking at it the 103, the northern most part of it, the portion that we're discussing, and then at the southern most portion of it is still not being utilized and is still a buffer as such.

COMMISSIONER MITTEN: Well, I mean, if you look at the figure in its totality, what you see is there is a preferred site for academic administrative which is core use that is outside the core. Then there are four sites that are alternatives for academic/administrative that are outside the core.

This, I think, illustrates very well. There are five different sites that have been identified that are outside the core area that was originally identified that are academic/ administrative so those are more intensive uses. That's what I'm saying is there is this push. If you allow the court to expand in a significant way, then the peripheral uses de facto go south of F Street.

CHAIRPERSON REID: Well, maybe you could say that. It appears to me what you are doing, Ms. Mitten, is you are trying to deduce a trend and then, I guess, to perceive. You are saying that you perceive that this is what is going to happen?

COMMISSIONER MITTEN: Well, they are asking these

sites to be designated for academic/ administrative. So they are saying, "We want to build and here is where we want to build." It's not me just postulating about it. It's them saying, "This is our intent."

CHAIRPERSON REID: I know, but what I'm saying is in lot 54, that being one of them, that's outside the core, but that's more north.

COMMISSIONER MITTEN: Correct.

CHAIRPERSON REID: So I don't know if we can say precisely that the proposed buildings that are in 57 and 80, while they are coming outside of the core, that still the predominance is other than those who are going north are still within the core. Aren't they?

COMMISSIONER MITTEN: I mean, you can just draw it on a plat as it was identified.

CHAIRPERSON REID: Okay. Let's go over core again.

COMMISSIONER MITTEN: The 20th to 23rd, G to I. That's not my identification of the core.

CHAIRPERSON REID: Wait, wait, wait. 20th to 23rd, G to I. I think your point is well taken about square 54 which is outside the core, but I think what we need to keep in mind is the fact that there is nothing that square 54 is going to buffer directly to the north because the north side of Pennsylvania Avenue is all commercially developed and we know that.

But we also know that on the south there is

something that is legitimately being buffered by peripheral uses. I agree we don't want to interpret the core too strictly because then square 54, how do we reconcile that? But when we know we have something that we are legitimately trying to protect, which is the community that exist there, I think we have to look at this carefully.

CHAIRPERSON REID: Well, I think we are trying to protect the community, this is true, to the greatest extent possible within reason and within what is rational. Then also we have to look at the adverse impact that we perceive as coming about as a result of the decision or proposal that is being presented here.

Now, notwithstanding the fact that some of the properties which would have been perhaps predominately in the core area, either if they are a departure from that premise, I think what we have to look at is do we feel that approving this proposed plan as it is will have such a great adverse impact that it would render this proposal to be undoable and that is what is before us today.

COMMISSIONER MITTEN: Well --

CHAIRPERSON REID: Looking at the whole picture. The picture in its entirety and not just taking various components of it but the entire picture and then making a determination whether or not we feel based on our judgment that there are so many inconsistencies, or so many departures, that it is not

plausible to be able to garner that approving this campus plan would not reek havoc on that particular community down there. This is what we are about trying to do.

COMMISSIONER MITTEN: And, Madam Chair, I agree with you completely. I guess what I am trying to do is I have studied this plan. I've studied the record. I've gained a lot of understanding after all of the information was in the record and after I could sit as Ms. Renshaw described sort of in the quiet and absorb it.

I've come to see certain things about it. I'm just trying to share that so that when we make the decision as you had outlined it, that we know exactly the implications of the decision. I'm just trying to give the other board members the benefit of the things that I have seen. We don't have to make individual decisions about them if you think that is counter productive.

There is detail underlying this plan and the detail is going to bind the university for some period of time. I just think everybody should be cognizant of exactly what is involved if we pass this thing as it has been presented.

CHAIRPERSON REID: I appreciate that. I think that, like I said, the task before us is rather difficult because all these little details that you are bringing up are things that will comprise the whole and, as such, we have to look at the whole picture and get our arms around all these little pieces.

And then determine given a not-so-perfect world whether or not we feel that the areas that may not be as perfect or as desirable as we would like them to be, determine whether or not these areas are such that it would cause more of a deficit to the whole picture and compare it to the other aspects of it.

We have so many other things that we have to look at in this regard. I think that there are some hard facts that are before us that we have to look at.

Then there are things like this that we can look at and say, "Um, well, let's see. If they do this, it looks like they are doing that," and maybe use that as an additional measure as to whether or not we feel it warrants or merits approval or disapproval.

I'm not disagreeing with you. I certainly see where you are going with it. Nonetheless, I think that is just one part of so many things that we have to take into consideration.

What you are looking at is trends or where you see this ultimately having -- it may not be today but looking at the future over the span of the campus plan to anticipate where there may be problems and then trying to make judgments as to that at this point rather than getting to that point and having problems. Proactively I guess is the best we can say.

Okay. The intent of the university, I guess, is what is paramount to us, and that is, I guess, whether or not we

feel based on our best judgment given all the things we have before us is there some sinister intent to be invasive into that community to the point that it's going to cause a considerable amount of adverse impact. That's what we have to look at. That's what we have to consider in its entirety.

COMMISSIONER MITTEN: Madam Chair, I guess I just wanted to clarify something, which is I don't think we're looking for sinister intent. We're looking to create the balance that is appropriate because that is the purpose of zoning in existing.

CHAIRPERSON REID: Let me just say, Ms. Mitten, when I say sinister, to me that is something that they are actually conspiring to do. I guess that may have been too strong a word. What I was more saying is that with the ultimate outcome being, in fact, sinister in the sense that more negative than positive, then perhaps what even the university had intended in that with their future planning perhaps not having taken into consideration some of the perceived or the possibilities of adverse impact over the long term, I suppose. Let me correct that. I don't want to give the wrong impression.

Any other discussion on this particular issue, board members?

VICE CHAIRPERSON SOCKWELL: The only thing I might say is that the location of those administrative and academic uses on the perimeter of the core, as Ms. Mitten has pointed out, do tend to shift them toward a higher density zoning district, in

particular on the south side, and similarly on the north side where the building heights and densities increase significantly.

In the long run it might make it more valid to request an expansion of the campus boundary at some point in the future, but that would just be based upon us not knowing the direction that might be taking and not being able to postulate one way or the other what that could lead to.

It does seem that in any event it's just the nature of the zoning within the area at minimum that might lead one to believe that the promotion of such uses to the south might have some long range goal in mind. But it's difficult to say that. It just is perhaps too much to want to speculate on at this point.

CHAIRPERSON REID: Okay. Let's move forward with this.

Ms. Mitten, did you have anything? I shouldn't say Ms. Mitten because this is not -- it seems like the discussion is basically me and Ms. Mitten but that is not the intent.

I would like to know from other board members if, in fact, they are getting in the discussion regarding the aspect of open spaces keeping with the campus plan format. If not, then historic preservation, was that an issue or problem in that regard? What about campus identity?

COMMISSIONER MITTEN: Could I just have a minute to review my notes on that?

Madam Chair, if I could just add that under the

discussion of campus identity there is a discussion on page 30, the first full paragraph, which just reiterates or gives in a different context the notion of the core.

It says, "GW has also engaged in ongoing migration planning in an effort to enhance academic programs in the campus community. The objective of migration planning is to consolidate departments and schools into a single building or cluster of contiguous buildings." And so on.

So getting back to my comment about the Elliott School going off campus, that may lead to some kind of clustering, but also it reinforces the notion that in the core area that is part of the philosophy of the university is to concentrate these uses that might have related -- concentrate buildings that will house related departments or provide enclaves. I just want to reiterate that is being discussed slightly differently under campus identity but it is the same notion.

CHAIRPERSON REID: Any other discussion on that? I think that we are in agreement with that. Transportation. Primarily we know that George Washington is served by the Metrorail system. The university slowly encourages the students and persons who work there to use the public transportation to the greatest extent possible.

Parking is not included in this, but basically to utilize as much as possible public transportation. We will talk about parking a little later on. Utilities. I don't think that

was an issue.

COMMISSIONER MITTEN: Madam Chair.

CHAIRPERSON REID: Yes.

COMMISSIONER MITTEN: Before we go off of transportation, I just want to call the board's attention to the fact that the campus plan that is currently enforced has a condition -- I guess it's a condition -- which would be No. 13 on page 42.

It says, "The University shall undertake over the life of the plan traffic and parking mitigation measures of the type outlined by the Department of Public Works and which are set forth in finding of fact numbered 40A of this order."

I won't read 40A but it's a relatively lengthy list of programs and various efforts that are supposed to be made by the university towards accommodating all types of traffic mitigation.

I looked and I could not find in the record a description of the existing transportation management plan. But when I looked at what the transportation management plan that was being proposed, it seemed to be somewhat redundant as if these were new initiatives being offered for transportation management when, in fact, they were initiatives that should have been in place in the context of the 1985 plan.

I can't say that with any certainty because we didn't have a description of the existing transportation

management plan submitted. On that issue, that might be -- I don't know how the other board members feel but in terms of evaluating the effectiveness of the existing plan and whether or not what is being proposed is actually either redundant with what's already in place or what should have been in place, I can't evaluate that myself.

CHAIRPERSON REID: So you're saying what, Ms. Mitten?

COMMISSIONER MITTEN: I'm saying that I don't know enough about the existing transportation management plan to know whether or not they have met the requirement under --

CHAIRPERSON REID: What we're looking at is the transportation -- we're looking at if there are any issues regarding the transportation plan, the fact that they have submitted one, the fact that they are demonstrating an intention to try to mitigate traffic concerns by encouraging the use of the public transportation; van pooling, car pooling, and the like, is basically what we want to see.

I mean, I don't think we're here -- I mean, I can't understand where you're going with this if, in fact, they do have a transportation mitigation plan in effect today.

COMMISSIONER MITTEN: I guess that's my point is it's not clear if they do and, if they do, it's not clear what it is. To evaluate what is being proposed, we don't know what's in place so we don't know if these are going to be -- is this the

same thing as already in place? Is this more?

We don't have anything to compare it to. That's my point. I can't evaluate what's being proposed because I don't know what exist now. And the existing campus plan clearly said there is supposed to be a plan in place and it gives chapter and verse on what it is supposed to comprise. I didn't find anything in the record that described the existing transportation management plan.

CHAIRPERSON REID: All right. You didn't ask that they submit that specifically? I can't remember but did you ask specifically that that be included in the record?

COMMISSIONER MITTEN: I didn't and the reason that I didn't is because I had made a request near the end of the last hearing that the zoning administrator be asked to determine whether or not the university is in compliance with the existing campus plan. I was told that's not for them to do. That's for the BZA to do.

I undertook to read the 1985 campus plan to determine what the requirements were, what the conditions were, and only after the final hearing did I do that. That's when I discovered that I don't know what the existing transportation management plan is.

CHAIRPERSON REID: Okay. Ms. Pruitt, could you find out if there is one in existence? My understanding was that it was and that from the information that is contained herein, it

refers to it and it talks about the Metro. It talks about the car pooling, van pooling, shuttle bus service and the like.

SECRETARY PRUITT: We can pull the old campus plan file.

CHAIRPERSON REID: I don't know if anybody has their hands on it, the transportation plan.

That's the travel and parking study. Okay. The transportation plan is included in that?

Mr. Moulden thinks that -- here, you can talk about it on the record -- that it is included within the parking plan.

MEMBER MOULDEN: No, I was indicating, Madam Chair, that in the proposed plan there is a reference to a traffic and parking study which indicates that some existing conditions --

CHAIRPERSON REID: I don't know --

MEMBER MOULDEN: -- and some proposed recommendations.

CHAIRPERSON REID: I think -- go ahead. I think that might be just the traffic and parking but I don't know if that also includes the transportation plan itself.

MEMBER MOULDEN: Well, it has existing conditions. It talks about railway networks, traffic conditions, existing capacity, public transportation options, shuttle bus operations.

CHAIRPERSON REID: Okay. So --

MEMBER MOULDEN: Existing conditions campus plan,

development conditions. Transportation management plan is part of this.

CHAIRPERSON REID: Oh. Okay.

MEMBER MOULDEN: To me this has the information in it.

COMMISSIONER MITTEN: Madam Chair, Mr. Moulden is right. It's on page 25. Now that I see the little note that I wrote to myself, if I would turn to page 25, is that the requirements of this condition go beyond what is described is the point.

For instance, just the first item in the condition of the existing campus plan. "Encourage mass transit by using market rate parking rate." So there is no information in the description of the existing transportation management plan that says what they charge for parking so there is no way to evaluate that as, okay, are they in compliance with that notion of the plan. In terms of the effectiveness of the existing plan, we can't evaluate it in terms of the requirements.

MEMBER MOULDEN: I don't think we can say that there is no transportation management plan. I think maybe there are some issues or concerns that we may have in addition to what they presented to us maybe.

COMMISSIONER MITTEN: Yes. And I agree with you. I stand corrected about that.

CHAIRPERSON REID: Okay. Well, your question is

that you want to know what they charge for the parking?

COMMISSIONER MITTEN: Well, that was one example. Another example is item No. 5, or bullet No. 5, "Implement a campus ride-share program." Well, in the description of the existing transportation management plan, there is no discussion of a rideshare program.

CHAIRPERSON REID: You want to know the finer nuances of the rideshare program and how it was set up?

COMMISSIONER MITTEN: I want to know if one exist I guess is the first point.

CHAIRPERSON REID: Isn't it saying that it is going to be established?

COMMISSIONER MITTEN: There is a requirement of the 1985 plan that a campus rideshare program be established. We have a description, as Mr. Moulden pointed out, in the traffic study that was provided that describes existing transportation management plan. There is no discussion of a rideshare program.

CHAIRPERSON REID: On page 28, No. 5, ride matching program, this might be it. "Two rideshare programs are in development at the university. GW's parking office is developing a web site to allow those commuting locally to and from GW to find carpool matches.

In addition, the Institute for the Environment has proposed the creation of a web site that would allow similar matches for students traveling to and from their houses in the

various states for holidays and breaks. The parking office has agreed to try and accommodate this ride match program on the web site as well."

COMMISSIONER MITTEN: Yes, Madam Chair, and the heading that is under, if you go back to page 26, is under Future Transportation Management Plan. That concept of a rideshare was supposed to be in place for 15 years. That's my point, that they are offering some things going forward that they were supposed to have provided in the existing campus plan. That's what I'm trying to --

CHAIRPERSON REID: I don't know if they had -- the point of the matter is in this particular campus plan which we are evaluating today, they have indicated to us what the rideshare plan is.

MEMBER MOULDEN: I think as we assess this plan and as we make up deliberation on decision for this plan, there are some things that we can add if we feel this plan doesn't have something that you would recommend. We could do that, Ms. Mitten.

COMMISSIONER MITTEN: Well, I guess there was an issue about -- there are numerous issues that have been raised about whether or not the university is in compliance with the existing plan. The penalty for not being in compliance with the existing plan is no further processing. I think we are duty bound to determine whether or not they are in compliance with the

existing campus plan.

There is evidence to me that they may not be. If think if you want to get clarity on it, you can certainly ask for some follow-up from the university so we can determine whether that is, in fact, the case.

CHAIRPERSON REID: Okay. Let's do that. Can we move on, please? We do know that they are in the process of developing a web site for ride sharing and carpooling and the like. What is existing is what you want to know so let's ask for that and can we move on.

The question is is there one or has there been in existence a ridesharing plan. Ms. Pruitt, would you please see that we get that?

Now, let's see. Where were we? Now, parking is another issue. We are going to do that separately.

Historic preservation. There was no issue about that. Or was there? Okay.

Campus identity. That's what we talked about as far as mitigation planning. And then the transportation. We talked about that.

Utilities is where we were. Was there problems as far as the utilities were concerned? Okay. Then on page 345, Roman Numeral V, Zoning Regulation Compliance.

That is basically looking at the regulations germane to this particular campus plan, which is subsection 210,

and to determine based on 210 whether or not we feel this campus plan complies with that regulation and under that particular heading would then come all the other areas, I think, that we have to take up here today. Then we'll look at anything else that we may deem necessary.

Okay. The first one, I guess, to look at is under Subsection 210.2 which is noise. Whether or not we feel that -- there is an issue in regard to noise and the adverse impact that it would impose upon this particular community as a result of this campus plan being accepted or approved. Discussion? No problem with noise?

Let's move now to traffic.

MEMBER RENSHAW: Madam Chair, I would like to perhaps reserve this and come back to it at a later point.

CHAIRPERSON REID: No, let's take it up now. Is there something you would like to contribute? We have a lot of things that we have to go over today and it's noon now, Ms. Renshaw.

MEMBER RENSHAW: Yes, I know, but we are also taking a look at some of these buildings. Under noise we've got designing loading docks and all of that to reduce the noise they produce.

It's just to point out that until we really define this boundary question that we have kind of set aside, the noise aspect of this, and also the factor of whether this core campus is

being pushed one way or another, this noise factor is going to be a part of this and we may be talking about noise as we further define these boundary issues. All right?

CHAIRPERSON REID: There's nothing wrong with your bringing that forward now.

MEMBER RENSHAW: Well, that's all I'm going to say at this point.

CHAIRPERSON REID: If you have an issue about that, this is the time to bring it up. We're talking about Section 210.2 which pertains to noise. This is the opportunity to discuss that.

MEMBER RENSHAW: Madam Chair, I don't think it's the only opportunity so I'm going to pass until a later point.

VICE CHAIRPERSON SOCKWELL: I have a comment.

CHAIRPERSON REID: Okay. Mr. Sockwell.

VICE CHAIRPERSON SOCKWELL: Just briefly. It was testified by the university's architect that I believe their perimeter development would be to the extent allowable under the ordinance, which means that they would maximize their development along the periphery of the campus which, in effect, could create noise problems that would need to be addressed.

We're talking about the density, the height, and the types of uses being prescribed, in particular at the southern perimeter of the campus, which could generate a great deal of activity.

Perhaps not necessarily evening activity but certainly during the day a great deal of activity. Those things might need to be looked at with some scrutiny of the true impact on the adjacent community.

CHAIRPERSON REID: Okay. Mr. Moulden.

MEMBER MOULDEN: Yes. Madam Chair, I believe noise is a major issue that we should consider when we make a decision on this campus plan. The increase in facilities, traffic both pedestrian and the vehicular traffic, will definitely or could create additional noise in the neighborhood which could impact the adjacent communities.

The question is has the university presented some mitigation measures to address the possible increase in noise. We need to access that before we make a decision.

CHAIRPERSON REID: I think that the issues that you raise are good in the sense that -- well, there are two things. One is noise as it pertains to student behavior. Then noise that you are referring to as in regard to the boundaries and any type of impact, the buildings or loading docks or additional traffic may cause as a result.

The student behavior aspect of it was addressed. We had some testimony as to some complaints that had arisen as a result of some of the off-campus students partying or being disruptive. The applicant had submitted to us steps that they had taken to try to address those issues.

It did not appear to me to be as large a problem as we had seen in some other cases. Nonetheless, we know that given the fact that anytime you have students, you are going to have an occasional problem with noise.

But the university, being mindful of student conduct and behavior and rules and regulations, as well has developed a hotline to receive calls regarding student misconduct and noise from parties or just disruptive behavior. So there had been some steps taken in that regard.

Now, as to the other noise issue that you all are raising, I can't remember any testimony that we received that spoke to that particular issue.

MEMBER MOULDEN: I think you are correct, Madam Chair. The university recommended a good neighbors program to establish educating the students about conduct in the community and so forth.

I think parking and traffic mitigation measures include instituting the Metro check program to students to allow them to use public transportation as opposed to driving to cut down on increased traffic and parking concerns in the neighborhood.

CHAIRPERSON REID: Yes. They basically had addressed some of the issues but not as it pertained to -- again, I didn't hear any testimony to the other types of noise that was brought up. Mrs. Renshaw said she will bring it up later.

Mr. Sockwell, did you want to speak more to that or that was just something that you wanted to make note of?

VICE CHAIRPERSON SOCKWELL: Just wanted to make note of it.

CHAIRPERSON REID: Okay. Thank you.

Traffic. Board members?

COMMISSIONER MITTEN: Is now the time to have a discussion about parking? We had done transportation in the earlier section so do you want to wait on parking? I think it's a specific item on page 37.

CHAIRPERSON REID: Basically we can just dispose of the traffic with the public transportation, other than the fact that we did have testimony regarding the impact of additional traffic as a result of the campus plan being approved. That would have some impact on the community.

We did have testimony that some of the people in the community felt that this plan would cause additional traffic in their communities, disruption in regard to some of the proposed plans they had, some of the buildings on the campus.

There was testimony that they did not feel that this plan being approved would cause any great amount of discernible traffic impact to the point that it would be disruptive to the community.

I guess I should say overly because obviously in that particular location we all know there is a dearth of parking

spaces and the traffic is really very difficult as it is. Anything that is added to what exist sometimes can be perceived as being unbearable.

Nonetheless, what we want to find out was whether or not us giving approval to this plan would cause the level of traffic and disruption that would be acceptable, or would there be a level that would be acceptable to the community at large if, in fact, this was approved. Is there any other discussion on the traffic?

CHAIRPERSON REID: Again, the applicant in the transportation management plan had moved to try to mitigate a lot of the perceived traffic impact that may come about.

Now, number of students, the enrollment. That is open for discussion now and that is certainly an area had quite a bit of discontent among the community. Let us know discuss it, board members.

Ms. Mitten.

COMMISSIONER MITTEN: I would just as soon someone else went first if you don't mind.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: Madam Chair, if it would help you, I would be happy to frame it without putting forward my specific notions on it if that would be helpful.

CHAIRPERSON REID: Well, you can.

COMMISSIONER MITTEN: Like you said, it's not all

about what I have to say but, if it's helpful, there's basically two notions that have been put forward related to enrollment.

One is what is the idea of a soft cap that would effectively be imposed by whatever if we made requirements on the university related to having either a specific number of beds on campus or housing a certain percentage of the full-time undergraduate population. That would be an indirect cap on the enrollment.

Then there's an existing hard cap for total student enrollment. I believe the community had put forward the idea of having a specific cap on full-time undergraduates. That would be a hard cap.

CHAIRPERSON REID: I think that you're right. In regards to enrollment, I think that would be one of the conditions if we decided to move forward on it. That is a condition as to the number of students -- a gap on the number of students per se. Then we look at the number of beds. There are some concessions, a proposal that was put forth by the university and to see whether or not we felt this would be something that would be doable. I think that the cap on the enrollment was 2,000?

VICE CHAIRPERSON SOCKWELL: 20,000

CHAIRPERSON REID: 20,000. That was pretty much in keeping with what had been in the previous order. Then we got into some finer nuances of the number of beds on campus and numbers as to the undergraduates and graduates. I think that we

should do an afterward discussion in the form of a condition.

It was proposed that there would be on-campus housing of 1,350 beds and off-campus 550. That was what was proposed. We had to determine whether or not we felt that would be acceptable. Any further discussion?

COMMISSIONER MITTEN: Madam Chair, I guess the only thing that I would -- I mean, in order for me to know fully what I think about an enrollment cap, I think we need to have the discussion about on-campus housing and then I can make a definitive statement about it.

In general I would say that in terms of the current cap, the cap has proven to be meaningless because they are nowhere near the cap. I think in terms of being any kind of control on what goes on, I think there's a sense that if we can just call it campus population is getting relatively high, and yet we have nothing meaningful to constrain it.

I think that we should at least keep in mind the fact that if we are going to have the cap whatever it is, it should bear some relationship to the existing population and the anticipated population because even though the university wants to maintain flexibility between their student count being undergraduate and graduate, even the head count cap and the full-time equivalent cap don't function. They are not a governor on the campus population.

I guess what I'm suggesting is that we at least as

we go further into the discussion we might want to think about whether or not we should reduce -- if we don't want to have a differentiated cap for full-time undergraduates that we lower the overall cap just because it doesn't seem to be meaningful.

CHAIRPERSON REID: Well, I have no problem with the current cap at 20,000. That is not a departure from that. That was already approved in 1985. I think this being the year 2000, them not changing that cap has some significance.

The fact that it is not meaningful, I don't know compared to what. I think if this is what they are proposing, then obviously there is a feeling with the applicant that this is something that is germane to their plans.

This is an ongoing concern and I don't know how this will impact upon their funding or their accreditation or what. That has not been an issue and I don't think we should get into raising that as an issue at this point, especially if it is something that is not contentious.

COMMISSIONER MITTEN: Well, Madam Chair, just to add another thought to it, which is what Mr. Barber testified to was the fact that total enrollment for the university has decreased, so in 1985 total enrollment was something like 17,900. Today total enrollment is 16,500.

In terms of having a sense of the size of the campus and the population of the campus today and the impacts today, we have a sense of that because of the experience of those

who testified before us. When we think about some of the issues that we didn't deal with in any depth related to traffic, for instance, if there were a significant increase in total enrollment up to the cap, then all of a sudden we have a different situation related to traffic.

I guess that is my notion of having a meaningful cap so we have some control over these various potentially adverse conditions.

CHAIRPERSON REID: I have no problem with the cap, as I said before.

Mr. Sockwell.

VICE CHAIRPERSON SOCKWELL: Over the years, I guess, in particular 1988 through '99, enrollment seems to have fluctuated by somewhere around 1,000 students in a range that seems to jump up and down over the period.

I'm not 100 percent certain that it would be appropriate to reduce the cap as a total cap whereas it might be more appropriate to use that in conjunction with some phasing in based upon various performance criteria that might be set by the board for the university meeting certain goals in housing and whatnot.

It may or may not be particularly important that that cap exist only because it is more of a number to associate with some aspects of an approval that we really haven't got into yet. I'm not sure there's a reason to reduce it. Then again, I

think it's subject to more discussion.

CHAIRPERSON REID: Thank you.

Mr. Moulden or Ms. Renshaw?

MEMBER RENSHAW: The cap certainly has an impact on housing whether it's on-campus housing or in the community housing. It also has an impact on these other points that we have raised concerning traffic and transportation and noise.

Then the pressure is on the university to provide additional buildings which may be on their radar screen but not built at the present time. An addition of another, if they are at, say, 17,000 right about this point, another several thousand students in that area is going to have a meaningful amount of pressure on the community. There is no doubt about it.

So as far as whether we are going to, or whether I would cut on tampering with this cap of 20,000, I would like to reserve a decision on this until we get into the discussion of campus housing on and off campus.

Right now there are problems. The community has brought these problems to our attention. I think that an additional number of students to the tune of 2,000 or 3,000 is going to be rather an acute impact on the community.

CHAIRPERSON REID: So you're saying that you want to table it?

MEMBER RENSHAW: Table it at this point.

CHAIRPERSON REID: All right. What about

personnel? The personnel is proposed to be 1,550. For faculty and staff the populations of 1,550 and 9,000 respectively. Is there a problem with that?

All right. Now, see compliance with maximum bulk requirements. I think that there was some discussion about increasing the FAR. There was some discussion about it but then I think that the conclusion was that we don't have the capacity or the authority to do that. The FAR would remain as it is which, I think, is, what, 3.5?

COMMISSIONER MITTEN: The current maximum is 3.5.

CHAIRPERSON REID: 3.5. I think that we can't do anything about that anyway. That was not an issue. I don't think it was an issue. There's nothing we can do to change it.

COMMISSIONER MITTEN: The only thing that I would say as far as it relates to the maximum bulk requirement is when we think about whether or not anything we might propose that would increase it is just for the time being in the calculations.

It appears that both the existing hospital and the hospital that is under construction are included in the FAR calculations so that when the new hospital is finally in place, the FAR that is occupied by the existing hospital would be freed up for other uses. It wouldn't still be devoted to that use in terms of having some flexibility.

CHAIRPERSON REID: Okay. Comments? Now, as to -- well, the development of the plan -- the submission of the plan of

the development of the campus as a whole, that is what we're dealing with in its entirety.

It goes into actually the proposal for various categories of land use, academic, medical, residential, and commercial investment. Is there any need for a session on that?

COMMISSIONER MITTEN: I think there is.

CHAIRPERSON REID: Other than when you were referring to extracting some of the commercial use from the boundary, you want to discuss that now? Is that what you're talking about?

COMMISSIONER MITTEN: No, Madam Chair.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: I think that probably the most significant item for discussion in this area is the university's proposal to designate square 54 in all four land use categories.

I know that this is tied to a specific proposal that has been made by the university to build 500 beds of housing on square 54 if they gain approval for a PUD rezoning to C-3-C and all the necessary approvals to develop that site.

What I think we need to discuss is the fact that the campus as it exist is a finite area and whatever we decide, whether we increase it or decrease it or change the boundaries, it's going to be a finite area.

We know that it's constrained right now. If we

designate square 54, all or part of square 54 for commercial or investment, we are opening that up to being sold as investment property and being withdrawn from this very previous pool of land that is available to be developed by the university.

We know that the pressure is there because that's where all the commercial and investment frontage exist. I'm not in favor of that designation for square 54. I want to be sure that the board is aware of the implications of that designation if they approve the plan as it has been proposed.

CHAIRPERSON REID: Ms. Mitten, if you have some reservations or concerns about square 54 and the use as to that particular property when the hospital is changed, then could we not -- could those reservations then not be addressed with a condition?

COMMISSIONER MITTEN: Well, I can't imagine why you would want to, on the one hand, designate the property as a potential for commercial and investment and then, on the other hand, condition it in some way.

I don't know what that condition would be. I think the superior course of action would be not to designate it for commercial or investment and to designate it for one or more of the other land uses within the plan.

CHAIRPERSON REID: Wait a minute. You're saying that you think that we should not -- that if we approve it as it is, that it could be used for something else? You're saying that

once we approve it for a particular use, then it could be used for something else? Repeat that again. You said a superior idea would be to do what?

COMMISSIONER MITTEN: There's four categories proposed for square 54 right now. I would propose that one of those four categories be eliminated.

The category I'm suggesting should be eliminated is commercial/investment so that we know going forward, given the constraints on the university, given just the pressure in that area, that we would not sacrifice a large site that is within the campus plan boundary that is zoned R-5-D, that we would not make that susceptible to being sold for investment.

If we designate it for commercial/investment, that's what is going to happen to all or part of square 54.

CHAIRPERSON REID: Are you saying that with any degree of certainty?

COMMISSIONER MITTEN: I am saying that based on the fact that if you look at the history --

CHAIRPERSON REID: No, no. My question is --

COMMISSIONER MITTEN: That's the basis for my --

CHAIRPERSON REID: Do you know --

COMMISSIONER MITTEN: No, ma'am, I don't. I'm saying that if you look at the history of the way that this campus has evolved and other properties that in the past that are

fronting on Pennsylvania Avenue that people anticipate it would be put to university use but were zoned for commercial use, every one of them is now a commercial/investment property not in university use. That's the basis for my statement.

VICE CHAIRPERSON SOCKWELL: Madam Chair, it might be more appropriate to have Ms. Mitten further define which commercial and investment uses she sees the property being put to, because on the outside it would sound like this is going to become some office building property but it's not zoned for that.

Yet, a portion of the property could very easily -- based on its proximity to other land uses of a similar type, a portion of the property could be placed in a different income earning category giving the university the ability to supplement its income as it has with other properties that are located in the C-3-C zone.

Again, I want to correct myself from something I said before where I said one of the properties was in the SP zone. I was misreading a modified version of the original campus plan. Anyway, it was C-3-C.

The point I make is that I don't have a particular problem with square 54 having all those designations based on its particular location with regard to principal arterial streets and other zoning classifications that would be more commercial.

COMMISSIONER MITTEN: Mr. Sockwell, if I could just clarify. I want to be sure I understood what you said. I

understood that part of what you said is that based on its existing zoning, that you don't see it becoming an office building, for instance. Did I understand you correctly?

VICE CHAIRPERSON SOCKWELL: That is what I did say.

COMMISSIONER MITTEN: One of the things that we know is that it's the intention of the university to file for a PUD that would result in rezoning all or part of square 54 to C-3-C so the existing zoning is temporary and I think we need to look ahead.

VICE CHAIRPERSON SOCKWELL: Temporary would be based upon approval as opposed to based upon review.

COMMISSIONER MITTEN: I understand that but what I'm saying is that the existing zoning, the R-5-D zoning, is temporary. We know that their intention is to seek approval for some kind of commercial development.

It's been suggested and it's in the record that that development would be 900,000 square feet of commercial FAR which sounds like one or more office buildings to me. I'm saying that given that we have

-- we don't have a lot of control but we have some control and we have some control over square 54.

If you start looking around for places for them to put things, there aren't too many places on campus for them to put things. Square 54 is a place to put things.

If you eliminate that from the campus, which I am

suggesting you effectively do in the short term or the long term by designating it commercial/investment, I'm saying that is not a aspect of the plan that I can endorse.

CHAIRPERSON REID: Okay. Here's where I'm having a little difficulty. No. 1, in their proposal, in their campus plan, is there anywhere in the campus plan that proposes that the 9,000 square feet that will be commercial investment is going to be taken out of the universities and it's not going to be part of the university?

If, in fact, it is so designated -- no, no. Let me go back. No. 1, there is also an application for a PUD, right? But that has not been done.

COMMISSIONER MITTEN: Correct.

CHAIRPERSON REID: Okay. Within that application for the PUD, do we have that?

COMMISSIONER MITTEN: No, Madam Chair. What they've said is that it is their intention to do that, not that they have done it.

CHAIRPERSON REID: But was that included as part of this particular campus plan?

COMMISSIONER MITTEN: I believe that -- well, the campus plan that was submitted in December of 1999 has had all these different additions made over time. It has been put forward in some form. I couldn't put my hand on it right now. I could put my hand on it if you wanted me to but I thought that was very

well understood.

CHAIRPERSON REID: Well, I know that they said that part of square 54 would be as an alternate site and would require a C-3-C PUD. Now, my question is did they say -- was it proposed how the use of that particular square was going to be broken down other than the various academic and residential and medical? But did the commercial investment specify as to what the commercial investment aspect of it would be, the 9,000 square feet?

COMMISSIONER MITTEN: It's 900,000.

CHAIRPERSON REID: I'm sorry, 900,000 square feet of it. Do we know what that's going to be?

COMMISSIONER MITTEN: No, Madam Chair.

CHAIRPERSON REID: All right. Then you're saying that you think it could be sold off?

COMMISSIONER MITTEN: That's exactly what I'm saying.

CHAIRPERSON REID: Okay. What I was saying earlier as part of the campus plan we could not condition it specifically as to what the use would be so that we would not have to be concerned about that happening.

COMMISSIONER MITTEN: Well, Madam Chair, I guess my point is that the properties that will not be used by the university that are within the campus boundaries are those properties that are designated commercial/investment.

I'm saying that the cleanest way to ensure

university use of whatever is developed on square 54 is to not put it into that category. Then it can be used for any other university purpose because we could include it in the other three land use categories that do designate the university.

CHAIRPERSON REID: I do understand now. I do understand what you're saying but what I'm saying is commercial investment means what exactly? Does it mean it's going to be sold off or is there any

other --

COMMISSIONER MITTEN: Well, Madam Chair, if I could, I'll read you precisely the description if it's not too lengthy.

CHAIRPERSON REID: What page?

COMMISSIONER MITTEN: Page 24 at the top. "Commercial/investment means commercial and/or income producing properties."

CHAIRPERSON REID: Okay. So income producing. It could not be income producing?

COMMISSIONER MITTEN: Well, Madam Chair, I suppose that what they could do is they could build an office building and then lease it out to law firms and so on. It's still an investment property. It's still not in university use.

The point is not whether they actually sell it but whether they treat it as a one-time investment where they get a pool of money by selling it or whether it's an ongoing investment.

The fact of it will be that the property will not be put to university use.

In a circumstance where the university is so constrained, there just isn't available land to develop things, why do we want to make square 54 vulnerable to being used for anything other than university use by giving it that designation? If somebody would care to try and change my mind has to make a compelling reason why that's appropriate.

VICE CHAIRPERSON SOCKWELL: Madam Chair, I wouldn't want to offer Ms. Mitten a compelling reason but the northern exposure of the square probably lends itself more to commercial than to university use because of its proximity to a very high volume traffic circle on Pennsylvania Avenue.

Doing a quick rough calculation, I would say that the square itself, which has about 115,000 square feet of land area, could probably be capable of producing a 1.4 million to 1.5 million square feet of development total with a PUD which a major portion of it might actually not be commercial, i.e., office but could be commercial residential.

The opportunities are there for land uses that might be compatible with the campus environment on the south and east side and would be compatible with the commercial orientation of the north and west sides. All those things would have to be submitted for review in a PUD and would be reviewed in context with the campus environment and the adjacent property uses.

I'm not sure that we can make a statement that the university would produce something that might be all together out of character with their needs. They might use part of it to buttress the university's requirements for various things and part of it to help pay for those university needs.

I'm not sure that if we limit the use of the square based on the fact of its particular location, I'm not sure that we gain but so much. I mean, the hospital is going to be across the street. I don't think we have enough to go on at this point. I'm not sure that I would necessarily support the restriction.

CHAIRPERSON REID: My question is what is the percentage? Do we know that? The percentage of the actual commercial investment in this particular square. What is the percentage?

COMMISSIONER MITTEN: That's the point, Madam Chair. There is no percentage. It's just open. The entire square is open to any of those four uses in part or in their entirety.

CHAIRPERSON REID: Well, I mean, in looking at Figure F5 are we not able to deduce from the way that it is striped what the percentage of it would be a commercial investment?

COMMISSIONER MITTEN: No, Madam Chair. That's just the way that they show multiple use designations.

CHAIRPERSON REID: Oh, I see. I'm sorry. I was

thinking that it was indicating -- this is just a legend so we don't know what percentage of the square is going to be devoted to the commercial investment aspect of it.

COMMISSIONER MITTEN: That's correct, Madam Chair.

CHAIRPERSON REID: Isn't that a question we should ask before today?

COMMISSIONER MITTEN: Well, Madam Chair, I mean, I understand that there is a frustration with why didn't we ask that before, but there's been a lot of information to digest. You have to somehow collect it and then see it in its entirety and all of these questions don't necessarily occur in the sort of heat of the hearings.

CHAIRPERSON REID: I think that in order for us to make an intelligent appraisal of this particular square, there is certain information that we must have given the situation or the issues that have been raised by Ms. Mitten. Certainly they are good points. If, in fact, based upon what you have explained to us today it gives you pause, then I think that we as a board need to understand and to be able to address the issues adequately for our own clarification. I think that the best thing for us to do is break for lunch and then perhaps when we come back we'll have answers to some of these questions that you have raised so that we can then be able to proceed intelligently. To do otherwise would just not make -- it's kind of like shooting in the dark.

COMMISSIONER MITTEN: If you would like to break

for lunch now, that's fine and I appreciate all the things that you said in terms of trying to reach some kind of agreement. There are a few other sites that I think we need to discuss in terms of their land use designations.

CHAIRPERSON REID: We can finish that and then break for lunch.

COMMISSIONER MITTEN: Okay. Would you like me to proceed?

CHAIRPERSON REID: Let's table that issue.

COMMISSIONER MITTEN: That's fine. I just feel compelled to raise these things because, as you rightly pointed out, there are things that didn't come out in the hearings. They weren't discussed with the applicants. People didn't focus on them. I think we need to focus on them.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: This was focused on by, I believe, Mr. Thomas had testified about square 39, which is you can see it on Figure N, F14 in terms of it being proposed as a preferred site for medical health.

The land use designation wouldn't change but the issue that was raised by Mr. Thomas, I think, is a legitimate one, whether or not square 39 should have in whole or in part a residential campus life athletic designation that would then make it a potential site for residential development because it's on the periphery of the campus.

It is a potential buffer and I think it is a legitimate point to raise, particularly if we are going to designate square 54, at least in part, for medical/health. I think if we don't want a wholesale designate square 39 for residential campus life and eliminate the medical designation, that we should at least make it a mixed category on square 39.

CHAIRPERSON REID: Okay. Let's go back over this again.

COMMISSIONER MITTEN: All right.

CHAIRPERSON REID: Square 39 is now designated medical health.

COMMISSIONER MITTEN: Right.

CHAIRPERSON REID: Now, you're raising an issue about the athletic?

COMMISSIONER MITTEN: Well, there is another category. Maybe we'll just call it the residential category.

CHAIRPERSON REID: Where is the residential?

COMMISSIONER MITTEN: The residential category -- maybe we should be on a different --

CHAIRPERSON REID: I don't see that.

COMMISSIONER MITTEN: Okay. Let's go to Figure E. Let's use that.

CHAIRPERSON REID: I'm on Figure E.

COMMISSIONER MITTEN: You don't want Figure E?

CHAIRPERSON REID: I am on Figure E.

COMMISSIONER MITTEN: Sorry. Okay. Medical is designated in purple and residential is designated in yellow. You can see that for the most part it's these residential campus life athletic uses that are supposed to be the periphery, the buffer, and so on.

You can see they are sort of, not exclusively, but sort of scattered along the southern boundary and the western boundary. What had been suggested is that particularly since square 39 is underdeveloped, it doesn't have very much density on it, is that it be designated for residential use because it does abut the residential uses to the west and it is on the periphery of the campus.

CHAIRPERSON REID: Mr. Thomas was the one --

COMMISSIONER MITTEN: He was the attorney for --

CHAIRPERSON REID: I know who Mr. Thomas is certainly, but I'm asking you he was the one who suggested that designation be changed to residential. Is that what you're saying?

COMMISSIONER MITTEN: I don't know if he said that specifically but that was the import of what he was saying. I think that is a legitimate suggestion is that square 39 should be designated for residential development to serve as a buffer for the residential uses to the west.

CHAIRPERSON REID: All right. Any further

discussion on that?

Are you saying that you are also agreeing with him about -- are you suggesting that change be made? The suggest made by Mr. Thomas be adopted by us in this proposal rather than allowing it to remain as it is?

COMMISSIONER MITTEN: Yes, Madam Chair. That's what I'm suggesting.

CHAIRPERSON REID: Okay. Well --

COMMISSIONER MITTEN: You can add that to the list of things that we can talk about.

CHAIRPERSON REID: Because in looking at this map, it appears that the medical health designation of square 39 is right contiguous with the hospital, the new hospital.

I think there must -- you know, in just looking at it there is obviously some connect between the two. What that is I don't know. I think what we have to be careful of is that in any decision that we make, that we don't inadvertently somehow impair the ability of the university to be able to function.

I think that these particular designations were put there strategically as a part of their plan in keeping with, or to facilitate, what they deem to be necessary.

I'm not sure exactly what it is but I'm just basically speculating that looking at the way that it is juxtapositioned here on the map, that there is some type of coordination or some type of relationship or correlation between

the two. I think we need to be careful or mindful of the kind of decisions that we make.

COMMISSIONER MITTEN: Madam Chair, you are exactly right. I guess the only thing I would say in terms of if the board felt comfortable to free up square 39 for residential development, the idea is that if you sort of compare Figure D and Figure E is there is certainly the opportunity to develop whatever medical/health uses that the university might be interested in doing on square 54, which would provide a direct link to whatever is going on in square 75.

Instead of being drawn away from one of the related uses, square 54 could be a way of providing cohesion and square 39 is really on the periphery. It is on the other side of the significant roadway, too.

CHAIRPERSON REID: Well, you know, Ms. Mitten, I think that again what has been put before us is the result of many months of planning and that this planning has to be based in some type of logic. That logic, I believe, is predicated upon what the university or the applicant feels is needed or necessary for whatever reason.

Again, I think that before we start to move this land use around arbitrarily, that we need to understand more fully what, in fact, the intention of the university is. I think that is very dangerous for us to just start moving land uses around just without having gotten the requisite amount of information

that we need in order to do so properly.

Again, this is something that I feel should have been brought out during the testimony so that we could ask questions of the applicant as to if, in fact, we could do some "what if" type of scenarios. If we did this, then what? If we did that, then what? What kind of impact would it have? How would this impact upon the overall plan and what is your intention with the rationale?

I just am a little -- it gives me pause to start doing that. I can't speak for you but I know that this board member is not a professional land use planner and has not consulted with the university and, as such, I am completely at a loss to understand the total basis for the decisions that were made as a part of the campus plan that has been put before us over the whole 10-year period of time. I'm very cautious about making decisions like that.

VICE CHAIRPERSON SOCKWELL: Madam Chair, let me ask a question of Ms. Mitten.

Your proposal for square 39 to place housing as the priority would make that the most disconnected housing on the campus and would place it virtually at a remote location separated from the principal on-campus activities by a major medical facility and a currently designated catch all everything use potentially PUD site.

Do you feel that is the most appropriate

designation for housing when it appears that the principal residential portions of the campus are much more directly connected to the academic and other main campus uses?

COMMISSIONER MITTEN: I guess I have a couple of responses. One is you are absolutely correct when you look at the campus as it's defined. But when you look at the campus as it is in reality, I mean, think of the Hall and Virginia Avenue. It's not anywhere near the rest of the residential uses that are on campus.

In terms of being remote, I take your point but I think it's close enough and closer than many of the other dormitories. I think another aspect of it is that it may be joined by another 500 units of housing or 500 beds of dormitory space or whatever on square 54 so it wouldn't be quite as isolated as it appears to be now.

Finally, the idea behind putting residential uses on the periphery is that in some respects dormitories are compatible with adjacent high density residential development. While it might not look like it's compatible with what's going on on campus, it's compatible with what's going on off campus.

VICE CHAIRPERSON SOCKWELL: If, in fact, you begin to bring into this picture properties like the off-campus Virginia Avenue facility, you're mixing for the purposes of this exercise perhaps certain apples with certain oranges, not necessarily because of use but because of the fact that this is an off-campus

property dedicated to university use.

It would be perhaps similar to bring in a property that would be on the other side of town to designate it but it's not on the campus and I'm not sure that we have the right to suddenly place this in the context with something that is actually within the campus boundary.

I think that if we want to look at the campus boundary as it exist today, that we would want to at least consider the uses relative to that boundary as the perimeter envelope in which we're working.

I do think as a housing designation that is probably less valid than would be, I think, a support medical facility, medical use, health use to the hospital which is currently being built so that you would have a medical office building or something of that nature supporting the hospital use. It would be in the right location for that. Otherwise, the support medical use would have to be located somewhere else. You would have to flip that into a location that might not be as compatible with the campus design.

COMMISSIONER MITTEN: Well, I hear what you're saying and I guess I would just like to make sure that the same standard applies to what Mr. Sockwell is saying as applies to what I have been saying, which is Mr. Sockwell is suggesting that what uses should be placed on square 39 as if he has some special insight into the support uses that are needed for the new

hospital.

While I don't have those insights, I don't have the insights into what effect it might have on the plans of the university if we designate quare 39 for residential, and I don't think that we need to get into that level of detail.

VICE CHAIRPERSON SOCKWELL: It wasn't done in that vein. In general if you have ever visited a hospital, you will tend to find that the medical is next to the hospital be it Doctors Hospital in Prince George's County, be it Hospital Center, be it any other hospital, Providence.

The medical office building is almost invariably next to the hospital or a medical support facility is almost invariably very close to the hospital. It works from a functional standpoint. It really is not based upon the fact that this is a college campus versus some other private use.

COMMISSIONER MITTEN: What I'm suggesting is that in terms of adjacent properties where those uses could be accommodated, square 54 as it is proposed as a medical health designation, and a portion of square 55 has that designation.

I'm saying that whatever uses might be put onto square 39, which is relatively small, that there are adequate -- I'm suggesting that there may be adequate alternative sites within the campus that could accommodate that.

With that I might just mention the last bit on the land use that gives me pause, Madam Chair, if we could move off of

square 39.

Square 77. This would be along H Street so it's the south side of square 77. You need to look at Figure D and Figure E simultaneously. It's basically where the 77 is positioned. Where the 77 is positioned there's a little alley.

If you look on Figure D there's an alley that separates two relatively narrow sites that are yellow on Figure D. Those from the building identification map, which is another figure in this --

CHAIRPERSON REID: Yellow or orange?

COMMISSIONER MITTEN: I'm not sure we have the same colors. My colors are different. I don't know why.

CHAIRPERSON REID: It's orange over here.

COMMISSIONER MITTEN: Now I understand why we were wondering about the red earlier.

VICE CHAIRPERSON SOCKWELL: It's a print issue, I think.

COMMISSIONER MITTEN: Okay.

CHAIRPERSON REID: You have something --

COMMISSIONER MITTEN: Okay. So it's not yellow but it's right under the 77.

VICE CHAIRPERSON SOCKWELL: It's the same thing. It's just that I think the colors are richer on some copies and no so rich on others.

COMMISSIONER MITTEN: What do you guys have,

orange?

CHAIRPERSON REID: Orange.

COMMISSIONER MITTEN: Okay. So it's orange. Then on Figure E you see that an additional land use category has been proposed because now it's orange and red or whatever you have. The transition that's being made for that part of square 77 is from a straight-up residential campus life athletic designation to a mix of academic, administrative, and this residential.

I want to point out the fact that, at least, based on the building identification map that we have, the two properties that would be affected by that are both residence halls, Shenley Hall and Crawford Hall.

I think in terms of understanding what the university has in mind, I would be deeply interested in knowing why they would want to redesignate two existing residence halls to some alternative use category.

CHAIRPERSON REID: Okay. You know what? I am really not following you.

COMMISSIONER MITTEN: Okay.

CHAIRPERSON REID: I'm looking at the two maps and they look --

COMMISSIONER MITTEN: That's solid and that's mixed.

CHAIRPERSON REID: Show me again.

COMMISSIONER MITTEN: These are solid orange and

this designates mixed.

CHAIRPERSON REID: Are you referring to just this area here?

COMMISSIONER MITTEN: Yeah. See how that is now mixed where the mix used to stop right there?

CHAIRPERSON REID: Your question is?

COMMISSIONER MITTEN: My question is what is intended by imposing or laying over two existing residence halls, the designation of academic/administrative? What's the intent?

CHAIRPERSON REID: Okay. That's another question that we have to have asked. No one knows. No one knows the answer to that. Are there any other?

COMMISSIONER MITTEN: There are others but they are small properties. I don't know if they are residence halls. I know that they have dormitories and then they have these little townhouses where like specialized groups of students live.

There are several other locations where the land use designation is either changing entirely from residential or where there is an additional land use designation being introduced.

I can just run down those addresses if you would like. I'll give you the square, the address, and what's changing. Then you can look on your own Figures D and E and see what I'm talking about.

Square 79, 2145 G Street, currently has the

residential campus life designation. It's being proposed to be changed to academic/administrative.

Square 57, which would be a parking lot next to the Smith Center, so it's the western portion of the square, currently has a residential campus life designation. The proposal is to introduce in addition to that academic/administrative. I already went through Shenley and Crawford Hall.

Square 80, 611 22nd Street, currently has a residential classification. It's being proposed to be changed to academic/administrative.

CHAIRPERSON REID: Which number is that?

COMMISSIONER MITTEN: That's square 80, address 611 22nd Street.

CHAIRPERSON REID: When you say address, are you referring to one building?

COMMISSIONER MITTEN: Well, yeah. You have to look --

CHAIRPERSON REID: In the square?

COMMISSIONER MITTEN: Yes. In order to discern all of this, you have to use Figure G which has all the buildings identified.

CHAIRPERSON REID: Okay. You want to know why a particular building designation changed?

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: All right. Go ahead. Again,

these are issues that would have been better answer during the hearing.

COMMISSIONER MITTEN: Madam Chair, I agree with you completely and I apologize for not spending the numerous number of hours that I have spent earlier but I don't think that it makes the issues any less legitimate.

CHAIRPERSON REID: Well, no, that's not the point, Ms. Mitten. The point is that we're spending an inordinate amount of time going over all these little issues -- not little. I'm not trying to be patronizing but the fact of the matter is many of these things could have been clarified prior to today.

We could be moving on to looking at some of the areas that are contentious that we have to still address today rather than picking up building by building in a square as to why the use was changed. I think that some things are rather apparent that within the course of a campus plan from '85 to the year 2000 the proposal changes. This is what this is for.

If you have any questions about why a building was being changed from one thing to another, then the time to have done that was at the time of the hearing. At this point in time we don't know and

now --

COMMISSIONER MITTEN: Madam Chair --

CHAIRPERSON REID: -- we have to go back and figure it out --

COMMISSIONER MITTEN: Madam Chair --

CHAIRPERSON REID: -- the answer to your questions. I'm just saying that makes our job more laborious to have to do that right now.

COMMISSIONER MITTEN: Madam Chair, I guess I would just like to say that no one else identified these issues. That doesn't mean they're not issues.

I think that if we had just gone ahead, plowed ahead with approving this or not examining this in detail, then we are potentially opening up two residence halls to being converted to something else. Later when everybody would go, "How did that happen?" They go, "Well, the BZA approved it."

CHAIRPERSON REID: I have no problem with your request. I'm referring to the timing of your question.

COMMISSIONER MITTEN: I can't roll back the clock. I cannot roll back the clock.

CHAIRPERSON REID: This is why we have hearings. This is why we have testimony so we have opportunities to question so we have all the information before us so we can move forward to deliberation.

The question that you're asking we don't know so we cannot make a decision on something we don't know. We have to go now and try to find the answers to those questions so that we can then be able to move forward. I'm just saying that hereafter I would very much appreciate if that could be done.

Even if it had been, you know, within the scope of writing your questions out to the applicant or whatever and having answers so we could more adequately address them here today before we can make a decision. We can't really make a decision predicated upon some of the issues that you are raising. We don't know the answers at this point.

COMMISSIONER MITTEN: Well, Madam Chair, I guess I would just say finally, in addition to the fact that I apologize profusely for wasting the board's time and I can't undo the fact that I didn't uncover these things earlier, is that there were five decision meetings in deciding the last campus plan.

That's not including requests for reconsideration, a portion of the plan being remanded to the BZA, and all of that. There were five decision meetings. My guess is at some point the record might have been reopened to take in additional information.

I would just submit that if you find the things I raise of any merit at all, that you have the opportunity, the prerogative to reopen the record and get a response from the applicant.

CHAIRPERSON REID: We've already done that. I asked that earlier. About 20 minutes to 1:00 I had suggested that given the fact that these questions are being raised we don't have answers to, perhaps during the lunch break staff could find out the answers for us so that could be able to proceed

once we come back from lunch. That's the only thing we can do.

That's the only thing that I think we can do.

VICE CHAIRPERSON SOCKWELL: Madam Chair, one thing that I think Ms. Mitten is uncovering for herself and for the board is that the land use changes that are being proposed really go to a longer range planning issue than just the redesignation of buildings.

Because as the land uses change on each square, you are seeing the consolidation for the purposes of likely future development which would be encumbered considerably if such development had to be designed around pockets of other types of land use.

What the university is doing is consolidating the land uses in such a manner that developments can be more cohesively and coherently designed and built on these various squares which, of course, would bring in certain historic preservation issues which really aren't necessarily of importance at the moment.

I think what we are noticing and what Ms. Mitten has brought out is a movement to consolidate and look more coherently and more massively develop various aspects of the university's site in a manner that's consistent with the way things are effectively designed and constructed.

That is, we'll move this off here. We'll get an overlay that works for us later. When we come back in for the future processing, we'll be able to do this thing effectively.

The other side of the coin is regardless what is approved, they won't be able to build anything that is not consistent with the restrictions placed upon them by any BZA approval.

That means should they take housing away, they have to replace housing. Should they increase enrollments, they have to increase housing. Should they do this, they should do that.

Some of these things while important in looking at the overall campus design from a land use standpoint are not as important until further processing comes except where they create potentials for major shifts in the way the university is placing its facilities as in square 54 or perhaps square 39, or certain other square.

I think that there's a point at which it just becomes information and a point at which it is very important to our consideration of the campus plan as a whole.

CHAIRPERSON REID: Mr. Moulden, do you have any comments?

MEMBER MOULDEN: No.

CHAIRPERSON REID: Ms. Renshaw?

MEMBER RENSHAW: No.

CHAIRPERSON REID: Okay. Thank you very much, Mr. Sockwell. Did you have any other things that you wanted to raise in regard to the overall campus plan and the various squares and any other particular property on one of the lots that you may have some question about so we can get it all done?

I very much appreciate, Ms. Mitten, if you would put everything you have on the table, things you know we don't have answers to, so that we can try to do something about it while we're doing lunch. Are there any others?

COMMISSIONER MITTEN: There was one addition. Square 103, 605 21st Street. They are introducing in addition to residential campus life academic/administrative.

CHAIRPERSON REID: Okay. You want to know what the rationale is?

COMMISSIONER MITTEN: Well, what I would like to know truly is I could identify the two of those parcels where academic administrative are being introduced.

I know they are resident halls and what would be of the most interest to me is are we talking about redesignating properties that currently house beds because we care about the number of beds on campus. That's why I care about whether we are changing a designation and potentially opening the door to eliminating some on-campus housing.

CHAIRPERSON REID: I mean, notwithstanding that, maybe I'm not clear but I thought that a proposal to us from George Washington University was that they were going to have 1,250 beds on campus. Regardless how it was juxtapositioned on the campus that's what was going to be there. Even if they took something away, the composite number would always remain as what they proposed to us.

COMMISSIONER MITTEN: Just to be precise about what's been proposed, (a) 1,350 beds are contingent on other events and they are new beds. They don't say anything about the old beds.

CHAIRPERSON REID: It says additional on-campus housing.

COMMISSIONER MITTEN: Okay. I mean, we just have to be sure that we are precise in our language so that we don't provide an opportunity for any elimination of existing beds on campus without being replaced.

CHAIRPERSON REID: So you think that if they add some they may take some away so, given that, you want to be able to assure that no matter what -- basically, if I understand what you're getting at, you want to make sure that X number of beds are maintained on campus regardless as to what's moved around.

COMMISSIONER MITTEN: Effectively, yes.

CHAIRPERSON REID: Okay. Ms. Pruitt, have you gotten the notes on what we need?

SECRETARY PRUITT: Yes.

CHAIRPERSON REID: Okay. Are there any other questions? Any other issues that we need to have addressed or questions that we need to have answered?

Let's just reiterate very quickly, square 54 we want to know the percentage of commercial investment. As a matter of fact, Ms. Mitten, would it be more prudent to get a breakdown

of the entire square as to what allocations are going to be for what designations in an entire square?

COMMISSIONER MITTEN: Well, Madam Chair, you can request that. I think it was stated on the hearings that they don't have any specific plans for the square 54, although they may be in a position to explain what their intent is if they go forward with the PUD and a granted approval what's their intent in that --

CHAIRPERSON REID: Okay. That's what I'm saying. What do they foresee? What is their objective, I guess, is a better question. Then for square 39 why not make that residential. For the other squares that you mentioned, Ms. Pruitt has the question as to why those were being changed. Any other questions or any other issues?

MEMBER RENSHAW: Not right now.

CHAIRPERSON REID: Okay. I had a note as far as the boundaries of extraction. What qualities were you suggesting be extracted from the boundaries?

COMMISSIONER MITTEN: Basically anything that's designated commercial/investment in Figure D.

CHAIRPERSON REID: Oh, I'm sorry. All commercial/investment properties that are reflected on, what is it, Figure D?

COMMISSIONER MITTEN: Yes, Madam Chair.

CHAIRPERSON REID: To be extracted from the

boundaries. Did you have a suggestion for replacement?

COMMISSIONER MITTEN: I think we need to have more discussion about the housing issue before we decide whether or not we would want to propose other properties to be included.

CHAIRPERSON REID: So were you saying that notwithstanding the -- in other words, are you saying that your suggestion to extract the commercial properties from the boundaries is predicated upon the issue of housing and whether or not the housing --

COMMISSIONER MITTEN: No, it's an independent issue.

CHAIRPERSON REID: Okay. So if, in fact, they strike all the commercial from within the boundary, then there is no suggestion as to what you would like to see there to replace it?

COMMISSIONER MITTEN: Well, do you mean replace it with something on the south side of the campus? I mean, I would just basically redraw the line to exclude those properties whether we decide that we want to redraw the line.

I would redraw the north boundary to exclude the commercial/investment properties. If after we discuss the issue about housing, we would decide that we wanted to include square 43 or part of square 43 or part of square 58, part of square 81, I think we need to have our discussion first.

CHAIRPERSON REID: Okay. Let me see if I

understand what you're saying, Ms. Mitten. You want to basically redraw the campus boundaries to exclude all of the commercial properties on the north side. Then that would be outside the campus boundaries?

COMMISSIONER MITTEN: Yes, actually. Maybe the simplest way to put it is to -- well, the only problem is there's a little corner of square 75 that is actually in university use. It's whatever this -- I don't know what the building is called. I think it's called Burns Memorial or something like that.

CHAIRPERSON REID: Okay. The rationale for that --

COMMISSIONER MITTEN: The request of it would be to exclude all of the C-3-C. Is it all C-3-C?

VICE CHAIRPERSON SOCKWELL: Most of it is --

CHAIRPERSON REID: Square 122 I have a problem with because that's residential. Isn't it dormitory?

COMMISSIONER MITTEN: Square 122 is not included in what i'm suggesting. The part of square 122 that's in the campus boundary now is not part of what I'm suggesting.

CHAIRPERSON REID: It's a C-3-C.

COMMISSIONER MITTEN: Okay. That's C-3-C. What are you referring to, the north part of that square?

VICE CHAIRPERSON SOCKWELL: It's not this one. It's this one right here.

CHAIRPERSON REID: Okay. Which square is that?

VICE CHAIRPERSON SOCKWELL: It's square 121, I think.

CHAIRPERSON REID: It doesn't say. 121?

VICE CHAIRPERSON SOCKWELL: Yes.

CHAIRPERSON REID: Okay. So, anyway, you're saying that you want these things to be taken out, extracted from the boundaries. In other words, you are going to modify or to decrease or diminish the campus boundaries --

COMMISSIONER MITTEN: Redraw the boundaries.

CHAIRPERSON REID: -- to exclude. I don't know what the square footage is of these particular squares from the campus plan.

COMMISSIONER MITTEN: I don't know either but it doesn't have any -- if what you're think of, it doesn't have any impact on the FAR calculation.

CHAIRPERSON REID: Or are you saying that you want the designations to be changed from commercial to something else?

COMMISSIONER MITTEN: No, I don't. I'm not saying that.

CHAIRPERSON REID: Basically decrease the boundaries by those squares. Okay.

VICE CHAIRPERSON SOCKWELL: Madam Chair, Appendix D has the square footage of the properties that are involved and --

CHAIRPERSON REID: What page is it?

VICE CHAIRPERSON SOCKWELL: That's page --

MEMBER RENSHAW: A-6.

VICE CHAIRPERSON SOCKWELL: A-6 and beyond.

CHAIRPERSON REID: A-6?

VICE CHAIRPERSON SOCKWELL: Yes. But if on the north side per Ms. Mitten's requirement or desire, if the campus boundary were drawn along the C-3-C/R-5-D boundary, it would eliminate all the properties that she's speaking of and a few that the university may not currently own.

On the southeast boundary, and I'm still coming to grips with exactly where this piece of property is, but this property may be in the SP-2 zone based on something that I'm looking at. That also would be taken out along that border. There's a C-3-C portion that isn't designated as investment.

CHAIRPERSON REID: So are you saying that it wouldn't -- in other words, obviously the FAR wouldn't be affected because it would be decreasing it.

COMMISSIONER MITTEN: No, the FAR calculation is only on the residentially zoned land as it is.

VICE CHAIRPERSON SOCKWELL: I take it back. It's the C-3-C piece that you would have to take out but it would sort of --

COMMISSIONER MITTEN: That land is not included in the FAR calculation right now as it is.

CHAIRPERSON REID: Oh, okay.

VICE CHAIRPERSON SOCKWELL: If you took out all the C-3-C designations, you would pretty much put the campus where Ms. Mitten wants it.

COMMISSIONER MITTEN: But you will have excluded two things that I don't think you want to exclude, which is you would exclude the northern portion of what is called the Burns Clinic and you would exclude Thurston Hall because that's zoned C-3-C as I read these zoning maps.

CHAIRPERSON REID: Okay. The rationale for wanting that to be excluded is what?

COMMISSIONER MITTEN: I want those in and I want everything else out.

VICE CHAIRPERSON SOCKWELL: You see, the thing is --

CHAIRPERSON REID: The reasons why you want those commercial properties to be excluded from the campus boundary is for what reason? Let me get clear on that.

COMMISSIONER MITTEN: You mean the ones that I stated earlier?

CHAIRPERSON REID: Yes.

COMMISSIONER MITTEN: Is because they are commercially zoned and there is no requirement to have a campus plan for any property that is commercially zoned because all of the uses would be permitted by right. That's A.

B is all of those properties that I outlines are

not in university use anyway. Even if they were, they wouldn't be bound by a campus plan boundary. The fact is that they're not so they have two reasons why they are inappropriately within the campus boundaries.

CHAIRPERSON REID: Well, I mean, does it have any negative connotation? Is there a problem with them being there? That's what I'm trying to get to.

COMMISSIONER MITTEN: I think the problem is I think it's a philosophical problem and it runs to my feelings about square 54, which is you are trying to -- you have this university that's effectively bursting at the seams and to have these designations for commercial investment, they are either included and they're a fiction that you have control, which is the ones I'm suggesting be eliminated, or, as in the case of square 54, you're opening them up to anything but university use by having a designation on a property that is currently legitimate within the campus plan.

I'm in favor of eliminating that as a land use category because I think it's completely inappropriate for a campus.

VICE CHAIRPERSON SOCKWELL: Ms. Mitten, maybe there is another way to look at this, and that might be a rezoning that would designate those properties within the R-5-D even though they would be nonconforming properties at that time, but any future use of the properties would be required to be consistent with the R-5-

D zoning as opposed to the C-3-C which would mean that at some point in the future maybe these buildings would wind up being something else than commercial.

What you're doing is you're going to take out all the buildings that are there, you're going to leave the zoning in place. The university can buy some other buildings outside of the R-5-D zone and they would still own buildings that would be within the C-3-C commercial zone.

I mean, there has to be something that's going to work and I'm not sure which avenue is the best way to accomplish what you're trying to do, which is to prevent the non-university use of on-campus buildings.

COMMISSIONER MITTEN: The last thing you said is exactly right. What I am trying to prevent is the non-university use of on-campus buildings/land. I'm saying that those properties that I already identified are already in that category. They just are completely off our radar screen and they shouldn't have been in the plan.

I know why they are but there comes a point in time when you say, "Okay, that train is out of the station. It's gone and never coming back. Those are never going to be converted into university use." That's point A. Then the other point relates to square 54.

VICE CHAIRPERSON SOCKWELL: But, then again, the issue of never is subjective.

COMMISSIONER MITTEN: Okay.

VICE CHAIRPERSON SOCKWELL: How we subject it to our scrutiny is, I think, the more important factor but it is a subjective statement. And while the word never does have that sound of finality, and while we certainly don't -- I don't agree that there is a real value in having off-campus uses on campus, and I don't really see why the campus needs to be designated around such properties, it is an existing condition that we need to look at.

Again, if we are to take something away, maybe we have to give something back. If we give something back, it would probably be inconsistent with one of the premises of this whole exercise which is to try to limit the impact of the university on the surrounding neighborhood.

It is a somewhat difficult issue. I mean, you want to reign them in. Do you want to do it this way. Is there a better way. We're going to have to look at that and really think about it.

CHAIRPERSON REID: Okay. We are going to break now for lunch.

MEMBER RENSHAW: Madam Chair.

CHAIRPERSON REID: Yes.

MS. NAGELHOUT: I think the information you've asked, this list that Ms. Pruitt has written down, goes beyond the sort of information that the applicant can tell the staff over the

break. It's the sort of thing that they need some time to prepare and the opposition parties need an opportunity to respond to.

I think the better course would be to reopen the record to receive specifically those things you've asked for and to allow time. There are some parties who aren't even here right now who I'm sure would welcome the opportunity.

CHAIRPERSON REID: Okay. Well, then what would be the suggestion as to what the best method --

MS. NAGELHOUT: I'm think it very similar to your decision meeting in Georgetown Campus when you asked for information about the code of conduct. That sort of thing. You had a specific request for information and there was an opportunity to answer and then for the other parties to respond.

SECRETARY PRUITT: Madam Chair.

CHAIRPERSON REID: Yes.

SECRETARY PRUITT: Staff has already investigated what day you could actually continue this hearing, decision meeting two. Given the fact that on January 2 none of the board members are going to be here, I think we could do it at a special public meeting on January 9, the following week because we have very few cases in the morning.

CHAIRPERSON REID: Okay. Well, the thing about it is obviously we are not getting anywhere today. As much as I feel that the correct time to have raised these issues was prior to us having a decision meeting, obviously we have to comply with what

would be prudent in the regulations.

If that is the case, then are we saying that -- is someone going to move that it be continued? Because there's no way that we can be able to make a decision today given the fact that the issues that are being raised have not been posed before and, as such, we don't have the information that we need to be able to make a decision.

Particularly if, in fact, what you're saying, Ms. Nagelhout, is that we have to not only request information but give the other parties an opportunity to respond to the information and then look at everything that comes before us before we can get our arms around it enough in such a way as to be able to make a decision that would be fair to everyone concerned, I guess, is what we're saying. Any other further discussion, comments, questions?

SECRETARY PRUITT: Madam Chair, for clarification, you're going to break for lunch and then come back and finish discussing this?

CHAIRPERSON REID: Well, I mean, that's what I'm trying to determine now. There are things that I suppose we could go over but my understanding is that some things are predicated upon getting an understanding about other things and it is just almost impossible to come to a decision so we are going to continue it.

My feeling would be that we would continue it when

we have the information that we need to be able to discuss it. The issues that are being raised go to many of the issues that we have to discuss here today. For example, additional housing, the cap, the boundaries of the property --

MEMBER RENSHAW: Lab use categories.

CHAIRPERSON REID: I don't think we had a problem about land use categories. Did we?

MEMBER RENSHAW: That was on my list as an item.

CHAIRPERSON REID: Well, we didn't, though. When we went to that, we didn't talk about the categories per se.

COMMISSIONER MITTEN: Well, Madam Chair, maybe within that subject matter is this whole idea of the different designations on the different squares. I mean, the land use categories and their application is sort of a broad category that we've been discussing.

CHAIRPERSON REID: All right. Let's see. What else? Duration of the campus plan, enforcement. I don't know. I just think that it was probably better to try to get to the meat of all of this with getting the additional information that we don't have today.

COMMISSIONER MITTEN: Madam Chair, if I could make a suggestion. There are still some substantial areas that we haven't even ventured into in any significant way and on-campus housing is probably the biggest one of those.

If we don't have some preliminary discussion today,

there might be additional issues that would come out of us having a discussion and then we wouldn't want to be in the position on the 9th of saying to the applicant, "Well, you know, we thought of a couple of more things. If we had had this discussion earlier, we could have asked you and we could be prepared to go forward."

CHAIRPERSON REID: Okay. I have no problem with that, Ms. Mitten. We can address some of the other issues. However, I would ask that anything and everything that any board member has, an issue or objection or question to be raised, that we get all of this today and between now and the time that we continue this case that all of that is on the table because I do not want to get to that date and then for any board member to start bringing up any other issues or questions that we cannot address and we have to continue it ad infinitum.

I don't think that's fair to the applicant. I don't think that's fair to the opposition, to the ANC, or specifically to us as board members to do that.

SECRETARY PRUITT: Madam Chair, before you adjourn -- rather, before you have a break for lunch, in looking at the schedule, if you were to make this decision on the 9th given this is the 12th, I'm not sure if that is enough time for people to make responses given the holidays.

I want to talk about a tentative schedule and see if it works. If not, we'll have to look for a new day. If the applicant could get information to us by Friday. Is that pushing

you too much?

CHAIRPERSON REID: Why don't we wait until after we break for lunch and we come back and then we go over the other issues.

SECRETARY PRUITT: My other concern is then if they get in by Friday, this is the tightest schedule in the world and I don't know if we can do it. Responses from ANC and parties would be then be due probably on the 22nd which is the following week right before Christmas.

I don't even know if people can get together on that, if there needs to be an ANC vote or those kinds of things. That's when I started looking at the calendar and saw the problem with that date. I don't know how you would like to handle that.

CHAIRPERSON REID: We don't know. The only thing we can do is ask once we get to that point --

SECRETARY PRUITT: Okay.

CHAIRPERSON REID: -- if, in fact, it's suitable. But we need to bring some closure and do it as soon as we can. At this point it's just difficult to say.

SECRETARY PRUITT: Okay. I just wanted to put it on the record.

CHAIRPERSON REID: All right. Then we'll break for lunch and come back at 2:15.

(Whereupon, off the record at 1:39 p.m. for lunch

to reconvene at 2:15 p.m.)

A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

(2:50 p.m.)

CHAIRPERSON REID: We'll resume with the decision. Not quite decision. Deliberation meeting of this board today.

Now, I think that we have established that we are not going to be able to continue today so what we are going to do is determine whether the issues need to be responded to.

In the response it's a little bit more involved in that we have to not only have a response from the university but also we have to have responses from the parties. We have to have an Office of Planning report predicated upon the response that we get, as well as ANC reports or whatever.

Today what we're going to do is try to identify additional areas that need to be responded to. Then we are going to do a timeline and then we are going to try to move forward the best that we can.

Okay. Now, the next issue -- the item, I guess I should say, we're looking at in the campus plan -- Ms. Mitten, do you have it? After utilities, was it?

COMMISSIONER MITTEN: Madam Chair, I think we're into -- we had gone through the compliance with the maximum bulk requirements and we were beginning to take up the submission of a plan for developing the campus as a whole which is on page 36.

That is when we got into talking about the preferred and alternative sites which, as far as I'm concerned, I

think we have covered that ground. We would be ready to move on then to the first issue on page 37 which would be parking.

CHAIRPERSON REID: Okay. All right. Now, as to the parking plan -- wait one second. I don't know if we had anything more definitive than the fact that the issue regarding the parking at the Kennedy Center, whether or not that was going to be allowed.

There was supposed to be -- there are 2,780 off-street parking spaces and then 150 at the Kennedy Center. The campus plan calls for between 2,700 and 3,000 spaces.

I think that it was brought to us that whether or not we would accept the Kennedy Center parking spaces. In other words, whether they were acceptable under this plan. In other words, whether they were authentic or legitimate. Is that something that we need to discuss or not?

COMMISSIONER MITTEN: Madam Chair, I think the point you raised about the Kennedy Center definitely needs to be discussed because in the 1985 campus plan the requirement -- and I'll read it just so I don't misstate it.

This would be item No. 12, condition No. 12 on the 1985 campus plan. "The university shall provide between 2,700 and 3,000 off-street parking spaces within the campus boundary."

Then at some point in a further processing case, I believe there was a decision made that the Kennedy Center spaces would be included. I think that it bears some discussion here,

particularly in light of the language within the campus boundary.

If we want to make a specific exclusion of for the Kennedy Center spaces, I think that we need to state that. I think there is an additional issue which is that the community has raised the fact that there's insufficient parking on campus.

I think you even stated earlier that the area is know for having a dearth of parking spaces. The adequacy of the minimum requirement, I think, probably bears some discussion as well.

CHAIRPERSON REID: When you say the minimum, you mean the 3,000?

COMMISSIONER MITTEN: No, the minimum is currently 2,700 and is being proposed to be increased by the university to 2,800 spaces. We need to decide how we are -- is that 2,800 spaces within the campus boundaries except for 150 spaces at the Kennedy Center? Are we going to have that be 2,800 spaces within the campus boundary period? Then the question is the community has raised the issue about whether or not that is sufficient.

CHAIRPERSON REID: Okay. You're saying -- I'm sorry. I did not word that correctly. 2,700 to 3,000 is supposed to be the range and they are going to increase it to 2,800. Wait a minute. Proposed range is 2,800 to 3,240.

COMMISSIONER MITTEN: Yes. And they have since modified that to 2,800.

CHAIRPERSON REID: Where is it modified? I'm not sure I remember seeing that. Can you please direct me to where you saw it modified?

COMMISSIONER MITTEN: If you just give me a minute, I think I can find it.

CHAIRPERSON REID: In the meantime while you're looking at it, let's look at the 150 parking spaces. Now, it seems to me that if, in fact, there's additional parking and then they have identified and they have an agreement with the Kennedy Center to provide additional parking, it appears to me that it would be in the interest of the community to allow that to happen. To me that's a no-brainer. I would like to hear some other comments. I have no problem with accepting the 150 Kennedy Center spaces.

VICE CHAIRPERSON SOCKWELL: Madam Chair, it should be noted that the university enrollment is significantly below the 20,000 students that were approved under the 1985 campus plan and that the parking spaces are probably closer in line to what was considered acceptable with that 20,000 student cap than one might think when one just looks at the increase at 150.

I think that the likelihood of the parking requests not being out of line with enrollment at this point is pretty good. The enrollment, here again, is something we would have to look at and would probably be the substantive issue in the discussion.

I think that we could include the 150 only because if you want to base it on the 1985 campus plan, it's not necessarily a relevant number or an important number at this point. Then again, with or without the 150, there probably would be pretty much within line on the enrollment versus parking relationship that was established in the '85 plan.

What do you think, Ms. Mitten?

COMMISSIONER MITTEN: Well, let me just say, Madam Chair, I found at least a reference to the increase and this is probably as good as any.

CHAIRPERSON REID: Where are you?

COMMISSIONER MITTEN: I'm in the Proposed Findings of Fact and Conclusions of Law from the applicant. This is under Summary of Evidence, page 11, No. 12. There is a description of the testimony that was given from the traffic expert.

The last line is, "At the community's request the university agreed to raise the lower limit on parking spaces from 2,700 to 2,800." Just in terms of establishing that as a legitimate offer, that is probably not the first place it appears but it is certainly a definitive place that it appears.

CHAIRPERSON REID: Okay. The 2,800 was satisfactory to the community. Is that what you're saying?

COMMISSIONER MITTEN: I don't know that I would go so far as to say that. That is something that they offered to at least partially allay the community's concerns over parking. I

think there is

-- I don't know that the community had even proffered what an appropriate limit would be to abate their concerns.

I think related to the issue of the Kennedy Center parking is distance from the campus and the non-exclusivity of the parking are two issues related to including the Kennedy Center.

VICE CHAIRPERSON SOCKWELL: When you speak to abatement, do you think that, of course, more parking and less enrollment is a good relationship?

COMMISSIONER MITTEN: Well, you know, I actually think that the focus on the students as being the source of all of the cars, I'm not certain that is true. If you're interested, I'll give you the benefit of a little analysis that I did that leaves me wondering but only if you're interested.

VICE CHAIRPERSON SOCKWELL: I'm always interested.

COMMISSIONER MITTEN: Okay. What we have in the traffic study that was presented and testified to by Mr. Slade -- and I can direct you to the page. It's page 10 of the traffic study -- there's a table there and it's called "Transportation Mode Choice Survey results.

It's basically they did a survey to try and determine how people come to campus. What's interesting about it, I think, is the fact that 45 percent of the faculty and staff drive or ride and then only 15 percent of the students.

Then if you take the existing campus population of

faculty and staff and multiply that by the number of people driving or riding and then do the same for the students, you see that there's a lot more parking demand generated by faculty and staff than there is by students.

This would take us back to the notion of the transportation management plan and its effectiveness, which is if you still have all of these staff and faculty coming to campus in vehicles, that seems to be a larger source of the problem.

Also, if you do that analysis of applying the percentages of the number of people that are in those categories, you end up with parking demand well in excess of what's there. What might be worthwhile is to ask for some kind of reconciliation.

I know that for every faculty member that comes to campus on a given day, they are not probably occupying a space for the entire day so there's a utilization aspect of it.

Based on full-time equivalents for all the categories, and this is not including visitors, so this would be applying, for instance, 45 percent of the faculty and staff driving or riding and 15 percent of the students driving or riding based on full-time equivalents, not headcount, I get a parking demand of 5,738 spaces.

Now, you have to make some accounting for the utilization but it seems like 2,700 or 2,800 spaces is a little inadequate.

VICE CHAIRPERSON SOCKWELL: If I might ask, the question would be really based upon the hours of utilization by faculty and students and the rotation and the rotation can't be quantified so it's difficult to know whether or not the spaces turn over once, twice, or three times a day on average. The question again can't be answered with a simplistic calculation unfortunately.

CHAIRPERSON REID: I agree with that. You developed a mathematical equation using certain variables to deduct an answer. However, the answer that you received, I don't know if it's valid, if the analyses that you utilized were valid for this particular scenario.

If, in fact, it says that 45 percent drive or ride, we don't know what percentage is riding and what percentage is driving.

COMMISSIONER MITTEN: I agree. I agree completely.

CHAIRPERSON REID: If the rideshare and the vanpooling structure has been put in place, then it is very difficult to extrapolate what, in fact, is the true situation.

COMMISSIONER MITTEN: I wasn't meaning to suggest -- I agree completely. We don't have any information about utilization and that's the key to the answer. It's a two-part answer. One is we don't know how many people ride as opposed to drive.

CHAIRPERSON REID: Right.

COMMISSIONER MITTEN: Then we don't know the utilization of parking spaces by those people who drive. I would just say as a point of departure, all we have is the university saying that they've been providing 2,739 parking spaces.

We have the enrollment that is the existing enrollment as opposed to the maximum enrollment under the cap. Then we have the community saying, "We have people parking in our community and there's a serious parking problem down here." Then we have to somehow reconcile that.

I'm not saying that I have stumbled onto the answer. I'm just saying those are the facts that we know. I'm suggesting that we shouldn't just accept on face value that increasing off-street parking by 100 spaces is going to alleviate a situation that evidently exist.

VICE CHAIRPERSON SOCKWELL: What might be --

CHAIRPERSON REID: I don't think that -- excuse me. Just quickly, I don't think that there's the intent of the university to alleviate or eliminate the parking problem. I think that the idea is to try to mitigate some of the adverse impact that may be caused by parking.

That's why I also say that if, in fact, there is any help from any other faction; that is, the Kennedy Center parking spaces, why not allow that as well notwithstanding the fact that it might not be perfect but, nonetheless, it is

something that would also contribute to the mitigation of some of the adverse impact in regard to parking.

VICE CHAIRPERSON SOCKWELL: Madam Chair, if I might just say, the only thing that might have been helpful, or could be helpful, would be some kind of general analysis of the periods of time during the days of the week that classes are held that the on campus parking facilities are, in fact, maxed out or full at which point you could at least derive some point of peak demand and limited capacity.

If the on-campus parking available is as it is stated, available to visitors, faculty, staff, and students, there may be some periods of the day when there isn't any room at the inn.

At that point the neighborhood spaces become more impacted by far because you have not only more cars circulating in the streets, but you have as well spaces that are available only as they turn over, which means there's a greater impact on street capacity and level of service.

CHAIRPERSON REID: Mr. Sockwell, I think that the point is well taken. However, one of the problems inherent in that approach is it is very difficult to ascertain of the off-street parking component what percentage of the George Washington University related personnel, faculty, students are using those parking spaces given the fact that you have very dense, very highly populated, highly traveled, intensely used area.

You have other people who use those parking spaces. You have the Metro station there so it's kind of difficult to determine who is using those parking spaces.

VICE CHAIRPERSON SOCKWELL: It would really be more from standpoint of the university lots being utilized to capacity, it would be a bit more quantitative but primarily qualitative.

With regard to the street parking that would be impacted as a result of the lots being filled, it would strictly be qualitative because you have no way of determining the total demand at any given time for the street parking based upon the variety of things that occur within the neighborhood.

CHAIRPERSON REID: Exactly. And the street parking, to be able to ascertain whether the level of parking that is being proposed in this campus plan is adequate or inadequate will be predicated upon what is deemed to be the overflow that would be on the street. Then in order to get to that you have to be able to identify who is parking on the street.

VICE CHAIRPERSON SOCKWELL: And on-campus is on the street to some degree.

CHAIRPERSON REID: Obviously within the community when there are no parking spaces, you know, the first impulse is to blame George Washington when they may or may not be the responsible party.

I think that in all fairness there are some things inherent in living there in the first place. The fact that there

is just a dearth of parking and that it is rather difficult.

The only thing that I think could be done is for the university to try, No. 1, to provide as much parking as possible and also for the transportation management plan to alleviate from university as much of the problem as they possibly can. Beyond that, I don't know what more we could ask them to do.

VICE CHAIRPERSON SOCKWELL: I do believe the university is in a location where parking availability and the effect of parking availability are two different things. The effect of more spaces in garages that would be dedicated to student use only would be significant. Yet, if the number of spaces that are in garages versus the number of spaces that are actually considered to be on the street parking is something I don't know.

CHAIRPERSON REID: Okay. Ms. Mitten, do you have anything more to add to that or do you have some questions or did you want to ask some additional information or anything from the applicant in regard to the parking issue?

COMMISSIONER MITTEN: I suppose we are presuming there's no information about utilization. If there were information about utilization of spaces like how many times the spaces turn over in a given day, that would help us to understand the manner in which the garage is being used.

Then to follow up on what Mr. Sockwell had raised, I thought he was interested in knowing if there is a particular

time of day when there is acute shortage of parking because of the comings and goings, the flow of activity on the campus. I don't know that information exist but if it did, I think that would be helpful to have.

CHAIRPERSON REID: Okay. So you want to know the intensity of use for the parking spaces on campus. In other words, the rotation of the space

and --

COMMISSIONER MITTEN: If there's information.

CHAIRPERSON REID: If it's available. In other words, you're not asking them to go out and do a study.

COMMISSIONER MITTEN: No, I'm not.

CHAIRPERSON REID: The other thing, Mr. Sockwell was?

VICE CHAIRPERSON SOCKWELL: I was reading something which was giving some information I hadn't paid attention to lately. That was the off-street parking inventory. So it is all off-street parking that is at 2739.

CHAIRPERSON REID: No, wait a minute. I think that the --

MEMBER RENSHAW: GW is given a range and this is in its plan for off-street parking inventory range from 2,700 to 3,240 parking spaces.

VICE CHAIRPERSON SOCKWELL: In the Grove Slade report there was a total of 748, this existing off-street parking

inventory.

COMMISSIONER MITTEN: Which page are you on?

VICE CHAIRPERSON SOCKWELL: I'm on page 15.

CHAIRPERSON REID: Of?

VICE CHAIRPERSON SOCKWELL: Of the Grove Slade Traffic Parking Study March 9.

CHAIRPERSON REID: Okay. That's off-street parking.

VICE CHAIRPERSON SOCKWELL: Right. That's off-street parking.

CHAIRPERSON REID: What about the on-street parking? Off-street parking inventory.

VICE CHAIRPERSON SOCKWELL: It says, "There are 2,342 off-street parking spaces within the campus plan boundaries as of September '99.

CHAIRPERSON REID: Okay.

VICE CHAIRPERSON SOCKWELL: And then --

CHAIRPERSON REID: That's the parking spaces that they make available.

VICE CHAIRPERSON SOCKWELL: Yeah.

CHAIRPERSON REID: Then we also got an update on that from some document that said including 800.

VICE CHAIRPERSON SOCKWELL: When you include the Kennedy Center spaces it comes to 2,739 from what this says.

MEMBER RENSHAW: They can get up to 3,240.

VICE CHAIRPERSON SOCKWELL: Recommends range.

MEMBER RENSHAW: Recommends. That's the campus plan.

VICE CHAIRPERSON SOCKWELL: Yeah.

CHAIRPERSON REID: Okay.

VICE CHAIRPERSON SOCKWELL: Apparently from what this takes, there would be total spaces including student, faculty, and staff and visitor of 2,739 including 150 at the Kennedy Center.

CHAIRPERSON REID: No, that would be inclusive.

VICE CHAIRPERSON SOCKWELL: Inclusive of Kennedy.

CHAIRPERSON REID: Okay. So that's still --

VICE CHAIRPERSON SOCKWELL: So you take that away and it becomes the 2,500 and whatever.

CHAIRPERSON REID: I thought the operative number was 2,800.

COMMISSIONER MITTEN: That's the new minimum that has been proposed. Not that they have yet met that minimum but that is the new minimum.

CHAIRPERSON REID: That's what they are proposing to do.

VICE CHAIRPERSON SOCKWELL: Sixty-one additional spaces.

MEMBER RENSHAW: What about the 3,240 that is

proposed? The campus plan recommends that GW's off-street parking inventory range from 2,700 to 3,240 parking spaces.

CHAIRPERSON REID: But then Ms. Mitten mentioned that had been updated to the 2,800 number. Is that correct?

VICE CHAIRPERSON SOCKWELL: Correct, Madam Chair. It's in their actual conditions in their proposed order. It's in condition No. 11 on page 27 of the proposed order and the language is, "GW will increase the university's required minimum parking inventory from the current 2,700 to 2,800." That is where they state their actual change.

CHAIRPERSON REID: Thank you very much for locating that for us.

VICE CHAIRPERSON SOCKWELL: Maybe for information purposes in the Grove Slade Report, the statement on page 15 in the last paragraph is that, "At peak demand using the date of April 21st of '99 at 2:00 p.m., 91.4 percent of the parking spaces off-street were occupied."

That tends to say that at least that time there were about 8.5 percent of the spaces available somewhere which does tend to indicate that there might be some necessity to search for spaces off-street parking but that it would be available somewhere.

COMMISSIONER MITTEN: I agree with you. I think that the issue probably is --

VICE CHAIRPERSON SOCKWELL: Probably the Kennedy

Center.

COMMISSIONER MITTEN: Say you are fixated on going to some place, the Smith Center, and you don't happen to know that like six blocks away but within the campus boundary there is a space waiting for you. You just don't know to go look for it and you don't. You look some place close to your destination. I think that is part of the problem is that it's not only availability but it's proximity to the need.

CHAIRPERSON REID: Okay, but --

VICE CHAIRPERSON SOCKWELL: That would be a standard issue with most universities under certain circumstances. Space is approximate to high intensity activities at any given time, i.e., the class schedule established at Building A versus Building B would create an additional demand on space approximate to Building A or Building B. It does say here that 150 Kennedy Center spaces weren't included in the 91.4 percent. Those would be overflow from that number, anyway.

CHAIRPERSON REID: My thought about that is notwithstanding the fact that it might be further away or what have you, even if 10 people used it or 20 people used it sometimes, it still would alleviate some of the problems with the parking on the street.

COMMISSIONER MITTEN: Oh, I don't think we were speaking specifically about the Kennedy Center and whether or not it should be included. I think we were just speaking about the

fact that what may appear to be an adequacy of parking because spaces can be identified at a given point in time when there is peak demand, they may not, in fact, be -- there may be pressure for people to park in the community on the street because their destination isn't near where the available parking spaces are. Their default is to go into the community.

VICE CHAIRPERSON SOCKWELL: And part of it depends on how far in advance of class time you get there.

COMMISSIONER MITTEN: Exactly.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: I guess my final point on it before we just conclude the discussion is the fact that they have been providing 2,700 spaces and the enrollment is where it is, the faculty level is where it is, the staff level is where it is. We have the community telling us there is insufficient parking on campus.

Now there are the enrollment numbers, at least as they stand now, may increase, the number of faculty may increase, and the number of staff may increase. What has been offered is a 3.7 percent increase in off-street parking.

Given the fact that there is already a parking problem, I think we have to ask ourselves is a 3.7 percent increase going to alleviate the problem if there is no increase in enrollment or staff or faculty and then add to that and will that 3.7 percent increase in off-street parking capacity accommodate

whatever growth will occur. I'm not sure that the number of spaces as a minimum are going to be sufficient to accomplish that.

CHAIRPERSON REID: Wait a minute.

VICE CHAIRPERSON SOCKWELL: Madam Chair, one thing we don't know specifically, or at least I don't know specifically, is the teacher/student ratios and whether or not those are maxed out which would give some rise to the expectations of faculty increases.

CHAIRPERSON REID: I'm sorry, Mr. Sockwell. You want the answer to that question?

VICE CHAIRPERSON SOCKWELL: It would be helpful.

CHAIRPERSON REID: Okay. The ratio of faculty to staff?

VICE CHAIRPERSON SOCKWELL: Of faculty to students, class ratios. If the faculty aren't maxed out in general with regard to class size, then the question could be raised whether or not they would be expected large or significant increases in faculty as the student enrollment increases but the student enrollment has actually been decreasing over the last 10 years.

Perhaps the faculty has not decreased as a result so there may be some head room somewhere in there. These are things that we're not talking about major change one way or the other. At this juncture anyway.

CHAIRPERSON REID: That can be done with conditions as to the increase in staff, increase in faculty. I'm trying to

deal now with what was proposed and the conditions for 1,550 faculty members. Is that an increase with the existing or was that in the 1985 campus plan?

COMMISSIONER MITTEN: In terms of the maximum?

CHAIRPERSON REID: Yes.

COMMISSIONER MITTEN: The maximum is the same.

CHAIRPERSON REID: What about the staff?

COMMISSIONER MITTEN: I believe that is the same as well.

CHAIRPERSON REID: Well, that being the case, then they would have to comply with that for the entire duration of the campus plan that was approved. Would they not?

COMMISSIONER MITTEN: Well, I guess the point, Madam Chair, is that the maximums are the maximums and they haven't yet achieved the maximums. What is the situation is that with the existing faculty and with the existing staff --

CHAIRPERSON REID: Do we have those numbers?

COMMISSIONER MITTEN: Yes. I believe it's on page --

CHAIRPERSON REID: What page? Is that in the traffic plan?

COMMISSIONER MITTEN: No, I think it's in the proposed campus plan, Appendix C, page 85.

CHAIRPERSON REID: Okay. Where is existing?

COMMISSIONER MITTEN: Not in the

traffic --

CHAIRPERSON REID: What page?

COMMISSIONER MITTEN: Not in the traffic study. I'm in the proposed campus plan.

CHAIRPERSON REID: Oh, proposed campus plan.

COMMISSIONER MITTEN: You want me to run down the numbers?

CHAIRPERSON REID: Yes. Let me see that.

COMMISSIONER MITTEN: On the left hand side of the chart are the current figures for students, faculty, and staff. Then what is listed as 2010 projections, those are the caps effectively and those caps are not changing.

But if you look at the cap relative to the current situation as it relates to faculty, if they met the cap -- this is only for full-time equivalents -- there would be an increase of 16 percent of faculty, an increase of 32 percent staff.

I think if you look at the information we have been provided, it's really the staff. They are the biggest number and they are the most likely to drive. It's really the staff increase that is probably the most significant.

CHAIRPERSON REID: Well, we have a cap as to the amount that it would be increased to.

COMMISSIONER MITTEN: But my point, Madam Chair, is the fact that the cap is 32 percent greater than the existing staff level. We are saying that -- and they are projecting that

they will meet the cap for full-time equivalent staff by 2010.

So the question is can a 3.7 percent increase in off-street parking which is 2,800 versus 2,700, is that going to be adequate to accommodate a 32 percent increase in staff plus all the other increases, increase in faculty, increase in student enrollment, and whatever related increase there would be in visitors to the campus. That's the question.

CHAIRPERSON REID: I thought we already established that certain things would remain constant. If we go to --

COMMISSIONER MITTEN: What would remain constant?

CHAIRPERSON REID: Okay. The faculty members shall not exceed -- it's the same cap that it was in 1985; 1,550 and the staff 10,123. What I was going to say was, again, you would have to be able to ascertain the cap.

This is not saying they would actually go to that. They cannot exceed that. I guess some kind of matrix would have to be done that would reflect given the increase in staff how much parking would be considered adequate.

Also factoring in the variables of the Metro and the rideshare and the car and vanpooling and all of that, would that, in fact, be adequate over the 10-year period of time.

That, again, goes into a lot of equations and trying to determine based upon what they project to be the increase and what percentage of that they project to use the Metro, public transportation, or some of the other items that they

have outlined for us within the campus plan as being managed in which to mitigate some of the traffic and the parking problem.

Given that, what would then be a realistic number of parking that would be required. Right? That gets to be rather complicated.

COMMISSIONER MITTEN: Everything you said is true but just to maybe give a sense of the magnitude of what we're talking about, and I'm just going to focus on staff since they are the biggest number and they tend to drive more.

If they increased over a time span of the campus plan from the existing level to their cap, and I'm using the full-time equivalent numbers, that would be an increase of 2,185 human beings, full-time equivalent human beings.

Then given that there is a 45 percent chance that they will drive or ride to campus, then that gives you a sense of what possible demand there would be for parking spaces. Then that would be 983 parking spaces. Then if you made --

CHAIRPERSON REID: Based on riders or drivers?

COMMISSIONER MITTEN: Drive and ride. So then we can arbitrarily pick a number. Let's say half the people drive and the other half ride. Then you are at 492 spaces.

Then you say what kind of effect do you think ride sharing and giving them Metro passes and all of that, what kind of an impact do you think that will have. Do you think that 50 percent of the people will stop driving because of that?

That would be a pretty successful program. You're still talking about the better part of 250 spaces. And that is just for staff if you do that analysis for staff only.

I guess what I'm driving at is the fact that while we can't do a perfect analysis, I think if you do any kind of analysis you should put reasonable numbers, generous numbers, to the breakdown between the number of people that drive versus the number of people that ride, between the number of people that would be induced not to drive by an effective transportation management plan.

Do all of that and you still end up with what appears to be a significant increase in demand for off-street parking above and beyond the 2,800 spaces that have been proffered by the applicant.

VICE CHAIRPERSON SOCKWELL: Madam Chair, it might be consistent with this discussion to say that I looked at a 15 percent increase in the staff at the faculty level and that created approximately 526 additional potential spaces. Then you have to look at the day.

Let's say if we took a 10-hour day and broke those spaces down, it would be about 52 spaces needed per hour depending upon, again, the schedule of the faculty members and classes and things. It becomes a difficult equation. Of course, it can be done.

It would be a statistical analysis thing of some

sort that I can't do. It's difficult to be sure when the spaces would peak or the space needs would peak and how that would factor into the current 91.4 percent average use of space or whatever you want to call it.

It is something that we can consider but I'm not sure that we can truly qualify the numbers. The numbers could rise and could put a significant additional demand on the spaces. I just don't know how we can be sure the extent to which that demand can be determined for peak hour.

COMMISSIONER MITTEN: I don't disagree with you. I guess just where we stand right now our charge is to make certain that the uses that are proposed are not likely to become objectionable for a whole variety of reasons including parking.

I would say that one thing I feel fairly certain about is with 2,800 off-street parking spaces provided within the campus boundaries, including the Kennedy Center, if that is what we decide, given what's proposed, I think it is likely that there will be a more severe parking problem than that which even exist.

Now, can I say which number would definitely relieve my mind? No, but I think that I can say that I think that it's likely that 2,800 spaces given whatever kind of rudimentary analysis we want to do, is going to be insufficient. I'll leave it at that.

VICE CHAIRPERSON SOCKWELL: If you look at the chart on page 16 of the Grove Slade report, you will see where the

locations of spaces are shown in reference to the campus plan boundaries. The principal parking facilities for off-street parking are located deep within the campus which at least tells us where those parking in/out peaks are going to take place and might give some indication of perhaps major impacts on the street parking that might be near those but I'm not sure that we can even draw that conclusion. At least we know where the principal structured parking and lot parking will be located.

CHAIRPERSON REID: One thing that I think we have to be mindful of is that no matter how much parking space is provided, I don't think that we can get to the point of "adequacy."

I think that what the applicant has attempted to do here is to demonstrate the efforts to mitigate any parking problems and to increase, to a certain extent, parking to be able to further mitigate some of the problems.

I think the area that we are dealing with is an area fraught with parking problems that are just not going to go away easily. We should just try to look at the best efforts given what the requirements of the university are to try to mitigate or try to ameliorate some of the problems that exist there in that particular locality.

So is there something that you're asking for? You want an analysis given the increase in staff the rotation of the parking spaces and if there is deemed additional parking spaces

that would be necessary to accommodate them?

COMMISSIONER MITTEN: Well, there were two things we had, I think, already decided. One was the issue about utilization or turnover. Then Mr. Sockwell's issue about the peak demand times and so on.

CHAIRPERSON REID: The demand time analysis as well.

COMMISSIONER MITTEN: Now, whether or not we wanted to go further and ask the applicant to specifically attempt to address -- okay, take students, faculty, staff and the likelihood that they would drive; the increased projected; the effectiveness of the transportation management plan. Factor all of that in somehow and tell us what the increase in parking demand would be as a result of that, that would be great to see that.

CHAIRPERSON REID: The increase in parking demand.

COMMISSIONER MITTEN: That would be related to the increase in campus population because of the increases in enrollment and faculty and staff projections if the existing caps remain in place.

CHAIRPERSON REID: Let's see. You're saying that -- let me make sure I understand this correctly. You're saying that you anticipate that predicated upon all the variables that you just talked about, that there would be an increase in demand for parking that is not being met with the parking spaces being provided.

I'm not sure and I don't really know how to pose this but I'm not sure if that was the objective of the applicant to demonstrate based upon their figures the adequacy of parking. I think, and I may be corrected, that they were demonstrating based on their figures and their traffic mitigation plan that they were offering to absorb so many spaces to offset any adverse impact due to the parking.

COMMISSIONER MITTEN: Madam Chair, I believe there is an existing minimum requirement. If you include the Kennedy Center spaces, then they meet that minimum. For round numbers we'll call if 2,700.

What we've been told by many people in the community is the existing condition with existing enrollment, the existing minimum of off-street parking required, they still have a parking problem.

Then in response to that the university has said, "We'll increase the minimum by 100 spaces." That is relative to the existing condition because the existing condition is that there is a problem.

Then what we have to think about is approving the campus plan, the uses we are going to be approving, and whatever increase in enrollment, staff, and faculty that would result from all of that, there is going to be additional off-street parking demand and we are trying to quantify that.

We also then if it can be quantified, and I think

it can, people could argue with the percentages that would be applied for various things but there is this additional demand that is being created. I'm not certain that there has been any accommodation in the minimum parking requirement for the new demand.

If the applicant wants to address that, I think that would be great. If they don't, based on the little analysis that we just walked through between what I did and what Mr. Sockwell did, I don't see that we could say with certainty that there will not be objectionable conditions related to off-street parking, or just say parking, because of the increases that are being projected for the campus plan.

CHAIRPERSON REID: Okay. Any further discussion? Okay. Now, let's move on to the next item on the campus plan which is what?

COMMISSIONER MITTEN: It's loading actually. It's loading which is a subsection under Buildings, Parking, and Loading Facilities.

CHAIRPERSON REID: Okay. Discussion?

COMMISSIONER MITTEN: Madam Chair, there is one small issue and I couldn't identify this in the record so if someone else can identify it in the record, I would appreciate it but I couldn't find it.

Under this category it says, "As part of the traffic management plan included in the campus plan, a truck

management plan will be implemented to reduce the impact of university related trucks on neighborhood streets."

Now, I did overlook something in the traffic study earlier and Mr. Moulden corrected me. If anybody could find it where the truck management plan is included but I could not find one so I would request that we be provided one if we have not yet.

CHAIRPERSON REID: It seems like I recall there being a diagram that demonstrated the circulation of the trucks. Okay. Is this it right here on page 17? It shows the circulation as to which way they would go.

COMMISSIONER MITTEN: That just talks about where the loading facilities are located but it's really not a truck management plan.

VICE CHAIRPERSON SOCKWELL: Are you talking about a truck en route?

COMMISSIONER MITTEN: Well, what it says --

CHAIRPERSON REID: What page is that?

MEMBER RENSHAW: Page 37 of the GW --

COMMISSIONER MITTEN: Could you turn on your mike, please? I can't hear you.

MEMBER RENSHAW: Page 37 of the campus plan under Loading? This is what we're referencing?

COMMISSIONER MITTEN: Yes.

MEMBER RENSHAW: Ms. Mitten, I think you have

already stated this as part of the traffic management plan included in the campus plan. "A truck management program will be implemented to reduce the impact of university related trucks on neighborhood streets."

COMMISSIONER MITTEN: Then keep reading because that's where it says what the plan is supposed to --

MEMBER RENSHAW: "The plan includes a truck circulation route that identifies the main routes that delivery vehicles should use to access loading facilities on campus while discouraging use of neighborhood streets. The plan also includes suggested delivery times that occur during off-peak traffic periods."

CHAIRPERSON REID: Okay. Do we have that?

MEMBER RENSHAW: See Appendix M. Do you have Appendix M?

CHAIRPERSON REID: Do we have that?

COMMISSIONER MITTEN: Appendix M is --

CHAIRPERSON REID: It seems I remember seeing that.

DIRECTOR KRESS: I think there are several pieces of information that you are looking to be adding to the record. We can all take a look but then we can ask the applicant to refer us to the appropriate place if we haven't been able to locate it.

CHAIRPERSON REID: Okay. That was the only other thing we had in regards to the traffic, Ms. Mitten?

COMMISSIONER MITTEN: Yes, that was in the category

of Loading.

CHAIRPERSON REID: Oh, Loading. I'm sorry.

COMMISSIONER MITTEN: Yes, Madam Chair.

CHAIRPERSON REID: All right. Now, the next one was --

MEMBER RENSHAW: Screening signs, streets, public utility facilities.

CHAIRPERSON REID: All right. Were there any issues regarding that? Okay. What about athletic and other recreational facilities?

VICE CHAIRPERSON SOCKWELL: This is the next category.

CHAIRPERSON REID: Oh, okay. The description of all activities and capacity if all present and proposed campus development. I think we have that described.

VICE CHAIRPERSON SOCKWELL: I think we discussed it before lunch.

CHAIRPERSON REID: No interim use of land is proposed. No new use select for approval site of buildings moved off campus complies with the policies of the district elements of the comprehensive plan. I suppose there would be some discussion about that.

Now, there were quite a few issues raised as to the campus plan compliance complying with the comprehensive plan. There was a general concern in regard to the proposed plan not

being inconsistent with the campus plan.

In pertinent part it states, "A loss of the housing site off of Foggy Bottom west end aggravated by a lack of dormitory construction." Basically it says that the university must continue to construct student dormitories to alleviate the pressure on the housing site outside the boundaries of the campus plan.

The university must be sensitive to the surrounding residential neighborhood. I think that there has been some attempt on the part of the university to create additional housing.

Also based on the concessions that have been made by the university due to the various negotiations that have been conducted through the Office of Planning and also with ANC and the community, I think that they are sensitive to the surrounding residential neighborhood. I don't think that the plan is inconsistent with the comprehensive plane. Discussion?

Mr. Moulden, do you have some discussion? Your mike is on.

MEMBER MOULDEN: No. I'm sorry.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: Madam Chair, I think on the issue of not being inconsistent with the comprehensive plan, I think everyone has taken some direction from the comprehensive plan in just what you mentioned, which is the expressed desire and

priority to protect existing residential neighborhoods and then the specific issues related to Foggy Bottom and George Washington.

We really haven't had this discussion yet about the housing issue in the context of the campus plan. I think it is only after that, and it will be in the context of that discussion, that we decide individually how much of a priority that's going to be.

I think clearly from the many sections of the comprehensive plan that speak to this issue, this has to be a priority in our deliberations about the housing issue. It is just going to be a question of whether or not we really go far enough to provide the kind of protections that the comprehensive plan is urging us to provide.

At the moment given that we haven't really had that substantive discussion, I think we definitely have the direction and it is as you have presented it.

CHAIRPERSON REID: Thank you. You have a comment?

VICE CHAIRPERSON SOCKWELL: Basically one of the issues that I brought up in the first hearing is still with regard to perimeter development. Not necessarily just uses but, in particular, the bulk that would be developed adjacent to the more residential perimeter areas of the campus.

That and orientation of whatever is constructed are going to be significant issues.

While the concept of bulk and use are one thing, it would be further described and further dealt with under any further processing which would be specific buildings to be produced on the campus along the perimeter.

I think one of the issues is going to be how that perimeter is sensitive to the adjacent community, i.e., is the university's impact intended to minimize negative interaction or to maximize university utilization without regard for the impact on the adjacent community.

I think we will have to think about it certainly, and yet it's a further processing issue undoubtedly because that is when the physical structures come to light.

CHAIRPERSON REID: Okay. Thank you, Mr. Sockwell.

All right. Now, where are we?

MEMBER RENSHAW: Athletic and other recreational facilities. We talked about that.

CHAIRPERSON REID: Yeah, we went over that. We were down to comprehensive plan.

MEMBER RENSHAW: Comprehensive plan. And then following that is, "Proposed buildings are within the floor area. Limit for the campus as a whole." That would be just about the last.

CHAIRPERSON REID: Okay. Now, what we need to do is make sure that staff has the various questions and issues that

we'll need additional information on. Look through to make sure that there are no other areas that we have overlooked.

COMMISSIONER MITTEN: Madam Chair, while it wasn't a specific category that came up in the framework that we were using, I think the issue that we have been putting off until the end, the big issue is the issue of on-campus housing. I don't know if that is something that you wanted to get into today or reserve for the next deliberation.

CHAIRPERSON REID: No, I think we should address it. If you have a question about it and if you want to bring it up because everything today we want to make sure we include any questions, any issues, so that when we meet the next time, we'll have the information that we need to make a decision. This has been basically a fact-finding working meeting today.

COMMISSIONER MITTEN: Did you want me to begin?

CHAIRPERSON REID: Yes, sure.

COMMISSIONER MITTEN: All right. Well, I guess I would just like to generate some discussion. There have been a lot of things that have been proposed about the way that we should approach housing on campus.

I think first we need -- one of the issues that we need to decide is going forward knowing that

-- well, going forward we need to decide what kind of requirement for on-campus housing will eliminate the possibility that this campus is going to create objectional conditions for the

surrounding community.

In terms of whether or not we make it a percentage of full-time equivalent students or whether we make it a fixed number of beds or something like that, we have to decide what is a sufficient number or percentage of on-campus housing.

Then we have to decide if we are going to make it strictly housing within the campus boundaries or are we going to include some of these other areas that have been suggested in terms of housing opportunity areas.

Then the third issue that has been proposed is really focusing not on the campus itself but on the community would be quantifying the number of students living in the community and then providing some kind of protection for the community going forward knowing that the situation would (a) not be exacerbated, and (b) be somewhat alleviated in terms of the concentration of students in the Foggy Bottom Community.

CHAIRPERSON REID: What we have to do is look at section 210 again and decide whether or not the proposed on-campus housing is adequate or objectionable or is it acceptable. And the fact that the amount they propose to increase the on-campus housing to.

Now, Ms. Mitten, when you get into the on-campus housing, what you have to take into consideration is the fact that what is being proposed is something that is predicated upon an analysis and the requirements of the university that is consistent

with their capability.

I don't think that it would do well for us to pick a number out of the air or to use a mathematical analysis that would be something that would not be obtainable by the university. When we proceed in this area, I think that we should proceed rather cautiously to make sure are we asking something that is within the realms of reality.

COMMISSIONER MITTEN: I wasn't suggesting that we would do anything other than that.

CHAIRPERSON REID: Okay. So the proposed campus plan includes 1,350 new on-campus beds potentially increasing on-campus beds by 40 percent from 3,519 to 4,869. They also propose to house freshmen and sophomores on campus except those who are commuters and married and have children, so forth and so on, to be implemented in the fall of the year 2001 and 2002 for freshmen and sophomores.

Seventy percent of full-time undergraduates will be housed in university housing by the end of 2005 toward a long-term goal of housing and 80 percent of full-time undergraduates university owned or controlled housing.

Last, to existing university owned apartment buildings on campus will be dedicated and increasingly to student housing as apartments become available. Now, is that not acceptable? Is their proposal not acceptable? If it's not, then what do we do?

COMMISSIONER MITTEN: Well, I mean, I think we need to explore the things that you cited there. The first one is the 1,350 beds that have been proposed.

Now, I think there have been some modifications made to some of these things.

For instance, the 1,350, as I understand it, is broken down as follows: 500 beds on square 54.

The 500 beds on square 54 would either be built on square 54 or an alternative site that would be selected but 500 beds is contingent on approval of the PUD for square 54 for rezoning to C-3-C for commercial development of approximately 900,000 square feet of gross floor area, the university obtaining the relevant permits to go forward with that development. There is a contingency for those 500 beds.

CHAIRPERSON REID: Did it say 500 on 54 or somewhere else?

COMMISSIONER MITTEN: On 54 or somewhere else but the contingency doesn't change. The contingency for 500 beds is related to the approval of the PUD on square 54.

CHAIRPERSON REID: Where are you reading from?

COMMISSIONER MITTEN: I have it in my notes. I don't know what the source document is at this point.

CHAIRPERSON REID: Let's try to find it because I think I need further clarification about -- no, that's not the one I'm referring to. No, I want the one that Ms. Mitten has that

says 500 is contingent upon the square 54 being -- the approval of square 54. But then she said it was there or elsewhere.

I think that where you're going with this from what I'm hearing is that you're saying that if, in fact --

COMMISSIONER MITTEN: Madam Chair, I found it. I'm sorry. I found it.

CHAIRPERSON REID: Okay. Where?

COMMISSIONER MITTEN: This is in the applicant's Proposed Findings of Facts and Conclusions of Law.

CHAIRPERSON REID: Okay. What page?

COMMISSIONER MITTEN: Page 14. Actually, this is a good place to be because it runs through each of the sites. Okay. I don't know that I need to read this. Maybe everybody could just read the paragraph under square 54 to themselves and then we could talk about it.

CHAIRPERSON REID: Okay. That was my question. It says, "University would have the option of building all the portion of the 500 beds on square 54 or on alternate site on campus."

COMMISSIONER MITTEN: Keep reading. My point is what's next.

CHAIRPERSON REID: "Housing will be conditioned upon the university plan approval of PUD along the development of square 54." All right. Let's see here. I don't know. The way I'm reading this it says before a development could be constructed

on square 54, the university must file for zoning approval to construct the 500 beds on square 54. That's a given. They have to do that.

Or on an alternative housing site prior to or simultaneously with filing for the PUD. I'm reading that -- I wasn't reading that to say that if they get the approval of the PUD, there will be no 500 beds built anywhere. My understanding of reading it is that if it's not there, it will go somewhere else. They will be made available on campus.

COMMISSIONER MITTEN: There was pretty extensive discussion about the contingency for these 500 beds. I mean, if your understanding is that it's not contingent, then we could just write it that way and there wouldn't be any question.

CHAIRPERSON REID: Why don't we ask.

COMMISSIONER MITTEN: That's fine.

CHAIRPERSON REID: Since we have all these other things that we're dealing with today, ask them if the interpretation of it is correct. I gleaned from this paragraph that they have to get approval to build it on square 54.

If they don't get the approval to build on square 54, irrespective of that, that the 500 beds will go elsewhere on campus. They mentioned the alternative housing site. I didn't see that as being conditional or one having to do with the other.

COMMISSIONER MITTEN: I think that would be a good point to get clarified because that's not my understanding.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: Then I guess just to go further with running down the 1,350 beds that you had mentioned. Now if you turn the page back to Proposed Findings of Facts and Conclusions of Law on page 23. There are the two other squares.

The balance that we are working with now is 850 because we have a total of 1,350. We have discussed 500 so we're working on 850 and trying to identify where those are targeted. 200 beds are to be located on square 103.

That is a noncontingent proposal for 200 beds. Then the other 650 beds is again a conditional proposal and that is discussed at the bottom of the page under square 80.

"The university would provide an additional 650 beds on square 80 upon the condition that the District of Columbia transfer property ownership on that site to the university for development." As we know, that's the site for the school without walls.

Now, sort of a late breaking introduction into the equation has been the final sentence under square 80 which is if it's an noncontingent development, that it would be approximately 288 beds. That is relative to the 650.

What I read is being proposed as it relates to the 1,350 is it is 1,350 of which 1,150 are contingent, or a total of 488 noncontingent.

CHAIRPERSON REID: Okay. 650 if, in fact, they

have the transfer of the school without walls into the development.

Then if the District of Columbia property is not transferred to the university, GW will pursue in the alternative the development of housing on property together with other property that may be acquired on that square. The university estimates that approximately 288 beds will be provided in this alternative development.

Now, what's not clear is -- are you saying you think it's either or? Either the 650 or the 288?

COMMISSIONER MITTEN: Yes, Madam Chair.

CHAIRPERSON REID: I'm not sure. I mean, it seems strange to me that the university would offer 650 and then 288. I'm not really sure. I guess it has to be interpreted by them. I'm not sure if it's either or. We'll have to get a clarification. If, in fact, that number goes down from 650 to 288, then you said 488? Where did you get that from?

COMMISSIONER MITTEN: Well, there's 200 beds being proposed on square 103 without a contingency.

CHAIRPERSON REID: Oh, right. Okay. So are you saying -- okay. We'll get clarification on that. Next question.

COMMISSIONER MITTEN: You had run down a list of what the university had proposed and then said, well, is that not acceptable so we were discussing the individual items. Now I've lost track of what came after 1,350.

CHAIRPERSON REID: Oh, it was potentially increasing on-campus beds by 40 percent from 3,519 to 4,869.

COMMISSIONER MITTEN: Okay. That's 1,350. That's just an extension of the original thought.

CHAIRPERSON REID: 1,350.

COMMISSIONER MITTEN: The difference between those two numbers, the 40 percent increase, is 1,350.

CHAIRPERSON REID: Oh, yes. I'm sorry. That was a continuation. Basically they are identifying how that was going to be achieved.

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: Okay. And then freshmen and sophomores will be housed on campus except those who can't basically. Is there any disagreement or discussion about that? I think that was the objective of the ANC and community.

Then all full-time undergraduates will be housed in university housing by the end of 2005 toward a long-term goal of housing 80 percent of full-time undergraduates in university owned or controlled housing. Is that okay?

COMMISSIONER MITTEN: Well, Madam Chair, I think we need to just explore exactly what that proposal entails which is on page 24 of the Proposed Findings of Fact and Conclusions of Law. This is under No. 5, "Minimum Housing Commitment for Full-Time Undergraduates."

CHAIRPERSON REID: Wait a minute. I thought we

were talking now about --

COMMISSIONER MITTEN: The 70 percent. Right?

CHAIRPERSON REID: 70 percent to 80 percent.

COMMISSIONER MITTEN: Okay. What it says is, "The university will pursue to the full extent of its authority the approvals required for the housing identified in conditions 1A and 2 above." Just to review -- well, actually, those references must be wrong because I think it must be 3A. It's No. 3 above I assume. Maybe I'm reading the wrong place. I'm looking in the wrong place. Just a second. I don't find conditions 1A and 2.

CHAIRPERSON REID: "The university will provide housing in addition to the beds identified in petition 1 above in the housing opportunity area."

COMMISSIONER MITTEN: We have to identify what these conditions are supposed to be because I can't trace them back through the document. But I guess the important part is they are going to pursue these contingent developments that we discussed in square 80 and square 54.

Then the operative sentence is, "So long as the development of these housing facilities is not delayed by circumstances beyond the university's control housing will be provided in the housing opportunity area (which is bigger than the campus) for a minimum of 70 percent of GW's Foggy Bottom full-time undergraduate population by the end of the 5th year after the plan is approved." The obligation to 70 percent is in itself

contingent.

CHAIRPERSON REID: Wait a minute. Why do you say contingent?

COMMISSIONER MITTEN: I've just been informed that the reference in the first line under No. 5 is supposed to be condition 3A above. That was what we were discussing in terms of the potential for the 1,350 beds. The 1,350 beds are contingent.

We talked about what they are contingent on. What the university is saying is so long as the development of these housing facilities is not delayed by circumstances beyond their control.

I assume that if they are not approved, that the 70 percent commitment is eliminated as well because they are saying, "Look, if you let us build 1,350 beds, then we can meet this requirement. If we can't, then the commitment is not a valid one."

CHAIRPERSON REID: You mean 1,350 or 500?

COMMISSIONER MITTEN: 1,350 is what's included in 3A. That includes square 103, square 80, and square 54.

CHAIRPERSON REID: Wait a minute. Where does it say that?

COMMISSIONER MITTEN: It doesn't. Ms. Kress just told me that there is a correction. There it says conditions 1A and 2 above, it's supposed to say condition 3A.

CHAIRPERSON REID: All right. And this is housing included on page 25? Is that what you are referring to?

COMMISSIONER MITTEN: I'm reading on page --

CHAIRPERSON REID: 24 kicks you back to page 23.

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: And then 3A is broken down by the square 103, 180. This is confusing.

COMMISSIONER MITTEN: And square 54. In addition to the 1,350 beds it says that the housing, the 70 percent minimum is going to be provided in the "housing opportunity area" which is, as I said, larger than the campus boundaries. The definition of that has yet to be determined.

CHAIRPERSON REID: They define it right there in the next paragraph.

COMMISSIONER MITTEN: That's their definition. The planning head suggested an alternative definition.

CHAIRPERSON REID: Oh, you mean to be determined --

COMMISSIONER MITTEN: By us.

CHAIRPERSON REID: Yeah. Okay. Now, you're saying -- what you're contending is that when you read over to page 24 regarding conditions 1A and 2 above.

COMMISSIONER MITTEN: Which should say 3A.

CHAIRPERSON REID: I'm sorry, 3A. Is it 3A and B?

COMMISSIONER MITTEN: It's just 3A. B doesn't

really relate to this.

CHAIRPERSON REID: Where is the 2?

COMMISSIONER MITTEN: Pardon me?

CHAIRPERSON REID: It's just 3A?

COMMISSIONER MITTEN: Take out 1A and 2 and replace it with 3A.

CHAIRPERSON REID: Okay. Again, I don't know what they're saying. What I gleaned from your conversation is you're saying that you think that once you go to this particular referral to 3A, then that nullifies the proposal for the 1,350 beds?

COMMISSIONER MITTEN: No, Madam Chair. What I'm saying is we were specifically discussing the university's commitment to house 70 percent of the full-time undergraduate students on campus or to house 70 percent of them.

They are proposing, (a) that be within a defined housing opportunity area, and (b) their ability to accommodate what they are proposing is contingent upon receiving approvals for the 1,350 beds that are described in detail.

CHAIRPERSON REID: That's what I'm asking. My question was if, in fact, we look at this particular reference to conditions 3A which conditions whether or not the beds will be -- not the 200 but I guess it's the --

COMMISSIONER MITTEN: The 650 and the 500.

CHAIRPERSON REID: The 1,150?

COMMISSIONER MITTEN: Yes.

CHAIRPERSON REID: That nullifies the proposal to do that because if they cannot do it, then the aspect of the 70 percent becomes moot.

COMMISSIONER MITTEN: That's exactly right.

CHAIRPERSON REID: Okay. Again, let's get some clarification because I can't answer that. Next issue.

COMMISSIONER MITTEN: Was that the end of the list? You had read a list of things that had been proposed and I'm not sure that was the end of it.

CHAIRPERSON REID: I was at the 70 percent and then toward a long-term goal of 80 percent. Then the last one was, "Two existing university owned apartment buildings on campus will be dedicated increasingly to student housing as apartments become available."

COMMISSIONER MITTEN: That's already included. That was included in the original plan for transitioning the west end apartments and 2109 F Street.

CHAIRPERSON REID: Does it stipulate that it would be dedicated increasingly to student housing as the apartments became vacated?

COMMISSIONER MITTEN: Yes, but the ability to quantify what that will be is dependent -- you know, to determine how many of those beds will be available at a given point in time is not really within the control of the university because it requires people to move out.

It requires people who are currently nonstudents to vacate apartments that then students can be cycled into so they don't have the control of when those people would --

CHAIRPERSON REID: Basically what they are proffering to us is that they will use those apartment buildings to further provide student housing as those apartments become available. We don't know when that is going to happen but, nonetheless, that is another vehicle for providing housing, I think, on-campus housing.

COMMISSIONER MITTEN: Yes, Madam Chair.

CHAIRPERSON REID: All right. Now, was there another one? Do you want to get into the defining the housing opportunity area?

COMMISSIONER MITTEN: Well --

CHAIRPERSON REID: That's kind of hard.

COMMISSIONER MITTEN: Well, I think we could do that or we could deal with the issue of the students living in Foggy Bottom and the notion that has been put forward by the office of planning that we should be working in some way and we could do that in a number of different -- along a number of different courses of action to maintain and prospectively decrease the number of students living in the foggy bottom area.

One of the things that needs to be done early on, and I don't think anyone has a problem with this, I think the community endorses it, the Office of Planning, and the university

as well, is collecting the information about where the undergraduates are living.

I think we have no disagreement about getting the information. It's a question of what do we do with it and when are we going to do something with it. Are we going to attempt to tie something in the plan to the concentration of students in Foggy Bottom. Are we going to use that as a tool for evaluation in the future and so on.

Then along the lines of what has been proposed by the university in terms of housing 70 percent of the undergraduates somewhere whether it's a housing opportunity area on campus or whatever, we need to examine that issue in light of if we have unrestricted undergraduate enrollment, then that could be a substantial increase in students.

Or do we want to have a fixed number of beds that are required and somehow couple that either with a percentage or with a cap on undergraduate enrollment.

CHAIRPERSON REID: I don't know if we should get into exploring the cap on the enrollment. I think that we talked about that already. The enrollment right now is 20,000.

COMMISSIONER MITTEN: That's the headcount.

CHAIRPERSON REID: Now you're saying that you want to further define that by what?

COMMISSIONER MITTEN: No. I'm saying that we need to discuss whether or not in trying to deal with the issue of

making certain that there are not further encroachments into the residential uses in Foggy Bottom, do we want to use beds on campus as the soft cap coupled with some kind of percentage requirement. That's what had been discussed.

What has also been discussed is the idea of 70 percent of existing enrollment plus a one to one requirement for any additional students that there would be one bed provided for every additional student above the existing enrollment. Or, I mean, there's a lot of different ways to approach the problem. I'm just trying to put what has been suggested out in front of everybody.

CHAIRPERSON REID: Well, here is where I'm a little confused, Ms. Mitten. I thought that we were approaching this as trying to find the housing opportunity area. All right? Now does that relate to the number of beds?

COMMISSIONER MITTEN: Well, I think the idea is that in any requirement there's going to be a requirement and it's either going to be a percentage requirement or there's going to be a flat-out number of beds required for full-time undergraduates. Okay?

Now, it's a question of 70 percent of something or 80 percent of something or a fixed number of beds and they are going to be located some place. Some place can be within the campus boundaries or some place could be within the housing opportunity area which would be the campus boundaries plus other

sites that would be identified.

I think we need to -- we can discuss the housing opportunity area now if you would like but I think we need to keep in mind that the purpose of designating the housing opportunity area is because that's where the beds are going to be.

Whatever kind of caps or restrictions or requirements, minimums we are going to establish, it's going to be within the boundaries of the housing opportunity area or on campus to the extent that those are different.

CHAIRPERSON REID: Again, why not just define the housing opportunity areas and then go into trying to determine the number of beds and allocating which beds to which areas. I think the approach would be to fist try to define the housing opportunity area.

COMMISSIONER MITTEN: Okay. I was just trying to say what the -- I don't disagree with you.

CHAIRPERSON REID: The parameters. I mean --

COMMISSIONER MITTEN: I understand. When we define the housing opportunity area, we are defining that because it's of significance and I was just trying to convey the significance of it. What does it mean to do that.

CHAIRPERSON REID: Okay. The university said all areas on campus. Do we disagree with that?

COMMISSIONER MITTEN: No.

CHAIRPERSON REID: All right. Then they say existing off-campus residential facilities owned or controlled by GWU as of November 8 of the year 2000. Do we disagree with that?

VICE CHAIRPERSON SOCKWELL: No.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: Wait. Excuse me.

CHAIRPERSON REID: Existing off-campus residential facilities owned or controlled by GWU as of November 8th, 2000.

COMMISSIONER MITTEN: Okay. Now, there's a whole lot of uncertainty about what that means. We have identified for us -- if you could bear with me, I'll tell you exactly. There are four sites that have been specifically identified for us by the applicant as where there are currently approximately 950 resident student beds provided outside the campus plan boundaries.

I think it would behoove us to speak specifically about which facilities we're talking about if we are going to be designating areas off campus. The definition of existing off-campus residential facilities owned or controlled by GW, we really don't even know what they control.

If we deal specifically with properties that we know are functioning as dormitories, I think that would be helpful and I can identify the four that they identified if you would like.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: They are the Dakota which is

at 2100 F Street, Riverside Towers which is at 2201 Virginia Avenue, the Aston which is at 1129 New Hampshire Avenue, and the HOVA or the Hall on Virginia Avenue which is at 2601 Virginia Avenue.

CHAIRPERSON REID: What was the last one?

COMMISSIONER MITTEN: HOVA, Hall on Virginia Avenue, former Howard Johnsons.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: I think that --

CHAIRPERSON REID: Okay. Now, identify the square based on these facilities that you just mentioned.

COMMISSIONER MITTEN: Okay. The Dakota is in square 81. Riverside Towers is in square 58. The Aston is in square 72. And HOVA is in square 6. I'll just reiterate that these are all outside the campus boundaries as they currently exist.

CHAIRPERSON REID: Okay. Now, the university did not identify 72 or 6.

COMMISSIONER MITTEN: They did not identify --

CHAIRPERSON REID: They refer to "existing off-campus residential facilities owned or controlled by GW." Then is says, "Properties located in squares 43, 58, 80, and 122." Now, is that exclusive? I guess it would have to be exclusive of ones at 72 and 76.

COMMISSIONER MITTEN: Madam Chair, I think that the

four buildings that I just identified for you would fall under No. 2 in the university's thing.

CHAIRPERSON REID: Oh, okay.

COMMISSIONER MITTEN: In No. 3 there are sites that are controlled and not yet -- well, we can run through them. Square 43 is where all those townhouses got knocked down. That's planned for a dormitory that will contain, I think, 350 beds. I'll tell you precisely in a minute. Yeah, 350 beds.

Then squares 58 and 81 we had something in our final packet of information that had some yellow on it, a little plat. I'll show you. If anybody finds it first, help me out. That's it.

This is describing what I believe are the additional properties. I show that what is shaded is what GW owns so they are showing in square 58, for instance, Riverside Towers. But then there's some other property that they own in square 58. Then in square 81 they own some property there. I guess they are just wanting that to be included.

The university is proposing that be included in the housing opportunity area. Then in square 122, which is the associated general contractor site, there is some number of beds I've lost track of that are proposed to be included on that site.

That's 200 beds that are proposed for inclusion on the AGC site. That's how No. 3 and the properties included in No.

3 differ from No. 2, I believe. Then the final category sort of speaks for itself.

CHAIRPERSON REID: Okay. Now, that differs from the Office of Planning which says existing facilities, properties currently owned by GWU on squares 43 and 122. They only mention two of the squares.

COMMISSIONER MITTEN: Correct.

CHAIRPERSON REID: Any property located within the campus plan boundary. Okay. So the difference is -- wait a minute.

COMMISSIONER MITTEN: I would say there are two differences. One is that the Office of Planning is not including the properties in squares 58 or 81 that are currently owned by the university.

In fact, maybe I should just modify what I just said which is the proposal from the university is not that it is properties that are currently owned by the university located in squares 43, 58, 81, and 122, but it's properties in those squares.

You have the potential of creating additional demand by the university for properties in those squares because those would be places for them to put housing. I think we just need to be cognizant of that if we decide to include those squares. Those two squares are not included.

Then the property located outside of the Foggy

Bottom area is what has been proposed by the university but not included by the Office of Planning. I think this is important because I think the notion behind having some housing requirement is that we are trying to achieve a concentration of undergraduates in a particular location.

Well, there's two things. We are either trying to achieve a concentration in a particular defined location, or we are trying to eliminate a concentration in another location. What the university is saying is that we are either going to concentrate them on campus in our existing facilities.

These other four squares as we have identified that basically abut the campus, or we are going to within the 70 percent that we are suggesting, that's going to be everywhere else except Foggy Bottom. That's a significant difference.

CHAIRPERSON REID: Okay. I think, again, Ms. Mitten, that the 70 percent is not germane until we get a clarification on the other question that we had regarding the contingency issue with the number of beds. Is it not?

COMMISSIONER MITTEN: Yeah. I guess the only reason I mentioned it is it goes back to some clarity I had tried to add which was when we are defining the housing opportunity area, we are doing that toward some end and the end is we are either -- well, the end is that we are either going to say -- well, we are going to say that's where we want to have x number of beds.

Either x number of beds or some percentage of beds. I think that is relevant as to whether or not you are going to include in that area places completely outside of the community.

CHAIRPERSON REID: Well, here's my thought about that. Okay. What the university is proposing includes two more squares than the ones that the Office of Planning proposes.

Now, if you are going to relate that to the 70 percent rule, then it appears to me that the number that the university can provide is going to be determined on what they are suggesting to us to be located in the housing opportunity area.

It would take away two of the proposed squares. Doesn't that eliminate on its face some of the beds that they are proposing within the housing opportunity area?

COMMISSIONER MITTEN: It doesn't eliminate on its face the beds. It eliminates some of the potential areas where they could locate those beds.

CHAIRPERSON REID: We're not saying the same thing? What are you saying? If you don't have the squares, how can you propose to locate anything on them?

COMMISSIONER MITTEN: Well, they can continue to do whatever they are permitted to do by right. It's a question of whether or not -- you see, if we put a property in the housing opportunity area, we are effectively providing -- we are providing some incentive for them to put housing there. Right now they have their own reasons for where they put housing.

We're going to give them a new reason to put housing in certain places. We have to decide if we give them a reason to put housing on square 58, if we give them a reason to put housing on square 81, is that accomplishing what we want to accomplish?

CHAIRPERSON REID: Wait a minute. Don't they already have student housing there on both 81 and 58?

COMMISSIONER MITTEN: They have it on square 58 and Riverside Towers and on 81.

VICE CHAIRPERSON SOCKWELL: The Dakota.

COMMISSIONER MITTEN: The Dakota. Okay. There's a lot more property on square 81 than just the Dakota. That's a big square. What I'm saying --

CHAIRPERSON REID: So what you're saying is you think that will allow them to be more invasive into those particular squares taking other properties? Is that where you're going with this?

COMMISSIONER MITTEN: Well, I think there is the potential for that. I'll just go back, if I could, to the map which is --

CHAIRPERSON REID: Which map?

COMMISSIONER MITTEN: You can pick a map.

CHAIRPERSON REID: Land use map?

COMMISSIONER MITTEN: How about Figure D.

CHAIRPERSON REID: Okay.

COMMISSIONER MITTEN: So on Figure D we had talked about the issue of the core and my notion that the core is moving south. What you're effectively doing if you are providing any kind of incentive for the university to build additional dormitory space in square 58 and square 81 is you are pushing the campus further to the south. I think that (a) we probably don't need to do that, and (b) you have to recognize that there is an implication.

One of the big issues that has been raised both by the community and the office of planning is this idea of displacement of existing residential uses. You are going to be providing an incentive for that to continue if you include those specific properties in the housing opportunity area.

CHAIRPERSON REID: Okay. So you're saying that you feel to include those two squares would allow for further invasion of the university into the Foggy Bottom area. When the university proposes 1581, you want some further clarification that they mean something to exceed the already existing buildings that they have there.

COMMISSIONER MITTEN: Yes, because I think that if they didn't mean something in excess of the buildings they already have there then -- because the buildings they already have there would be included in No. 2, what they propose for housing opportunity areas. They are clearly including something else.

CHAIRPERSON REID: Again, we don't know so that's

another area for clarification.

COMMISSIONER MITTEN: That's fine.

VICE CHAIRPERSON SOCKWELL: Madam Chair, as well the No. 4 property is located outside the Foggy Bottom area which is loosely defined as anything that is outside of this specific designation that they provided may or may not be a factor that we should look at in that it could impact the need for on-campus parking because it sort of leaves the entire rest of the city available for housing.

That would mean that students could be far removed from the campus area. If classes are conducted at the campus, those people would either use public transportation or some other form of transportation to arrive at the campus.

There is no specification of the potential impacts of that. Nor has there been, I think, with any other campus plans but in this particular case, the parking issue seems to be one of the principal ones and we should at least consider the implications.

COMMISSIONER MITTEN: Madam Chair, I think Mr. Sockwell raises a good point. I think that it also points up the sort of dual objectives that we are trying to accomplish which I had mentioned earlier.

One is we are trying to concentrate the students in a particular area. That is one objective. The other objective is we are trying to deconcentrate another area which is the Foggy

Bottom residential community.

I think we have to keep in mind how desirable it is on many levels that these students be concentrated on the campus. I say that because of the issue that Mr. Sockwell raised related to parking and related to traffic because it was raised in the discussion about first year universities and their ability to build community among the students and to create an identity and so on. It was raised as an issue of control of student behavior that they be located on campus.

Then it's a whole question of efficiency of facilities. The university has said that they would provide shuttle buses if there were concentrated students elsewhere. Well, what would be preferable utilization of their transportation money would be not to be bussing students to the campus from other places but to have the students already there.

I think there is a lot of reasons that compel us to find ways to concentrate the students on the campus and not to allow a sort of default mechanism that gets them out of Foggy Bottom but doesn't really solve these other issues that really recommend the concentration.

VICE CHAIRPERSON SOCKWELL: If I can say, Madam Chair, what might not be something that we can actually scope into this is the fact that there is a potential for the development of group house type communities around dormitory facilities that might be remote from the campus, yet would be concentrations of

students.

MEMBER RENSHAW: Madam Chair?

CHAIRPERSON REID: Yes.

MEMBER RENSHAW: I would like to ask for some clarification on this square 80 since we're talking about on campus housing. On page 23 it sites, as we have said, an additional 650 beds on square 80 conditional, though, that --

CHAIRPERSON REID: What page?

MEMBER RENSHAW: Page 20.

CHAIRPERSON REID: The full finding?

MEMBER RENSHAW: Yes. Dated November 14. Contingent upon DC transferring property it owns to the university. Then it drops down to if it doesn't get that property 288 beds would be provided in this alternative development. That is a difference of 362 beds. So I would like to ask for some clarification as to whether or not that property is going to be transferred if the university can provide that information.

CHAIRPERSON REID: You mean the school without walls?

MEMBER RENSHAW: Yes, the school without walls.

CHAIRPERSON REID: Ms. Renshaw, we've already addressed that earlier.

MEMBER RENSHAW: Are we coming back to it?

CHAIRPERSON REID: No. We asked for that already.

MEMBER RENSHAW: You have asked for information as

clarification as to the status?

CHAIRPERSON REID: Yes.

MEMBER RENSHAW: That's good and I underscore that then.

CHAIRPERSON REID: Thank you. Okay. Now, getting back to this housing opportunity area, I think that there is a lot of speculation as to the intent of some of the things that have been proffered to us by the applicant. As such, those areas have to be clarified.

However, I also wish to caution that we as a board can expect some degree of reasonableness and we can apply that doctrine to this particular proceeding.

However, when you get into the micro-management of the campus plan itself to the extent that you start to whittle away at some of the concessions that have been proposed by the applicant to mitigate or offset some of the possible adverse impact and we then start to in effect decrease -- I think we start to decrease some of our effectiveness.

I think what we want to do is to see if, in fact, for example, the area that is proposed as the housing opportunity area seems to meet or to effectively mitigate some of the adverse impact as though we could second guess what the intent was and why they are doing it. Are they proposing things that they are proposing in this particular area and what it consist of and what more there is to it.

I think what we are trying to do now is scratch below the surface and trying to second guess what the intention of the applicant is here. Again, if, in fact, the intention is to try to have most of the residential dormitory and a core of the university, okay, that's well and good.

However, be mindful of the fact that the practicality of it always may not be doable and we have to consider that. I think that asking for clarification as to rationale or reasoning behind some of the things that they are suggesting to us goes a long ways for us being able to make a decision that is based in some type of reality rather than just arbitrarily picking out things and having them changed.

All right. Now, we need a clarification as to those issues regarding square 58 and 81. Then the only other thing was the property located outside of the Foggy Bottom area, those areas bounded by 19th Street, E Street, Rockcreek Park, and Pennsylvania Avenue, not including the housing opportunity area.

Now, wait a minute. Let's go back here. Wait a second. The university defines housing opportunity area as, No. 4, property located outside the Foggy Bottom area; that is, the area bounded by 19th Street, E Street, Rockcreek Park, but not including the housing opportunity area. Am I reading that wrong?

COMMISSIONER MITTEN: No, you're reading it right but let's maybe go to the --

CHAIRPERSON REID: Wait one second. These are

areas outside the housing opportunity area. Is that what they're saying? No. 4 on page 5 of the Proposed Findings. I'm sorry. It's page 5 of the corporation council submission to us.

MS. NAGELHOUT: It's page 25 of the applicant's findings of fact.

CHAIRPERSON REID: No, page 5 of the corporation council.

MS. NAGELHOUT: It's the same thing. That's where I got it from.

CHAIRPERSON REID: Yes. I'm sorry. That's what I was about to say. That was reiterating what had been submitted in the Proposed Findings of Fact. Basically this is saying areas that are other areas beyond the housing opportunity area.

How can that be? This is the housing opportunity area. Then it says the property is located outside of Foggy Bottom area that is not included in the housing opportunity area. That would be the housing opportunity area?

VICE CHAIRPERSON SOCKWELL: Well, what it's saying is that there is a housing opportunity area defined within the campus. Then there's the Foggy Bottom area which has specific locations which are owned by the university and used for housing. This is everywhere else but outside of the Foggy Bottom.

COMMISSIONER MITTEN: Madam Chair, if I could --

CHAIRPERSON REID: That's saying everywhere else the way I'm reading it.

COMMISSIONER MITTEN: The definition of the housing opportunity area in the Applicant's Proposed Findings of Fact and Conclusions of Law might be a good reference.

CHAIRPERSON REID: That's on page 24?

COMMISSIONER MITTEN: At the bottom of page 24. So it's all areas on campus --

CHAIRPERSON REID: What number is that?

COMMISSIONER MITTEN: It's at the very last paragraph.

CHAIRPERSON REID: Okay. Last paragraph.

COMMISSIONER MITTEN: Existing university residential facilities off campus as of November 8, which existing university residential facilities is open to some interpretation, owned or controlled. We would have to clarify that.

Properties located in square 43, 58, 81, and 122, as we had discussed. Then 4, properties located outside of the "Foggy Bottom area" as defined below.

That is their definition of housing opportunity area so they are suggesting that they should be able to meet their 70 percent requirement by housing students among other places outside of Foggy Bottom off the campus in another neighborhood. They should be able to meet their minimum that way.

CHAIRPERSON REID: Wait a minute. That's what I was asking. Are we all reading this the same way that it's saying everywhere else?

COMMISSIONER MITTEN: Yes.

VICE CHAIRPERSON SOCKWELL: Yes.

CHAIRPERSON REID: That doesn't make a lot of sense. Can we get a clarification on that as well? Why have a housing opportunity area and then indicate therein that it's everything inside and everything outside, too.

VICE CHAIRPERSON SOCKWELL: I think there is a closed-in area that includes the campus and other properties within Foggy Bottom. Then there is the potential for developing housing throughout the city outside of Foggy Bottom.

They are sort of saying it in a more specific than general manner. The idea is that even in the community's testimony there has been discussion of housing outside of the area not impacting Foggy Bottom.

CHAIRPERSON REID: So anywhere in Washington where there is housing that is provided.

VICE CHAIRPERSON SOCKWELL: Which is available for housing. Where there is space available for housing they could develop a portion of their --

CHAIRPERSON REID: And that would be included in the larger housing opportunity area.

VICE CHAIRPERSON SOCKWELL: Right.

CHAIRPERSON REID: Okay, I think. Okay. I would like clarification on that. I mean, we are now interpreting it literally, I think, that anywhere they have housing would be

included in the housing opportunity area.

VICE CHAIRPERSON SOCKWELL: Yeah.

COMMISSIONER MITTEN: Madam Chair, you're right. It's like you could take the whole city and then just X out Foggy Bottom and then everything else would be included. Most of the city would be included and a very small part of Foggy Bottom.

CHAIRPERSON REID: No, that's not the way I was interpreting it. I was interpreting it as being that is specified and then beyond the Foggy Bottom area there is housing over on Dupont Circle and housing all over Wootley Park or Adams Morgan.

COMMISSIONER MITTEN: Right.

CHAIRPERSON REID: Wherever the housing is located for GW students would be included in the housing opportunity area.

VICE CHAIRPERSON SOCKWELL: Right.

COMMISSIONER MITTEN: Correct.

CHAIRPERSON REID: All right. Now, I think under that category that was the last item. Is there another item that we need to address? Another issue or another question that we need to address today? If you don't have anything, I do.

This is in regard to that I had asked for information from the Office of Planning and I was going to try to muddle through it because I thought we were going to be able to conclude today, but since we're not able to do that, then my question to them is I had asked for a chart that would explain the expansion of George Washington University in Foggy Bottom.

What I got was a chart that came from the D.C. assessment directory which really does not answer my question in that it is not as conclusive as I would like for it to be. For example, it has at the bottom the dates. It gives the dates but these dates are not in equal increments that would show me clearly how the university has expanded.

I want to know also if it was expansion -- if this is expansion into the Foggy Bottom area or just expansion within the George Washington campus boundaries. I want to know the expansion over time of the university into Foggy Bottom, not in the campus boundaries but outside of the campus boundaries.

This is the issue that is causing so much consternation in the community. I want to see the percentage or square footage over time of how it has expanded in equal yearly increments.

I don't want something that is a copy of another type of report because the report that it came from is for another purpose so it doesn't serve this purpose adequately for us to be able to glean what we are talking about. The problem is the issue of the invasiveness of the university. The perceived invasiveness of the university.

Then it gives me another chart that gives the George Washington percentage ownership of Foggy Bottom. Now, I need to know again off campus, not just the properties that are -- I don't want to know the ownership of GW. I want to know the

ownership of the properties outside of GW, the GW boundary. Also I want the years to be in equal increments.

The last column in both of these charts has an area that is referenced with an asterisk. Then you look at the legend and it says, "Actual acquisition date unknown." That means absolutely nothing. It shows basically at the end an upturn which may not be accurate.

I don't want to see a grey area that is not defined as to what, in fact, it is referring to. It's saying actual acquisition date unknown. That does not mean a lot. Anything that is not reflected already should not be on this chart because it doesn't tell us anything.

For example, the last column on the one that has the university expansion -- I don't know if it's in boundary or out of boundary -- shows expansion up to square footage of almost -- let's see, maybe it's 1,300,000. Then it jumps up to 1,600,000. I don't know what that means.

I need to have something that is more definitive that gives me clearly an idea as to what we're looking at and what, in fact, we're talking about. I suspect since they did attach a map that they are talking about within the boundaries of GW and that's not the objective.

We need to be able to look at it as it pertains to areas in Foggy Bottom. Also a clear and concise chart that you can do very easily on MicroSoft that doesn't take a lot to do it.

A graph.

Okay. That's the only other thing I had. Questions?

MEMBER RENSHAW: Are you including Westend in that?

CHAIRPERSON REID: Um, good question. Why do you ask?

MEMBER RENSHAW: Because there was some discussion in our material about Foggy Bottom alone or Foggy Bottom - or / Westend.

CHAIRPERSON REID: I saw that. That's why I'm asking --

MEMBER RENSHAW: Why not take, I would say, the overall area of Foggy Bottom / or - Westend.

CHAIRPERSON REID: Yeah. Do we have a definition? Also do we have -- can we have people come in from Westend as well who testified?

MEMBER RENSHAW: Yes.

CHAIRPERSON REID: Okay. Then yes. I wasn't sure. I mean, Foggy Bottom -- the reason why I was asking is because some people include Westend as part of Foggy Bottom. They kind of like mesh them together so I wasn't sure.

MEMBER RENSHAW: Foggy Bottom/Westend.

CHAIRPERSON REID: Foggy Bottom separately and Westend separately or both of them together?

MEMBER RENSHAW: Both together.

CHAIRPERSON REID: Okay. Foggy Bottom and Westend.

VICE CHAIRPERSON SOCKWELL: You want the properties broken down by use?

CHAIRPERSON REID: Use is --

VICE CHAIRPERSON SOCKWELL: You're saying owned by but they may not be university purpose.

CHAIRPERSON REID: Like what?

VICE CHAIRPERSON SOCKWELL: I don't know. Office buildings.

CHAIRPERSON REID: Investment?

VICE CHAIRPERSON SOCKWELL: Yes. You want investment properties as well as campus?

(Whereupon, off the record.)

CHAIRPERSON REID: We're going to get some clarification from the Office of Planning specifically as to what, in fact, these charts are telling us because it's not clear and we'll do that after we adjourn.

Now, we need to look at the timelines. Ms. Kress, do you have that? Also, the issues that will have to be addressed in the interim.

DIRECTOR KRESS: I might start by talking to the issues. Staff has been taking copious notes but I can tell you we would feel a lot more comfortable -- we'll get it out in draft but we would feel more comfortable being able to review the transcripts because it was a rather long day and some of these

issues are rather complicated.

I did speak with Andy Altman and the staff at OP because I had also heard from the board members they felt they needed some additional input from Office of Planning.

Andy Altman suggested to me the middle of February. I know that earlier today the applicant felt very strongly to have it as fast as they could. Of course, that was prior to this afternoon and the additional information.

Considering all of that, what staff is suggesting is that the transcripts will take about two weeks to get here and I think everybody, OP, needs access to the transcripts. That gets us to about the 29th of December.

What we're suggesting since the applicant said they could do it quickly is that the applicant's submission come in by the 12th of January and that the responses of the parties and the OP report come in by the 25th of January, that revised findings of fact come in by the 31st of January, and that the decision be made at the regular Tuesday morning meeting on February 6th.

CHAIRPERSON REID: All right. Is that it? Anything else? If there is nothing else, that will conclude today's deliberation. We will reconvene to hopefully bring some closure to this and come up with a decision on February 6th.

In the interim, because we have some more time, it would be great if both the applicant and the opposition can continue to try to reconcile differences and try to meet and come

up with a closer meeting of the minds in addition to the things we talked about today.

Given the information that we requested, that should give further clarification to most people predicated upon the questions and then the answers. Maybe that will give an opportunity -- there's a light at the end of this tunnel for there to be some resolution to this case. Thank you very much.

(Whereupon, at 5:07 p.m. the meeting was adjourned.)