

GOVERNMENT

OF

THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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SPECIAL PUBLIC MEETING

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TUESDAY

FEBRUARY 13, 2001

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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

9:20 a.m., Robert N. Sockwell, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

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

ZONING COMMISSION MEMBER PRESENT:

CAROL MITTEN	Commissioner
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COMMISSION STAFF PRESENT:

Sheri Pruitt, Secretary, BZA
Beverly Bailey, Office of Zoning
Paul Hart, Office of Zoning
John Nyarku, Office of Zoning

D.C. OFFICE OF CORPORATION COUNSEL PRESENT:

Marie Sansone, Esq.
Alan Bergstein, Esq.
Mary Nagelhout, Esq.

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	<u>Application of The George Washington University</u>	
	<u>16553 ANC-4A</u>	

P R O C E E D I N G S

(9:20 a.m.)

CHAIRPERSON SOCKWELL: Good morning, Ladies and Gentlemen. This is the February 13th, 2001, Special Public Meeting of the Board of Zoning Adjustment. If the staff will speak to the case at hand.

MR. HART: Good morning, Mr. Chairperson, and members of the board. Before you this morning is the Application 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, under Sections 210 and 507.

CHAIRPERSON SOCKWELL: Let me begin by stating, as I think everyone in the room is well aware, the case before us has been one of considerable interest by all parties.

It is a very difficult case to work with. We are dealing with a university that has resided in Foggy Bottom since 1912. We are dealing with a housing stock that in part predates the university. We are dealing with individuals.

We are looking at a university that in itself is an individual, as are the homeowners, business owners, and other property owners within the Foggy Bottom. Each individual is responsible for its relationship with the other individuals.

The case before us, the campus plan for the 2000 to 2010 or thereabouts time period is one that has brought out the most particularly aggrieved and most particularly pro factions and

1 individuals within the community.

2 It has pitted a very large billion dollar plus
3 institution, an individual, against a number of other
4 individuals, all of whom feel that there must be a level of
5 happiness provided by the results of the effort.

6 Whether or not the results of the effort truly
7 create that happiness remains to be seen. But the interaction
8 between the individuals in this case will continue long after this
9 board has completed its deliberations and made its decisions.

10 And on that basis, I would like to hope that the
11 university and the community can find a way to present to one
12 another the kind of picture that can be viewed, understood, and
13 appreciated by all, because neither the community nor the
14 university are going to disappear from the Washington scene.

15 And how they coexist over the next 10, 20, 50, a
16 hundred years, has a start in this room and continue outside of
17 this building. With that stated, I would like to entertain
18 motions regarding this case.

19 The first motion would be whether or not
20 Application Number 16553 should be approved.

21 MS. RENSHAW: Mr. Chairman, are you going to insert
22 at this point the term that you are suggesting?

23 CHAIRPERSON SOCKWELL: Yes.

24 MS. RENSHAW: A suggested term?

25 CHAIRPERSON SOCKWELL: Yes. The term that I would

1 suggest would be for a period ending June 30th of the year 2009.

2 VICE CHAIRPERSON REID: I will second that motion.

3 Is that a motion?

4 CHAIRPERSON SOCKWELL: Yes, it is.

5 VICE CHAIRPERSON REID: I would second that motion.

6 COMMISSIONER MITTEN: Mr. Chairman.

7 CHAIRPERSON SOCKWELL: Yes?

8 COMMISSIONER MITTEN: I would like to if I could
9 suggest that we table that motion until we have flushed out
10 exactly what the other conditions of the plan are, because that
11 will dictate whether or not I can support that term.

12 CHAIRPERSON SOCKWELL: The motion would be with
13 conditions.

14 COMMISSIONER MITTEN: I guess I just want to know
15 those are before -- oh, we are crafting a larger motion; is that
16 it?

17 CHAIRPERSON SOCKWELL: We would craft the motion
18 around any modifications that we might make, and could either deal
19 with the motion as an independent item, conditions subject to
20 approval by this board, or if it is specific conditions that you
21 feel uncomfortable about, then we could work with those conditions
22 as the board sees fit.

23 COMMISSIONER MITTEN: Well, I guess all I wanted to
24 just express is that I am uncomfortable voting on the term as an
25 isolated item at this point. So if it is part of something larger

1 and we are going to flush out the conditions, then I will know how
2 I want to vote relative to the term.

3 But in advance of knowing what those are, I
4 wouldn't want to vote on the term.

5 MS. RENSHAW: Mr. Chairman, has Ms. Mitten a motion
6 on the floor, on the table?

7 CHAIRPERSON SOCKWELL: She has moved that the
8 motion be tabled pending approval of the conditions, or the --

9 VICE CHAIRPERSON REID: I don't think that you
10 moved that it be tabled, but that we have a motion on the floor,
11 and we have a second.

12 CHAIRPERSON SOCKWELL: We have a second.

13 VICE CHAIRPERSON REID: All right. Then I think
14 that you need to vote on the motion, and if it fails, then you can
15 make another motion.

16 MS. RENSHAW: She didn't move to table right now.

17 COMMISSIONER MITTEN: A motion to table would take
18 precedence over actually voting on the main motion, and we could
19 vote up or down to table it. If we vote it down, if we vote down
20 the motion to table, then we have to vote on the main motion.

21 VICE CHAIRPERSON REID: But you still have two
22 motions on the floor.

23 COMMISSIONER MITTEN: We have two motions on the
24 floor. We have the main motion, which relates to term, and then
25 we have another motion to table.

1 VICE CHAIRPERSON REID: Well, we have a motion on
2 the floor for approval, and then the term period, Mr. Chairman.
3 That the aspect of the term was contained within the motion.

4 Now, you may want to amend the motion, which would
5 then perhaps take out the term or something like that, which would
6 then be a condition, and would be contingent upon the condition
7 that would have to be agreed upon.

8 CHAIRPERSON SOCKWELL: As the offeror of the
9 motion, I would as well withdraw the motion.

10 VICE CHAIRPERSON REID: Yes, you could.

11 CHAIRPERSON SOCKWELL: And then we could deal with
12 the conditions that would be pertinent to the acceptance of the
13 motion by the board members. But the question is that -- and as
14 far as I am concerned, the conditions are very important to the
15 motion or to the decision on the motion.

16 So I am willing to accept the tabling of the
17 motion, and if that would be my second to your motion to table.

18 COMMISSIONER MITTEN: All right. And then we can
19 take a vote on whether or not to table.

20 CHAIRPERSON SOCKWELL: Right.

21 MS. RENSHAW: That's fine.

22 CHAIRPERSON SOCKWELL: All in favor in tabling the
23 motion pending the discussion and approval of conditions say aye?

24 (A chorus of ayes.)

25 CHAIRPERSON SOCKWELL: Opposed?

1 VICE CHAIRPERSON REID: I abstain.

2 CHAIRPERSON SOCKWELL: One abstention. The motion
3 to approve has been tabled. Then I will accept offers of
4 conditions to a proposed campus plan.

5 COMMISSIONER MITTEN: Mr. Chairman, if I could
6 offer a modification to the plan itself. Recognizing that we have
7 revised a proposed land use map, and some proposed changes to the
8 plan that have already been submitted by the applicant, and are
9 dated January 12th, 2001, and those would be incorporated anyway.

10 But I would propose to expand the campus boundary
11 on the south to include The Dakota in Square 81, to include
12 Riverside Towers Hall, addresses 518 to 526 - 22nd Street;
13 addresses 2006 and 2008 F Street in Square 58; and to include the
14 University owned property in Square 43.

15 CHAIRPERSON SOCKWELL: Does the Board all
16 understand that those properties on the south side of the campus
17 would be included in the campus plan, most of which have you have
18 stated are already in the hands of the University as University
19 owned properties?

20 COMMISSIONER MITTEN: Yes.

21 CHAIRPERSON SOCKWELL: Or are bordered by
22 university owned properties enclosed within?

23 COMMISSIONER MITTEN: Yes.

24 MS. RENSHAW: And, Mr. Chairman, that an updated
25 map would be attached to this order.

1 CHAIRPERSON SOCKWELL: Yes. Is there any further
2 discussion of the motion?

3 (No audible response.)

4 CHAIRPERSON SOCKWELL: Then I would call for a
5 vote.

6 COMMISSIONER MITTEN: And this is strictly or
7 exclusively on the modification?

8 CHAIRPERSON SOCKWELL: And that is strictly on the
9 modification of the campus plan boundary, which will in fact
10 become part of the approval for denial of the campus plan when it
11 is voted upon.

12 COMMISSIONER MITTEN: Okay. All right.

13 CHAIRPERSON SOCKWELL: Do we have a second on that
14 motion?

15 MS. RENSHAW: Second.

16 CHAIRPERSON SOCKWELL: All in favor?

17 (A chorus of ayes.)

18 CHAIRPERSON SOCKWELL: Opposed?

19 (No audible response.)

20 CHAIRPERSON SOCKWELL: The modification has passed.

21 Now, I believe we can go to conditions, and offer on the first
22 condition -- actually, the first condition that we would consider
23 will become an important of the approval in fact. So that would
24 be the time period commencing and ending.

25 COMMISSIONER MITTEN: Mr. Chairman, I think that I

1 would be more comfortable if we could leave that out until we get
2 some of these other things.

3 CHAIRPERSON SOCKWELL: Exactly. It becomes part of
4 the other, and I think it is part of the larger issue.

5 COMMISSIONER MITTEN: Okay. Yes.

6 MS. RENSHAW: Mr. Chairman, I would like to include
7 a clarification in our conditions, and that is that when we speak
8 of Foggy Bottom, that we are speaking of Foggy Bottom West End,
9 and the Office of Planning has provided a definition of that
10 jurisdiction.

11 And so I so move that we include West End in the
12 definition of Foggy Bottom/West End.

13 VICE CHAIRPERSON REID: You mean as defined by the
14 Office of Planning?

15 MS. RENSHAW: As defined by the Office of Planning.

16
17 VICE CHAIRPERSON REID: And also why don't we --

18 MS. RENSHAW: And include a map.

19 VICE CHAIRPERSON REID: Why don't we then just
20 define that.

21 MS. RENSHAW: Okay.

22 COMMISSIONER MITTEN: Would you like me to do that?
23 I have the map here. It is roughly bounded by E Street on the
24 south, Rock Creek Parkway on the west, N Street on the North, and
25 19th Street on the East.

1 CHAIRPERSON SOCKWELL: The boundary includes the
2 traditional Foggy Bottom jurisdiction and a portion of area
3 primarily to the north of Foggy Bottom that allows a larger and
4 more complete picture of the impacts of the university on the
5 community to be assessed at any given time.

6 COMMISSIONER MITTEN: I will second the motion
7 regarding the definition of the Foggy Bottom West End area.

8 CHAIRPERSON SOCKWELL: All right. Any further
9 discussion?

10 (No audible response.)

11 CHAIRPERSON SOCKWELL: All in favor?

12 (A chorus of ayes.)

13 CHAIRPERSON SOCKWELL: The motion is passed. The
14 Office of Planning's definition of Foggy Bottom West End will be
15 included among the conditions.

16 VICE CHAIRPERSON REID: Mr. Chairman, I think that
17 with these conditions that there are several that are pretty much
18 those that there are not any debate about.

19 I think perhaps that the approach might be to go
20 over the ones that -- well, not go over them, but indicate the
21 ones that we agree upon, and address the ones that we may have
22 some problems with, rather than to go over each one of them.

23 CHAIRPERSON SOCKWELL: At some point all the
24 conditions will have to become known to the audience in fact, and
25 will be bound into the --

1 VICE CHAIRPERSON REID: I think we are talking
2 summarily about the proposed conditions made by the applicant with
3 modifications is it not for the most part?

4 CHAIRPERSON SOCKWELL: Well, we are actually
5 talking about conditions that would be bound over from the
6 preexisting campus plan as they might be modified, as well as
7 conditions that are entirely different from those that might have
8 been offered by either the applicant or the community.

9 VICE CHAIRPERSON REID: Well, as modified, and not
10 to exclude the ones that -- well, some of them that were part of
11 the 1985 campus plan, but go ahead.

12 CHAIRPERSON SOCKWELL: All right. I think that the
13 conditions that are most important here, and may require some
14 discussion, I will start with, and I will move to what is in our
15 exhibits as Condition Number 4.

16 VICE CHAIRPERSON REID: Do you want to start with
17 the 1985 ones, and kind of address those conditions first, and
18 then move through the ones that are in front of the Board?

19 CHAIRPERSON SOCKWELL: If the Board Members wish to
20 move on the modifications that are principally updates of the 1985
21 conditions, we can do that.

22 MS. RENSHAW: Or, Mr. Chairman, we could just move
23 the '85 conditions as germane.

24 CHAIRPERSON SOCKWELL: Yes.

25 MS. RENSHAW: And discuss that later.

1 VICE CHAIRPERSON REID: Weren't there some items
2 that we were modifying --

3 CHAIRPERSON SOCKWELL: Yes. For the most part --

4 VICE CHAIRPERSON REID: -- from 1985?

5 CHAIRPERSON SOCKWELL: Yes.

6 COMMISSIONER MITTEN: Perhaps it would be easier if
7 we do it as Ms. Renshaw's suggest suggests, which is that we
8 incorporate those conditions of the 1985 plan that are still
9 germane, unless they are otherwise modified by actions that we
10 take in other conditions today?

11 VICE CHAIRPERSON REID: Yes, I understood that.
12 However, I was indicating to the Chairman that in addition to the
13 ones that are germane that we specify here today that once they
14 have modified that we would -- well, that we would suggest
15 modifications for only a couple, and to get that out of the way.

16 CHAIRPERSON SOCKWELL: All right.

17 (Brief Pause.)

18 CHAIRPERSON SOCKWELL: It stands to reason with all
19 the paper that we have, walking 20 feet from the meeting room to
20 here, that a significant piece of paper just sort of walked away.
21 So it is taking a moment to see if we can locate that.

22 (Brief Pause.)

23 COMMISSIONER MITTEN: Mr. Chairman, would you like
24 to maybe go on with the new conditions instead of --

25 CHAIRPERSON SOCKWELL: No, we will go with the 1985

1 conditions. It's just that my annotated piece, which had all of
2 the issues --

3 VICE CHAIRPERSON REID: Well, I think that we
4 pretty much know what they were. Why don't we just -- we can help
5 him through this. Remember that in looking over it, I think under
6 2 and then 2(b), basically there was a suggestion of modification,
7 and the wording --

8 COMMISSIONER MITTEN: I have the wording.

9 VICE CHAIRPERSON REID: And then that was the
10 change there.

11 COMMISSIONER MITTEN: Okay. This would be
12 Condition Number 2(b) from the 1985 plan, which would read now as
13 follows, or would read as modified as follows, "An indication of
14 any need for amount of and proposed locations of interim leased
15 space necessary to accommodate housing, and/or activities
16 displaced by construction, and/or activities intended to be
17 located permanently in the completed structure."

18 And there would also be, of course, the
19 modification that it makes reference to the 2001 campus plan up in
20 the introductory paragraph.

21 CHAIRPERSON SOCKWELL: Correct. I have located the
22 document. That along with a recomputation of the university's
23 total FAR, after which there is a statement that the full-time --
24 an updated full-time undergraduate student enrollment, and on-
25 campus housing percentage would be included with each application

1 for the processing.

2 COMMISSIONER MITTEN: Yes.

3 CHAIRPERSON SOCKWELL: That condition, along with a
4 statement of total head counts to be allowed under the plan.

5 COMMISSIONER MITTEN: Well, if we could just stick

6 --

7 CHAIRPERSON SOCKWELL: Do you want to stick to that
8 one?

9 COMMISSIONER MITTEN: No, I was going to say that
10 we have number two, and we have modified number two.

11 CHAIRPERSON SOCKWELL: Yes.

12 COMMISSIONER MITTEN: We have the original
13 Condition Number 3, which I believe we want to retain, which is on
14 the preceding page.

15 CHAIRPERSON SOCKWELL: Right.

16 COMMISSIONER MITTEN: And we have Number 5.

17 CHAIRPERSON SOCKWELL: Number 4 would be deleted.

18 COMMISSIONER MITTEN: Correct. And Number 5 we
19 would retain.

20 CHAIRPERSON SOCKWELL: Yes, with some
21 modifications.

22 COMMISSIONER MITTEN: Yes, with some modifications
23 related to -- just to include the full-time equivalent. These are

24 --

25 CHAIRPERSON SOCKWELL: And headcounts as separate

1 numbers.

2 COMMISSIONER MITTEN: Yes. And that would be no
3 change from what the University had proposed.

4 CHAIRPERSON SOCKWELL: Correct.

5 COMMISSIONER MITTEN: And so we can incorporate
6 those numbers specifically from the campus plan proposal.

7 CHAIRPERSON SOCKWELL: All right.

8 COMMISSIONER MITTEN: Number 6, I don't think there
9 is any reason to include that in this plan.

10 CHAIRPERSON SOCKWELL: Right.

11 COMMISSIONER MITTEN: Number 7 --

12 CHAIRPERSON SOCKWELL: Number 7 would be generally
13 removed because there are many other changes. Number 8 would be
14 just a change of date primarily.

15 COMMISSIONER MITTEN: Yes.

16 CHAIRPERSON SOCKWELL: Number 9 as well would be
17 just a change of date primarily.

18 COMMISSIONER MITTEN: Yes.

19 CHAIRPERSON SOCKWELL: And Numbers 10, 11, and 12
20 would go out in their current form, and Number 12 would be
21 replaced with another --

22 COMMISSIONER MITTEN: I would be willing to offer a
23 substitute for Number 12.

24 CHAIRPERSON SOCKWELL: And your Number 12
25 substitute would be?

1 COMMISSIONER MITTEN: The University shall provide
2 2,800 off-street parking spaces within the campus plan boundary.
3 No parking spaces located outside the campus plan boundary,
4 including any located at the Kennedy Center, may be counted
5 towards determining compliance with this condition.

6 The number of off-street parking spaces required to
7 be provided within the campus plan boundary may be increased in
8 any subsequent special exception order issued pursuant to this
9 plan if required to mitigate the adverse impact of the approved
10 use on parking.

11 CHAIRPERSON SOCKWELL: Now, your first line, you
12 said a minimum of?

13 COMMISSIONER MITTEN: A minimum of 2,800.

14 CHAIRPERSON SOCKWELL: Did you say a minimum of?

15 COMMISSIONER MITTEN: Well, I intended it to be a
16 minimum of.

17 CHAIRPERSON SOCKWELL: Okay.

18 COMMISSIONER MITTEN: If that wasn't what I said,
19 let's see. Yeah, minimum would be an addition.

20 CHAIRPERSON SOCKWELL: I would make it a minimum
21 of.

22 COMMISSIONER MITTEN: Thank you.

23 CHAIRPERSON SOCKWELL: And included any or
24 including any, where it says no parking spaces located out of the
25 campus boundary, you said including any located at the Kennedy

1 Center should probably be currently located.

2 COMMISSIONER MITTEN: How about -- well, currently
3 or ever.

4 CHAIRPERSON SOCKWELL: Or ever.

5 COMMISSIONER MITTEN: So I think any would probably
6 get all that.

7 VICE CHAIRPERSON REID: Okay.

8 CHAIRPERSON SOCKWELL: But they exist, and that is
9 the fact.

10 COMMISSIONER MITTEN: Yes.

11 VICE CHAIRPERSON REID: Now, rephrase that, Ms.
12 Mitten.

13 COMMISSIONER MITTEN: You just want me to repeat it
14 with Mr. Sockwell's --

15 VICE CHAIRPERSON REID: Yes.

16 CHAIRPERSON SOCKWELL: Yes.

17 COMMISSIONER MITTEN: The University shall provide
18 a minimum of 2,800 off-street parking spaces within the campus
19 plan boundary. No parking spaces located outside the campus plan
20 boundary, including any located at the Kennedy Center, may be
21 counted towards determining compliance with this condition.

22 The number of off-street parking spaces required to
23 be provided within the campus plan boundary may be increased in
24 any subsequent special exception order issued pursuant to this
25 plan if required to mitigate the adverse impact of the approved

1 use on parking.

2 CHAIRPERSON SOCKWELL: I would put an "s" after use
3 in parentheses.

4 VICE CHAIRPERSON REID: Approved use?

5 CHAIRPERSON SOCKWELL: Uses.

6 COMMISSIONER MITTEN: That's a good addition.

7 CHAIRPERSON SOCKWELL: So it would be use or uses.

8 VICE CHAIRPERSON REID: Now, with the Kennedy
9 Center spaces, I know that there was some discussion about that,
10 and I think that in the proposal of the 2,700, the 2,700 parking
11 spaces didn't include the Kennedy Center spaces. So now you are
12 increasing that 2,800 off-street parking spaces, and not including
13 anything at the Kennedy Center?

14 CHAIRPERSON SOCKWELL: Yes.

15 VICE CHAIRPERSON REID: I don't understand the
16 rationale behind that, because that was included in a couple of
17 others. But I don't want to get into a haggle about that. I just
18 don't understand the rationale about it. I mean, they were used
19 and were being used, and it is kind of crazy to take it away.

20 CHAIRPERSON SOCKWELL: I believe that the
21 discussions that we have had have centered around the valid
22 proximity of off-street parking to uses that take place on the
23 campus.

24 The availability of certain off-street parking
25 spaces not on the campus as per some testimony is not necessarily

1 24 hours, 7 days a week. And as well, there is no current
2 transportation, reliable transportation, public transportation, or
3 university transportation, to those spaces.

4 VICE CHAIRPERSON REID: But that's not true --

5 CHAIRPERSON SOCKWELL: It would also reduce the
6 traffic coursing through the neighborhood as parking is
7 concentrated on to the campus.

8 VICE CHAIRPERSON REID: Mr. Chair, part of that may
9 be true. However, I would just like to indicate that one of the
10 previous Boards had suggested to George Washington that they work
11 with the Kennedy Center to try to have additional parking
12 provided.

13 And then that was then, and it was also included in
14 a couple of the other Board orders, in which it was approved. So
15 to me it seems to be kind of contrary to what the intent was than
16 to take them away.

17 CHAIRPERSON SOCKWELL: Well, one of the issues, if
18 I might state this, is that the Kennedy Center is an entity unto
19 itself, with its own needs, and its own requirements for parking.

20 I believe that the National Ballet at one point was going to move
21 out of the Kennedy Center because of facilities related issues.

22 MS. RENSHAW: It was the National Opera.

23 CHAIRPERSON SOCKWELL: The Washington Opera was
24 going to move because of facilities issues. The need for parking
25 at the Kennedy Center for its own programs may increase and may

1 decrease.

2 VICE CHAIRPERSON REID: They have a lease and that
3 would take care of that problem.

4 CHAIRPERSON SOCKWELL: Well, the issue again would
5 be the details of the leases for such parking that we don't have.

6 There has been testimony in the record that there are preemptive
7 clauses within the lease that allow the Kennedy Center to use the
8 parking at its discretion at certain times, regardless of the fact
9 that it may be designated as campus parking or university parking.

10 COMMISSIONER MITTEN: Mr. Chairman --

11 VICE CHAIRPERSON REID: It appears to me
12 -- one second, Ms. Mitten, so that I can respond to him, but it
13 appears to me that if in fact the Board has previously suggested
14 that there be something worked out with the Kennedy Center, and
15 then they do that, and then they come back later and say, well, we
16 don't want that, and just take it away, that to me doesn't make a
17 lot of sense.

18 CHAIRPERSON SOCKWELL: That wasn't really the
19 purpose. The purpose is to provide a certain amount of parking on
20 campus. There is no statement that the university cannot provide
21 additional off-campus parking to increase the number of 2,800 to
22 some higher number.

23 COMMISSIONER MITTEN: Mr. Chairman, if I could just
24 interject. There is some new information in the record relative
25 to what was known at the time of the previous Board orders, and

1 that relates to utilization of parking.

2 We know that Mr. Slade did a parking utilization
3 study of parking spaces on campus and came up with a figure of
4 91.4 percent. He did not include the Kennedy Center's basis in
5 that study, but he did in his report indicate that average use of
6 the 150 spaces at the Kennedy Center was approximately 40 per day
7 by University related people.

8 So that is very poor utilization. So I think that
9 while the intention was good in the past, the fact is that it has
10 not been realized that -- the effectiveness of it has not been
11 realized, and I think that's why we are encouraging that the
12 spaces that be counted be those within the campus boundaries
13 because those are the ones that really do receive the utilization.

14 VICE CHAIRPERSON REID: Be it as that may, Ms.
15 Mitten, I understand that. However, there was -- I don't think
16 there was any testimony of there being a waiting list for parking
17 on the part of George Washington either. So if in fact -- well,
18 let me just preface this by saying that I don't have a problem or
19 that is something that I don't want to argue about.

20 If in fact the Board agrees or the majority agrees
21 to go along with that, that's okay. I just did not understand why
22 that was being taken out, and you have voiced your opinions on
23 that, and so let's move on.

24 CHAIRPERSON SOCKWELL: Ms. Renshaw, do you have any
25 questions on the parking, or any statements that you would like to

1 make?

2 MS. RENSHAW: No, I just agree with Ms. Mitten's
3 proposal, and would like to move on.

4 CHAIRPERSON SOCKWELL: That's fine.

5 COMMISSIONER MITTEN: Mr. Chairman, I think you
6 left off at Number 13, and the 1985 --

7 CHAIRPERSON SOCKWELL: Right. Well, we ended with
8 Number 12, which has become --

9 COMMISSIONER MITTEN: Yes.

10 CHAIRPERSON SOCKWELL: Now, for Number 13, there
11 are findings of fact listed which were part of the 1985 plan, and
12 I think that we will bind into Number 13 parking mitigation that
13 is really contained pretty much in Number 12's replacement.

14 COMMISSIONER MITTEN: I would like to just suggest
15 that we include some of the specific traffic mitigation measures
16 that had been as you say bound into the Condition Number 13,
17 because they were articulated in the DPW report, and if I could
18 just briefly tick those off.

19 CHAIRPERSON SOCKWELL: Well, since the DPW report
20 is in the record, I think we are pretty much aware of what those
21 are.

22 COMMISSIONER MITTEN: Okay. That's fine. That's
23 fine. Okay.

24 CHAIRPERSON SOCKWELL: For Number 14, the
25 University is asked to notify affected property owners of any

1 temporary street closings necessary to accommodate university
2 related functions. That should remain. Off-campus short-term
3 office administrative interim leased space --

4 COMMISSIONER MITTEN: That goes out.

5
6 MR. BERGSTEIN: That was actually deleted in a
7 subsequent Board.

8 CHAIRPERSON SOCKWELL: Well, 15 was the one that
9 came out. And Number 16 in the 1985 plan related to street skate
10 plans, and it has been asserted that the street skate plan issued
11 has not been effectively dealt with on a continuing basis by the
12 applicant.

13 And I think that the elements should be included,
14 updated, and resubmitted with each application for a special
15 exception should the plan be approved, should the campus plan be
16 approved.

17 And that those things would be coordinated with the
18 Office of Planning and the Department of Public Works, because
19 this is an urban street campus, and the Department of Public Works
20 would certainly have input into both the character of each public
21 space element, as well as traffic.

22 MS. RENSHAW: And, Mr. Chairman, you might want to
23 also include the advisory committee. This is something that might
24 come before the advisory committee for review.

25 CHAIRPERSON SOCKWELL: That's a good point. The

1 advisory committee has not yet been covered, but that should be
2 added. Now, on Number 17, is a condition from the 1985 order that
3 related to the submission of a comprehensive management scheme to
4 address traffic and parking.

5 Since that should exist, I would suggest that the
6 language be changed just to say an updated comprehensive
7 management scheme, so that it binds in the previously developed
8 scheme.

9 And there are five conditions which were provided,
10 (a) which were measures to minimize the attendance of persons
11 whose attendance would be likely to generate vehicular traffic;
12 and (b) was a measure to schedule events to review conflicts with
13 other traffic and other demands for parking.

14 And (c) was measures to discourage travel by
15 private automobiles, and encourage travel by public
16 transportation. And (d), I would make a slight change to that.
17 It says measures to encourage persons who drive to park in
18 commercial, and I would say and university parking garages.

19 VICE CHAIRPERSON REID: And/or.

20 CHAIRPERSON SOCKWELL: Yes, and/or. And (e), I
21 didn't like the wording of it, and I felt that it might be
22 strengthened, and I would say any other specific measure, and then
23 (s) measures to reduce parking demands, and decrease vehicular
24 traffic within the campus and surrounding Foggy Bottom area, West
25 End area.

1 MS. RENSHAW: Mr. Chairman, it states in the '85
2 order that it would be within 6 months of the date of this order,
3 the university shall submit a comprehensive management scheme.

4 CHAIRPERSON SOCKWELL: Yes.

5 MS. RENSHAW: To whom does the university submit
6 this?

7 CHAIRPERSON SOCKWELL: I assume that would be
8 submitted to the zoning administrator in the Office of Planning,
9 and the Department of Public Works.

10 COMMISSIONER MITTEN: And to the Board.

11 CHAIRPERSON SOCKWELL: And to the Board.

12 MS. RENSHAW: And the Advisory Committee.

13 CHAIRPERSON SOCKWELL: And the Advisory Committee.

14 COMMISSIONER MITTEN: So perhaps we should just
15 specify that as well.

16 CHAIRPERSON SOCKWELL: Yes. Now, Number 18 seems
17 pretty much straightforward, except that Exhibit Number 44, I
18 assume to again have been the map of the campus boundaries with
19 locations of approved uses, et cetera, just an overall land use
20 and boundary map.

21 COMMISSIONER MITTEN: I think it is the entire
22 document that is the campus plan, because what we have is a
23 proposed campus plan, and then it would be the final version of
24 the document that folds in everything that we have decided,
25 including changes to the map and so on.

1 CHAIRPERSON SOCKWELL: But in this case it was a
2 map that was to be represented in black and white.

3 MS. RENSHAW: In color.

4 COMMISSIONER MITTEN: Well, it says the revision
5 shall include the following things, but the revision is the plan.

6

7 CHAIRPERSON SOCKWELL: Okay. I've got it.

8 COMMISSIONER MITTEN: Okay.

9 CHAIRPERSON SOCKWELL: Of course, the map should
10 again be provided in black and white for reproduction purposes.

11 COMMISSIONER MITTEN: Yes.

12 CHAIRPERSON SOCKWELL: Are there any other general
13 issues with regard to the -- more specific issues with regard to
14 the 1985 conditions that we have not covered?

15 (No audible response.)

16 CHAIRPERSON SOCKWELL: I believe that we have gone
17 over everything from the 1985 conditions.

18 COMMISSIONER MITTEN: Mr. Chairman, I just wanted
19 to be clear. What did we decide about Condition Number 1 from
20 that 1985 plan?

21 CHAIRPERSON SOCKWELL: Number 1 was that the campus
22 plan would be approved --

23 COMMISSIONER MITTEN: We are going to do deal with
24 that separately?

25 CHAIRPERSON SOCKWELL: Yes.

1 COMMISSIONER MITTEN: I'm sorry.

2 CHAIRPERSON SOCKWELL: But there is a specific
3 wording issue, and that was that where it says approval to campus
4 plan shall be for a time period extending to X, or until such time
5 prior to the year X as the -- and the language would be changed, I
6 believe, from "or from its successor" to "zoning commission" under
7 the restructuring of responsibilities, with jurisdiction over
8 campus plans determines conditions warranting submission of an
9 updated plan.

10 COMMISSIONER MITTEN: Okay. Thank you.

11 CHAIRPERSON SOCKWELL: All right. Returning to the
12 modifications or new conditions that have been considered that we
13 have been looking at, do you wish to go now to --

14 MS. RENSHAW: For clarification, Mr. Chairman, do
15 you want to vote on these matters as we take them? In other
16 words, vote on --

17 CHAIRPERSON SOCKWELL: We could do that. We could
18 get that out of the way.

19 MS. RENSHAW: -- the 1985 conditions. It might
20 make it easier.

21 CHAIRPERSON SOCKWELL: Yes, I agree. I move that
22 the 1985 conditions as generally amended be approved contingent
23 upon approval of the campus plan as a whole.

24 COMMISSIONER MITTEN: Second.

25 CHAIRPERSON SOCKWELL: All in favor?

1 (A chorus of ayes.)

2 CHAIRPERSON SOCKWELL: Opposed?

3 (No audible response.)

4 CHAIRPERSON SOCKWELL: And then the modified 1985
5 conditions will be bound into the campus plan. All right. Going
6 back into the conditions that would be different from the 1985, I
7 think it would be pertinent to just go ahead and go to Number 4.

8 I will read Number 5 as it is generally drafted,
9 with a few notes that I have made, and I think it is pretty much
10 correct. The total number of full-time undergraduate students
11 shall not exceed the number of full-time undergraduate students
12 enrolled as of February 13th, 2001 (benchmark enrollment).

13 Once the university has available student housing
14 (beds) within the campus boundaries (as set forth in the approved
15 plan) in an amount that can house 70 percent of the benchmark
16 enrollment, the university may increase its undergraduate
17 enrollment only to the extent it provides additional housing
18 within the campus boundaries for each student added above the
19 benchmark.

20 Further, until such time that the university has
21 available student housing within the campus boundaries in an
22 amount that can house 70 percent of the benchmark enrollment, only
23 special exceptions for residential uses may be processed.

24 Special exceptions for mixed uses may also be
25 processed if at least 50 percent of each building's FAR is devoted

1 to residential uses.

2 COMMISSIONER MITTEN: Is that a motion?

3 CHAIRPERSON SOCKWELL: That is a motion.

4 COMMISSIONER MITTEN: I second.

5 CHAIRPERSON SOCKWELL: Discussion. Go ahead.

6 VICE CHAIRPERSON REID: No, I'll let you.

7 CHAIRPERSON SOCKWELL: The intent of this motion is
8 to provide the impetus for the development of a more concentrated
9 on-campus student undergraduate full-time student enrollment in
10 residency.

11 To decrease the potential and the desire for the
12 acquisition of outside housing or the utilization of outside
13 housing for the purpose of student dormitory use.

14 The issue of trying to stabilize the neighborhood
15 revolves in part around the use of properties within the
16 neighborhood and the apparent effect of the student occupation of
17 such housing on the quality of life within the neighborhood, as
18 well it provides a more centralized level of activity within the
19 campus for the students.

20 VICE CHAIRPERSON REID: Mr. Chairman, I think that
21 certainly this Board would like to see the accomplishment of some
22 type of relief within the community for the student housing, and
23 also to provide an apparatus by which the university will be able
24 to provide the requisite student housing on campus.

25 However, I do feel that this motion should be

1 amended to allow there to be some compromise. And what I mean by
2 that is that our role and our objective as a Board is to attempt
3 to bring about some inheriting there in that community where there
4 is quite a bit of tension and some polarization on both sides.

5 Well, I should say more particularly on the
6 community's side. I think that George Washington, the applicant,
7 is willing to try to work with the community, and to make an
8 attempt to accomplish the goals that are put forth.

9 However, what I am concerned about, and what gives
10 me pause, sir, is an instance where we may be overstepping, or we
11 may cause -- I don't want us to end up in any litigation because
12 of the fact that we are imposing unreasonable demands on the
13 university, because what in effect this motion does is, one, it
14 freezes the enrollment of undergraduate students until 70 percent
15 of the housing is provided on campus.

16 And therefore there is a one-to-one increase and
17 that the date is immediately. I think that what we need to try
18 and do is to try approach this in a reasonable manner and to give
19 the university an opportunity to be able to plan and to provide
20 this housing.

21 For example, I would amend the motion to allow the
22 university to increase -- to wait until the freshman -- to provide
23 housing on campus for freshman after the year 2001 in September,
24 and then the sophomores by the year 2003.

25 And then the one-to-one ratio on campus, all

1 undergraduate students within the next five years. And I think
2 that would be a reasonable approach, rather than us to in effect
3 throw the baby out with the bath water.

4 CHAIRPERSON SOCKWELL: Well, let me complete this.

5 The reason that this motion is suggested is because we have
6 choices, and because George Washington University is an unusual
7 university, in that its campus contains a lot of public space that
8 isn't theirs.

9 They own the islands, but the ocean is running in
10 between each island, and they have no way of using that public
11 space for their university purposes. This is a performance
12 standard rather than a prescriptive standard.

13 A prescriptive standard could have stated that on
14 Square X or Square Y the university is limited to a certain type
15 of project. It could say that a percentage of a particular square
16 or a percentage of a particular site would have to be devoted to
17 X, Y, or Z uses.

18 But one of the most important aspects of the
19 community's reluctance to agree to the university's program has
20 been the housing issue. The housing issue doesn't just start with
21 George Washington.

22 It goes on through Georgetown, and it goes to
23 American, and perhaps to a lesser degree Catholic and Howard, and
24 to the Mount Vernon campus, not a particular problem.

25 But the issue of performance standards means that

1 the university has a great deal of flexibility in developing its
2 land use. Those land uses will be developed around the need to
3 provide housing, the need to provide other facilities, but it
4 won't shackle the university in forcing and being forced to put a
5 particular element in a particular location.

6 There are other aspects of the campus plan
7 requirements for special exception approval that will speak to
8 those issues when such special exceptions are brought before the
9 zoning commission in the future.

10 But to include a cap to the extent that the
11 university's focus -- and not its goal, but it's focus -- must now
12 be toward housing on-campus for a majority of its students at an
13 acceptable level is why this performance standard is a better
14 basis for this university than a prescriptive standard.

15 In fact, if it were to function as I would like it
16 to, the university's planning will be adjusted, and the university
17 will pursue a more proactive position with regard to the housing.

18
19 In many of my interpretations of what I have seen
20 the issue of housing has been in goals and in potentials, and in
21 options. And I believe that to remove the options without locking
22 in the positions where housing may take place, where other
23 university uses may take place, and where certain non-university
24 uses may take place, gives the university a great deal of
25 flexibility.

1 It does not allow the university to increase the
2 number of full-time undergraduate students until such time as the
3 65 or so percent housing that the university owns becomes
4 concentrated to 70 percent housing, but on campus. We are not
5 making the university take away off-campus housing.

6 VICE CHAIRPERSON REID: But the timing aspect of
7 it.

8 CHAIRPERSON SOCKWELL: But the timing is that over
9 the last campus plan the university has seen little reason to even
10 request within its application an increase in the student cap,
11 because they have not moved forward at that rate.

12 I believe that the university will be able to
13 capture the housing without losing the opportunity to increase the
14 student cap at a reasonable rate when the time comes to be able to
15 do that.

16 COMMISSIONER MITTEN: Mr. Chairman, may I speak in
17 favor of the motion?

18 CHAIRPERSON SOCKWELL: Yes.

19 COMMISSIONER MITTEN: First of all, I would like to
20 thank you for showing real leadership on this point, because I
21 think the proposal is exactly -- I mean, people were groping for
22 this and trying to do what Mrs. Reid was cautioning us not to do,
23 which was micromanage the university and select sites, and dictate
24 number of beds on those sites.

25 And what this proposal does is just as you said, it

1 gives the university flexibility, and I think that we have
2 recognized by expanding the campus plan boundaries to include some
3 existing dormitories, and to include a site that is destined to
4 become a dormitory, that we are sensitive to the burden that we
5 are placing on the university, and we are trying to ease that
6 burden by making the threshold easier to meet.

7 I think it definitely accommodates the concerns of
8 the community, because there will be no further -- there will be
9 no further increase of undergraduate students in Foggy Bottom,
10 because the goal will be to get more of those folks on campus, and
11 then the one-to-one beds for students after they get to the
12 minimum of 70 percent will work towards a higher goal, which has
13 also been articulated.

14 And I just think it is the best solution all the
15 way around for the problems that are facing us, and I hope that
16 this motion will go forward unamended.

17 MS. RENSHAW: Mr. Chairman, I agree with both you
18 and Ms. Mitten on this, and I do compliment you for putting it
19 forward. I don't see it as punitive.

20 I do see it as a strengthening of the focus to make
21 sure that the students who are coming to the university. not only
22 for an academic experience, but a campus life experience, get that
23 experience on campus.

24 That there is a place for them that is within the
25 George Washington University campus. Now, the campus situation,

1 the housing situation, has been a train coming down the track for
2 a long time, and we are the station.

3 And right at this point we have stated the
4 perimeters that we feel should be acceptable to the neighborhood
5 and to the university. And with that, I would like to move that -
6 - or do we have a motion on the table, and if so, I would like to
7 call the question.

8 VICE CHAIRPERSON REID: I have some further
9 discussion.

10 MS. RENSHAW: I called the question.

11 COMMISSIONER MITTEN: We need to vote on the
12 request to call.

13 VICE CHAIRPERSON REID: Excuse me --

14 MS. RENSHAW: You called the question.

15 COMMISSIONER MITTEN: The request for the call for
16 the question does not go unaddressed. It is a vote of the body
17 whether or not there will be further debate.

18 MR. BERGSTEIN: I'm sorry, but did Ms. Reid offer
19 an amendment though?

20 CHAIRPERSON SOCKWELL: She offered an amendment to
21 the motion, which was that freshman be accommodated on campus in
22 the year 2001, sophomores in 2003, and a one-to-one ratio for the
23 next five years thereafter of housing to students.

24 VICE CHAIRPERSON REID: Right.

25 MS. RENSHAW: But it was not seconded.

1 MR. BERGSTEIN: That's what I am trying to just
2 document here.

3 VICE CHAIRPERSON REID: It was an amendment, but I
4 was also going to say -- and you can call for the question if you
5 want, but I am not going to be unheard, and that is that I do
6 agree with you basically and fundamentally, but nonetheless I
7 still say that contained in this motion -- like it is really a
8 four-part motion, and that, number one, you are freezing the
9 enrollment --

10 MS. RENSHAW: Mr. Chairman.

11 VICE CHAIRPERSON REID: -- until 70 percent of all
12 undergraduate --

13 MS. RENSHAW: Mr. Chairman. Mr. Chairman, I have
14 called the question, and it is Roberts Rules of Order.

15 CHAIRPERSON SOCKWELL: Why don't we do it this way.
16 We can -- let's deal with the call question, and get that out of
17 the way, and then I will let you continue to make your point.

18 VICE CHAIRPERSON REID: Okay. So you mean -- wait
19 a minute. I was interrupted when I was making a statement.

20 MS. RENSHAW: Because I had called the question.

21 CHAIRPERSON SOCKWELL: Because she has called the
22 question before you got --

23 VICE CHAIRPERSON REID: But if you called the
24 question and there is a request for further discussion, that's not
25 denied.

1 COMMISSIONER MITTEN: Can I give you a little help
2 in the procedure, Mr. Chairman?

3 CHAIRPERSON SOCKWELL: I beg your pardon?

4 COMMISSIONER MITTEN: There has been a motion to
5 end the debate.

6 CHAIRPERSON SOCKWELL: Right.

7 COMMISSIONER MITTEN: And that motion would require
8 a second, and then a vote as to whether we will end the debate.

9 CHAIRPERSON SOCKWELL: I will not second the motion
10 to end the debate.

11 COMMISSIONER MITTEN: And I will not second the
12 motion. So it fails for the lack of a second, and Ms. Reid can go
13 forward.

14 CHAIRPERSON SOCKWELL: Please continue.

15 VICE CHAIRPERSON REID: Well, I really appreciate
16 that very much, but as I was saying the motion is exactly a four-
17 part -- I'm sorry, the motion is really a four-part motion.

18 Number 1 is that you are going to freeze the
19 enrollment until 70 percent of all undergraduate enrollments on
20 campus immediately, and then you are going to mandate that there
21 be then an increase of one to one, and for every student that
22 there would be a bed.

23 Then you are going to mandate that only 70 percent
24 of the benchmark, or until 70 percent of the benchmark is
25 achieved, any application for special exception for residential

1 use is made, or only special exceptions for residential uses may
2 be processed. Only residential. This is a very, very -- excuse
3 me, let me continue.

4 CHAIRPERSON SOCKWELL: But that is not quite
5 correct.

6 VICE CHAIRPERSON REID: And then also it says --

7 CHAIRPERSON SOCKWELL: It is only those for
8 residential uses and those which contain 50 percent FAR devoted to
9 residential uses.

10 VICE CHAIRPERSON REID: No, no, I am going to that.

11 CHAIRPERSON SOCKWELL: Okay.

12 VICE CHAIRPERSON REID: Then you say that the
13 special exceptions for mixed uses may also not be processed until
14 at least 50 percent of each building's FAR is devoted to
15 residential uses. I think that is a very far reaching condition,
16 because what you are doing basically is interfering, I think, with
17 the university's ability to be able to exist and to operate as an
18 academically viable entity.

19 I remember that in addition to these residential
20 concerns that they do have administrative and academic concerns
21 that they must be. It is not a housing agency.

22 It is a university, and again I think we can
23 accomplish both with compromise so that they are able to meet the
24 concerns of the community to a greater degree, as well as to be
25 able to operate viably. And I think that this amendment does not

1 allow that to happen.

2 MR. BERGSTEIN: Mr. Chair, I think maybe the
3 amendment needs clarification, as I think Ms. Reid articulated her
4 understanding, I don't know if that was the intent of the motion,
5 in terms of the 50 percent relating to mixed use.

6 It has to do with -- it relates back to the 70
7 percent figure, and that until the 70 percent figure of housing
8 availability is reached, special exceptions for mixed uses may be
9 processed, but only if 50 percent of each proposed building's FAR.

10 That is, as proposed within that mixed use is voted
11 residential. It is not a requirement as I understand the motion
12 that was made that henceforth that 50 percent of all mixed uses
13 for the university have to reach 50 percent of residential use.

14 CHAIRPERSON SOCKWELL: That's correct.

15 MR. BERGSTEIN: It is a further elaboration of what
16 may be allowed until the 70 percent housing availability is met,
17 meaning that residential special exceptions would be permitted,
18 and special exceptions for mixed uses would be permitted,
19 provided that for each building proposed as a mixed use that
20 building's FAR is at least comprised of 50 percent to residential
21 uses.

22 And perhaps we need to simply -- that if that is
23 the intent, to clarify that in terms of what the motion intends to
24 do.

25 CHAIRPERSON SOCKWELL: It could even be -- well,

1 let's -- well, there is an amendment that I could possibly
2 propose, but I will not do it at the moment. I will say that the
3 idea is that the incentives to build housing are being built into
4 this provision.

5 And the incentives would be in place again until 70
6 percent of the benchmark enrollment can be housed on campus; the
7 assumption being that if the beds are there, the students will be
8 placed in them. After that, should the enrollment
9 drop for some reason, the university would then have a surplus of
10 housing towards its enrollment goals, and could proceed with
11 special exceptions as they saw fit, having no housing component,
12 no residential component.

13 We are only making the assumption -- well, we may
14 be making the assumption that the enrollment will increase every
15 year, or would naturally increase every year, and that the
16 restriction on non-residential projects will end the university's
17 ability to construct new facilities.

18 It will only tailor the facilities to include
19 requirements for housing. In the planning of those facilities, we
20 have left the university with a great deal of freedom. We are not
21 telling them where to put them. We are not telling them when to
22 build them.

23 But we are telling them that 70 percent of the
24 full-time undergraduate population must be housed on the campus.

25 VICE CHAIRPERSON REID: Immediately.

1 CHAIRPERSON SOCKWELL: No, we are saying that 70
2 percent must be housed on the campus before the university has the
3 freedom to submit applications for any special exceptions other
4 than housing or 50 percent FAR housing projects.

5 MR. BERGSTEIN: I'm sorry to butt in again, but
6 there is actually no requirement for the actual housing of
7 students.

8 CHAIRPERSON SOCKWELL: Well, it's called
9 residential.

10 MR. BERGSTEIN: Residential.

11 CHAIRPERSON SOCKWELL: The term used is
12 residential, but that they have to have residential purposes.

13 MR. BERGSTEIN: That's correct.

14 COMMISSIONER MITTEN: I would be ready to vote, Mr.
15 Chairman.

16 CHAIRPERSON SOCKWELL: Any more discussion?

17 (No audible response.)

18 CHAIRPERSON SOCKWELL: Then I call for the vote.
19 All in favor?

20 (A chorus of ayes.)

21 CHAIRPERSON SOCKWELL: Opposed?

22 VICE CHAIRPERSON REID: Aye.

23 CHAIRPERSON SOCKWELL: The motion carries. Number
24 5, in general, the university will institute a program to provide
25 its students who are eligible to live off-campus with information

1 about housing opportunities outside of the Foggy Bottom West End
2 area, which has been defined by the Board. Is that pretty much
3 correct?

4 COMMISSIONER MITTEN: Yes.

5 CHAIRPERSON SOCKWELL: The university will provide
6 this information using local brokers or apartment locators, as
7 appropriate, and will also provide information on -- and I made a
8 change to this, but on the availability, reliability, and
9 accessibility of public transportation between the university
10 campus and such housing.

11 For those locations which are not metro accessible,
12 G.W. will explore the use of shuttle bus service to its campus for
13 areas which the university determines contain a critical mass of
14 G.W. students, and will report its criteria and findings to the
15 advisory committee, which will be referred to later, no later than
16 -- I said one month prior to the beginning of each regular
17 semester, and two weeks prior to the beginning of the summer term.

18 You can accept those or not. Those were things
19 that I put in.

20 COMMISSIONER MITTEN: I will second the motion, and
21 just to perhaps make a modification, I don't know that the
22 program, in terms of informing students who are eligible to live
23 off-campus, warrants that frequency of reporting to the advisory
24 committee. I would think that an annual reporting would be
25 sufficient.

1 CHAIRPERSON SOCKWELL: I would be willing to deal
2 with that.

3 MS. RENSHAW: And, Mr. Chairman, where it states
4 that the university will provide this information using local
5 brokers or apartment locators, local licensed brokers?

6 CHAIRPERSON SOCKWELL: Hopefully.

7 MS. RENSHAW: All right. Can we put that in,
8 please?

9 COMMISSIONER MITTEN: I don't think officially you
10 can be a broker if you are not licensed. I think that might be a
11 stretch.

12 MS. RENSHAW: I am not sure and therefore I am
13 suggesting.

14 CHAIRPERSON SOCKWELL: All right. That's fine.
15 Licensed. Do we want to vote on these individually?

16 COMMISSIONER MITTEN: Yes, let's do that.

17 VICE CHAIRPERSON REID: Yes.

18 CHAIRPERSON SOCKWELL: Okay. We have modified this
19 to add the word licensed for brokers and the advisory committee
20 reports would be provided annually.

21 COMMISSIONER MITTEN: Yes.

22 CHAIRPERSON SOCKWELL: Do you want to put in at the
23 beginning of the fall semester or where do you want that to go?

24 COMMISSIONER MITTEN: That would be fine, yes.

25 MS. RENSHAW: And also to include the language that

1 you suggested, Mr. Chairman, about providing information on the
2 availability, reliability, and accessibility, et cetera.

3 CHAIRPERSON SOCKWELL: Yes. We can clean that up,
4 but yes, it would include the availability, reliability, and
5 accessibility of public transportation between the university
6 campus and such housing. May I have --

7 COMMISSIONER MITTEN: I seconded it.

8 CHAIRPERSON SOCKWELL: All in favor?

9 (A chorus of ayes.)

10 CHAIRPERSON SOCKWELL: Opposed?

11 (No audible response.)

12 CHAIRPERSON SOCKWELL: Thank you. Number 6,
13 commencing in the fall 2001 semester, the university shall require
14 -- and I inserted the word all -- freshman, and I changed the
15 wording to say sophomores, to the extent that such housing is
16 available, to reside in university housing located within campus
17 boundaries established by the Board.

18 The university may exempt students who commute, are
19 married, or have children, or those with disabilities or religious
20 beliefs inconsistent with the residence hall life, with residence
21 hall life.

22 Prior to the 2003 semester, housing commitments
23 made to current G.W. students may be taken into account when
24 determining the amount of housing available.

25 I changed the wording around because I thought that

1 it would -- that the university had intended to require that all
2 freshman and sophomores to the extent that housing might be
3 available to this point, be housed, and there would be a priority
4 towards housing a freshman who are the more critical newcomers to
5 G.W.

6 VICE CHAIRPERSON REID: Mr. Chairman, I thought
7 that proposal was commencing in the fall semester of 2001, and
8 that they require freshman, and then sophomores by the year 2003.

9
10 CHAIRPERSON SOCKWELL: Well, to the extent that
11 housing is available, the university itself I think had proposed
12 in that direction. Ms. Mitten, do you have that --

13 VICE CHAIRPERSON REID: No, that's okay. That's
14 okay, but the wording is incomplete as you proposed it.

15 CHAIRPERSON SOCKWELL: Do you have a problem with
16 the wording?

17 COMMISSIONER MITTEN: No, but if it would give Ms.
18 Reid any comfort, we could add that the university shall give
19 freshman priority.

20 CHAIRPERSON SOCKWELL: Okay. Which is really
21 pretty much what it says.

22 COMMISSIONER MITTEN: Yes.

23 VICE CHAIRPERSON REID: Yes, to the extent
24 available.

25 CHAIRPERSON SOCKWELL: On sophomores, it says to

1 the extent that such housing is available.

2 COMMISSIONER MITTEN: Oh, that's for sophomores. I
3 see what you are saying. Okay.

4 CHAIRPERSON SOCKWELL: That was for sophomores. I
5 just wanted to make sure what that clause was modifying. Now I
6 understand.

7 CHAIRPERSON SOCKWELL: It modifies sophomores.

8 VICE CHAIRPERSON REID: Are there any other
9 modifications?

10 CHAIRPERSON SOCKWELL: The only other modification
11 was that all was inserted before the word freshman in the first
12 sentence.

13 MR. BERGSTEIN: For the Board's comparison, this
14 appears to be a modification of Condition 9 that was proposed by
15 the applicant.

16 CHAIRPERSON SOCKWELL: Yes. If there are no
17 questions, then do we have a second on the motion?

18 COMMISSIONER MITTEN: Second.

19 CHAIRPERSON SOCKWELL: All in favor?

20 (A chorus of ayes.)

21 CHAIRPERSON SOCKWELL: Opposed?

22 VICE CHAIRPERSON REID: I abstain.

23 CHAIRPERSON SOCKWELL: One abstention. Number 7,
24 G.W. will expand the use of disciplinary interventions to acts of
25 misconduct by students living off-campus in the Foggy Bottom, and

1 insert West End, area.

2 VICE CHAIRPERSON REID: As defined.

3 CHAIRPERSON SOCKWELL: Yes. Do we have to put as
4 defined in each term?

5 VICE CHAIRPERSON REID: Because West End can go as
6 far as Dupont Circle.

7 CHAIRPERSON SOCKWELL: Okay. As defined by the
8 Board. All right. Even if they are not in properties or
9 controlled by G.W., G.W. agrees to act on incident reports by --
10 and I wanted to add into this homeowners/residents, building
11 management, building association boards, and I wanted to add
12 community organizations, the ANCs, or the police.

13 G.W. will develop an outreach program with
14 neighboring apartment buildings, to educate management companies
15 and tenant associations on the university's disciplinary program,
16 and its reporting requirements to facilitate effective use of its
17 program.

18 Additionally, subject to applicable law, G.W. will
19 permit management companies to obtain university clearances for
20 student applicants for apartments to prevent students who are not
21 eligible for G.W.'s residential life program due to -- and I put
22 excessive conduct violations -- from obtaining units in
23 neighboring apartments.

24 I do not believe that conduct violations in itself
25 would be necessarily significant. But we could say excessive or

1 extreme perhaps.

2 COMMISSIONER MITTEN: I think the only point of
3 that was to modify that that is the reason -- conduct violations
4 are the reason that they are ineligible. I think that's the
5 notion of it.

6 CHAIRPERSON SOCKWELL: Right. But the idea is that
7 it could be construed that any conduct violation is a requisite
8 for such --

9 VICE CHAIRPERSON REID: You can say repeated.

10 CHAIRPERSON SOCKWELL: Yes, you can say repeated
11 excessive -- repeated is fine. I don't have a problem with the
12 wording.

13 COMMISSIONER MITTEN: Great. I second.

14 MS. RENSHAW: And, Mr. Chairman, the clarification
15 in Number 7, where we highlight the police incident reports by,
16 and then we have a series of homeowners, et cetera, and the
17 police, including G.W. security police, because we have got the
18 Metropolitan Police.

19 And we have got any number of police entities in
20 the City, but we want to make sure that G.W.'s police are included
21 in this as well.

22 COMMISSIONER MITTEN: This doesn't really address -
23 -

24 CHAIRPERSON SOCKWELL: I think that police is a
25 general -- could be considered a general term that would include

1 the university police, the Federal police, Metro police, any
2 police, that might be applicable.

3 MS. RENSHAW: I would suggest that it be included,
4 highlighted.

5 CHAIRPERSON SOCKWELL: Is there any problem with
6 changing that?

7 COMMISSIONER MITTEN: No.

8 CHAIRPERSON SOCKWELL: Okay. Including the G.W.
9 University police. All right. Just say including university
10 police organizations, because there might be another police
11 organization within the area that is a university police
12 organization, but not G.W.'s.

13 MR. BERGSTEIN: Mr. Chair, I am a bit concerned
14 that by putting the term excessive before conduct --

15 CHAIRPERSON SOCKWELL: We changed that. We used
16 the word repeated.

17 MR. BERGSTEIN: Well, in other words, that would
18 mean that the only students for which clearances would be given to
19 prevent them from obtaining units would be not just all students
20 who have conduct violations, but only those students who have
21 excessive conduct violations.

22 CHAIRPERSON SOCKWELL: Well, the question would be
23 at what level of conduct violation does one restrict. Is it a
24 minor conduct violation that was reported, or is it a major
25 conduct violation? Is it more than one, or --

1 COMMISSIONER MITTEN: Mr. Sockwell, I think the
2 idea is that these are students who -- the primary focus is that
3 they are not eligible for G.W.'s residential life program, and the
4 reason for the ineligibility is conduct related.

5 CHAIRPERSON SOCKWELL: Right.

6 COMMISSIONER MITTEN: So whatever it takes,
7 whatever level of bad conduct it takes to become eligible, is the
8 level of bad conduct.

9 CHAIRPERSON SOCKWELL: Well, we will let the
10 university --

11 MR. BERGSTEIN: The point is not to establish the
12 level, but to describe what clearance is.

13 CHAIRPERSON SOCKWELL: Then we will take the
14 modifiers out and leave it as conduct violations. I don't have a
15 problem with that. Does anyone have any problems with that?

16 (No audible response.)

17 CHAIRPERSON SOCKWELL: All right. With the
18 modifications suggested by Ms. Renshaw, and by corporation
19 counsel, and by myself, and by Ms. Reid, I will call for the vote
20 on Number 7. Do we have a second?

21 MS. RENSHAW: Second.

22 CHAIRPERSON SOCKWELL: All in favor?

23 (Ayes.)

24 CHAIRPERSON SOCKWELL: Thank you. Number 8, the
25 university will maintain and publicize -- and pursuant to

1 conversations that I have had with the Board, I inserted a 24
2 hour, 7 day per week, hot line, to receive calls about student
3 conduct issues, and safety, and security concerns.

4 At present, such calls can be directed in two ways.

5 First, G.W. has established a crimes tips hot line with a number
6 shown, where calls can be made on an anonymous basis to a recorded
7 tip line.

8 Calls needing a more immediate response -- and with
9 the word can, I have replaced that with will -- will be directed
10 to the University Police on a 24 hour basis at the number given.

11 The University Police will -- and I took the word
12 assist out, because just grammatically it changes something that I
13 didn't like. I said will aid off-campus complainants in obtaining
14 assistance from the Metropolitan Police.

15 Reports of -- and I put before off-campus --
16 improper off-campus student conduct, and took out the word issues
17 -- will be referred to the appropriate G.W. Departments' for their
18 attention. Does anyone have problems with the changes that I have
19 suggested?

20 MR. BERGSTEIN: Mr. Chairman, just so you will
21 know, that the principal change, apart from the changes that you
22 just made from what was proposed by the applicant, was that they
23 had said that the university police will attempt to aid.

24 And the modification that you are making will
25 remove the term attempt, and to make it a positive requirement to

1 aid. I just wanted to point out the change that was made, that's
2 all.

3 CHAIRPERSON SOCKWELL: And I didn't think that
4 attempt to aid is necessary. The idea is that if you go to the
5 store, you go to get groceries, and you don't go to attempt to get
6 groceries.

7 So if you can't reach somebody because they are not
8 available, it doesn't preclude the intention, and the intention
9 should be made strong.

10 MS. RENSCHAW: A point of clarification.

11 CHAIRPERSON SOCKWELL: Yes.

12 MS. RENSCHAW: Mr. Chairman, where it states that
13 calls needing -- this is at present such calls can be directed in
14 two ways.

15 First, G.W. has established this crimes tip hot
16 line, and then calls needing more immediate response can be
17 directed to the University Police on a 24 hour basis. I just want
18 to make clear that that is 24 hours, 7 days a week?

19 CHAIRPERSON SOCKWELL: Well, why don't we just take
20 some of this away, and take this that at present such calls can be
21 directed in two ways. Why don't we just take out that sentence
22 completely, and just go with, first, that G.W. has established a
23 crimes tips hot line, where calls can be made, da da, da da, da
24 da, and calls needing more immediate response can be da da, da da,
25 da da, and just leave out the -- because it really is redundant.

1 MS. RENSHAW: We just want to emphasize that the
2 hotline has to be a 24 hour, 7 day a week, basis.

3 CHAIRPERSON SOCKWELL: Right. But I want to take
4 out that at present such calls can be directed in two ways. It is
5 more of a statement of condition that is not necessary since we
6 have defined what the crimes tip hotline is in the following
7 sentences. Is everybody okay with that?

8 MS. RENSHAW: Yes.

9 COMMISSIONER MITTEN: Yes.

10 MR. BERGSTEIN: I'm sorry again, but if you take
11 out that sentence, then the next sentence reads that G.W. has
12 established, which is not conditional language. You would have to
13 say that G.W. shall maintain or --

14 CHAIRPERSON SOCKWELL: That's fine. That's fine.
15 Yes, that's fine. It works for me. And then everything else
16 flows now. Thank you very much. Do we have a second on this one?

17 MS. RENSHAW: Second.

18 CHAIRPERSON SOCKWELL: All in favor?

19 (A chorus of ayes.)

20 CHAIRPERSON SOCKWELL: Opposed?

21 (No audible response.)

22 CHAIRPERSON SOCKWELL: Thank you. Number 9, the
23 university will establish a program for its students, which will
24 address good neighbor issues, educating students about appropriate
25 conduct in the -- and I put in off-campus community.

1 I put in the word off-campus, because it really is
2 directed towards the off-campus environment. It is not directed
3 towards the internal on-campus environment.

4 And to the extent that there is some non-university
5 housing on the campus. So if you feel that I should take the off-
6 campus out, I am willing to do that.

7 COMMISSIONER MITTEN: I think that is a fine
8 addition, and I would propose to say that it is a mandatory
9 program.

10 CHAIRPERSON SOCKWELL: Okay. Mandatory. Yes,
11 right.

12 COMMISSIONER MITTEN: And I will second.

13 CHAIRPERSON SOCKWELL: All right. All in favor?

14 (A chorus of ayes.)

15 CHAIRPERSON SOCKWELL: Opposed?

16 (No audible response.)

17 CHAIRPERSON SOCKWELL: Thank you. All right. Now,
18 we get to parking and traffic measures.

19 VICE CHAIRPERSON REID: Where are you?

20 CHAIRPERSON SOCKWELL: That's Number 10. Well, we
21 sort of did that one.

22 COMMISSIONER MITTEN: Part of it is that we want to
23 fold in the parking and traffic mitigation measures that are
24 included in the applicant's proposed condition number 11.

25 CHAIRPERSON SOCKWELL: Right.

1 COMMISSIONER MITTEN: And there are four aspects to
2 that.

3 CHAIRPERSON SOCKWELL: Yes. Why don't you just
4 read that, since you had read it before anyway.

5 COMMISSIONER MITTEN: Well, I think I will just
6 summarize, unless somebody wants me to read it specifically,
7 because it is lengthy. One relates to the support of mass
8 transport, and the use of the Metro check program, and giving
9 Smart Trip cards to incoming students.

10 The second part relates to the parking minimums,
11 which we have flushed out in greater detail, but their proposal
12 isn't inconsistent with what we said. We just have defined where
13 the count applies.

14 The university will monitor its utilization of
15 university parking lots to determine usage patterns and to conduct
16 an ongoing assessment of parking needs.

17 And then community parking program, and this would
18 allow some of the neighbors -- this is exploring the possibility
19 for some of the neighbors to use some of the on-campus parking
20 when there is not university demand.

21 So those are the four aspects of proposed Condition
22 Number 11, and I would move for the inclusion of those.

23 CHAIRPERSON SOCKWELL: Okay. Any issues with that?
24 If not, I second it. All in favor?

25 (A chorus of ayes.)

1 CHAIRPERSON SOCKWELL: Opposed?

2 (No audible response.)

3 CHAIRPERSON SOCKWELL: All right. Number 11, which
4 is that -- well, I guess we should do Condition 12 before we do
5 Condition 11.

6 COMMISSIONER MITTEN: Would you like me to read
7 that? It is not lengthy.

8 CHAIRPERSON SOCKWELL: Yes. Should we do 12 before
9 11, that was the question.

10 VICE CHAIRPERSON REID: Which one?

11 CHAIRPERSON SOCKWELL: Condition 12 by the
12 applicant modification.

13 VICE CHAIRPERSON REID: Why don't we just go ahead
14 and do it.

15 CHAIRPERSON SOCKWELL: So just go ahead and do it.

16 COMMISSIONER MITTEN: All right. Condition Number
17 12 proposed by the applicant relates to identifying students in
18 the Foggy Bottom area. During the spring 2001 registration -- and
19 I am reading it as it stands, but during the spring 2001
20 registration process, G.W. will begin to gather information about
21 the updated local addresses of its full-time undergraduate
22 population.

23 This process will be completed during the
24 registration process for the fall 2001 semester. The university
25 will share with the advisory committee the number of full-time

1 undergraduate students residing in the Foggy Bottom area by zip
2 code.

3 I think that one of the things that we would like
4 is to -- in terms of the sharing of the information, we would want
5 to specify with what frequency.

6 And I think we also wanted to say that whatever
7 reports exist will be provided to the board for further processing
8 applications so that we can be tracking whether we are
9 accomplishing the goal of reducing the number of students in the
10 Foggy Bottom- West End area.

11 And we want to specify that it is not the Foggy
12 Bottom area. It is our defined Foggy Bottom-West End area.

13 MS. RENSHAW: And those reports also to the
14 advisory committee?

15 COMMISSIONER MITTEN: Yes.

16 CHAIRPERSON SOCKWELL: Yes.

17 VICE CHAIRPERSON REID: So repeat that again, Ms.
18 Mitten. You said that you wanted to see that whenever there is a
19 special exception that that kind of information be included?

20 COMMISSIONER MITTEN: Yes, in the annual reports
21 that are being provided, and that there be some auditing
22 mechanism. Perhaps we could include the language similar to what
23 Mr. Sockwell had included in a previous condition; the university
24 will report its criteria and its findings related to the location
25 of full-time undergraduate students in the Foggy Bottom-West End

1 area, so that we have a sense of how this information is being
2 gathered.

3 CHAIRPERSON SOCKWELL: That seems reasonable

4 COMMISSIONER MITTEN: And perhaps we could also
5 include as it was in that previous condition, that the report will
6 be annually at the beginning -- well, maybe not at the beginning
7 of the fall semester. When would be a good time?

8 CHAIRPERSON SOCKWELL: Because the Advisory
9 Committee itself has not been formed, and its operations
10 determined, that might be something that the advisory committee
11 can determine.

12 COMMISSIONER MITTEN: Okay. So we will just say
13 annually at the moment.

14 CHAIRPERSON SOCKWELL: Yes.

15 COMMISSIONER MITTEN: That the reports will be
16 annually. So with those modifications, I would move that
17 condition.

18 CHAIRPERSON SOCKWELL: I will second that. Any
19 questions?

20 (No audible response.)

21 CHAIRPERSON SOCKWELL: All in favor?

22 (A chorus of ayes.)

23 CHAIRPERSON SOCKWELL: Okay. Number 12. G.W. will
24 work with community representatives to form an advisory committee
25 for the purpose of fostering consistent communication between the

1 university and the Foggy Bottom-West End community as defined by
2 the Board.

3 And discussing issues of mutual interest, and
4 reviewing, and proposing solutions to problems that arise in
5 implementing the campus plan. And I would put down that instead
6 of just arise, that exist, and/or arise in implementing the campus
7 plan.

8 COMMISSIONER MITTEN: Perhaps if we could just say
9 problems related to implementation of the campus plan.

10 CHAIRPERSON SOCKWELL: Okay. We can do it that
11 way. The difference is that, one, there are implementation
12 problems that would be related to any activities that are
13 specifically of this campus plan. Then there are those
14 things that have been unresolved issues that existed prior to the
15 campus plan, and that's why I was looking at it in that sense. So
16 that everything becomes part of the responsibilities, and not
17 just, oh, well, we have done that, and we have been there, and
18 let's go forward.

19 COMMISSIONER MITTEN: That's fine.

20 CHAIRPERSON SOCKWELL: Okay.

21 COMMISSIONER MITTEN: Anything further there?

22 CHAIRPERSON SOCKWELL: No. Oh, yes, I'm sorry.
23 Excuse me. The advisory committee will consist of 10 members --
24 and this is the hard part. Five members are to be selected by
25 G.W., and that is the easy part.

1 And five members shall be chosen by the Advisory
2 Neighborhood Commission-2A, Foggy Bottom Association, and the West
3 End Citizens Association. That shouldn't be as easy.

4 The Advisory Committee will schedule quarterly
5 meetings. Upon request, G.W. will provide timely data relevant to
6 campus plan issues (which is not otherwise confidential or overly
7 burdensome to produce) to the advisory committee.

8 Issues regarding the operation of the committee
9 will be determined by the university and the community.

10 MS. RENSHAW: Mr. Chairman, we want to make sure
11 that these are open meetings. In other words, that this is not a
12 -- this should not be a private session. And are we leaving it up
13 to the Advisory Neighborhood Commission-2A, the Foggy Bottom
14 Association, and the West-End Citizens Association, to decide
15 among themselves who gets two, and who gets one, or who gets three
16 and who gets none?

17 CHAIRPERSON SOCKWELL: No, I think that is going to
18 be --

19 MS. RENSHAW: Are we going to be specific?

20 CHAIRPERSON SOCKWELL: I don't think we can
21 effectively do that. I think --

22 CHAIRPERSON SOCKWELL: We are going to leave it up
23 to them to decide how the five are going to be allocated?

24 CHAIRPERSON SOCKWELL: And I would assume that they
25 will provide alternates where individuals might not be available.

1 Since you suggested open meetings, I am going to suggest an
2 amendment that would say will schedule quarterly meetings and open
3 meetings where information is to be disseminated, or something
4 like that, or open meetings as required, or open meetings as
5 necessary. Does that --

6 MS. RENSHAW: Well, what I want to suggest is that
7 these meetings, where votes have to be taken, are done in public.

8 CHAIRPERSON SOCKWELL: Well, here again, they get
9 to design the operation of the committee, and I think we just
10 ought to specify that there will be open meetings.

11 I don't think that the Advisory Neighborhood
12 Commission would allow itself to operate in the dark. I don't
13 think that the West-End Citizens Association, or the Foggy Bottom
14 Association, would operate outside of --

15 MS. RENSHAW: Mr. Chairman, what is the difficulty
16 with just specifying open meetings?

17 CHAIRPERSON SOCKWELL: That's what I said.

18 MS. RENSHAW: So that there are quarterly meetings
19 open to the public.

20 CHAIRPERSON SOCKWELL: But they may not -- okay.
21 If you want the quarterly meetings to all be open to the public,
22 and any other meetings that they schedule not necessarily, then we
23 can do that.

24 VICE CHAIRPERSON REID: They only have quarterly
25 meetings.

1 CHAIRPERSON SOCKWELL: Well, the point is that
2 there would be working group sessions, and those don't necessarily
3 don't have to be open to the public. But they certainly will be
4 open to representatives of the organizations.

5 MS. RENSHAW: And that minutes will be kept of all
6 sessions.

7 CHAIRPERSON SOCKWELL: Yes. So I am going to stand
8 firm on "and open meetings as necessary," or "as needed." And
9 just put in quarterly meetings.

10 MS. RENSHAW: Quarterly meetings open to the
11 public, and that minutes be kept of all meetings.

12 CHAIRPERSON SOCKWELL: Okay. Fine. We will just
13 say quarterly public meetings. Fine. And if they choose to or
14 wish to do something else, then they can come to the Commission
15 and ask that they change their operation.

16 All right. Fine. Any other modifications to
17 Number 12?

18 (No audible response.)

19 CHAIRPERSON SOCKWELL: Then I will second. Well,
20 somebody else has to second.

21 MS. RENSHAW: I so move.

22 CHAIRPERSON SOCKWELL: All in favor?

23 (A chorus of ayes.)

24 CHAIRPERSON SOCKWELL: All right. Number 13. And
25 that just basically has been handled cause I think we approved the

1 conditions for the 1985 plan to be incorporated by reference or
2 adopted as modified. So we will take a vote on it anyway because
3 it hasn't changed.

4 And so on Number 13, I move that we accept it, with
5 the addition of "as modified after adopted."

6 COMMISSIONER MITTEN: Second.

7 CHAIRPERSON SOCKWELL: All in favor?

8 (A chorus of ayes.)

9 CHAIRPERSON SOCKWELL: All right. Now, Number 14
10 is the last thing on the list. "Within 30 days of publication of
11 this order in the D.C. Register should it be approved, the
12 applicant shall provide to the BZA and the Zoning Administrator a
13 revised campus plan that reflects the final decision of the
14 Board."

15 COMMISSIONER MITTEN: Second.

16 CHAIRPERSON SOCKWELL: Questions? Discussion?

17 MS. RENSHAW: Mr. Chairman, under parking -- or
18 perhaps under parking, it is a suggestion that we have not --

19 CHAIRPERSON SOCKWELL: Well, why don't we do this
20 one, and then go back to that one.

21 MS. RENSHAW: Okay.

22 CHAIRPERSON SOCKWELL: All in favor?

23 (A chorus of ayes.)

24 CHAIRPERSON SOCKWELL: Okay. Now to go back to
25 parking.

1 MS. RENSHAW: I think it belongs in parking a
2 requirement that students register their licenses with the
3 university to capture some information about the licenses, valid
4 license plates.

5 CHAIRPERSON SOCKWELL: Well, the valid license
6 plates, when you say register their licenses, the plate will go
7 with the vehicle, and the vehicle will be registered in the State.

8 The license should be the same State, but the license and the
9 vehicle are not related to one another.

10 MS. RENSHAW: But they will have to change their --
11 well, they will have to register their cars in the District after
12 30 days.

13 CHAIRPERSON SOCKWELL: Provided that they keep them
14 after a certain period of time.

15 MS. RENSHAW: After 30 days. So therefore I think
16 if we are capturing all this other information, that information
17 should be also required.

18 CHAIRPERSON SOCKWELL: Well, perhaps it would state
19 that students residing in the District of Columbia, because the
20 ones that live in Maryland and Virginia would not be subject to
21 that.

22 If you want to put in a modification or an
23 amendment that says that -- and which one would that be under,
24 Number 10?

25 MS. RENSHAW: It would be under Number 10, and

1 perhaps it would just be another indent, and that is the
2 registration of student vehicles.

3 CHAIRPERSON SOCKWELL: All right. Students
4 residing within -- and that is full-time undergraduate students.
5 It doesn't have anything to do with -- well, okay, we have to
6 write that in. Full-time undergrad.

7 COMMISSIONER MITTEN: Excuse me, Mr. Chair,
8 register with the District, or with the University?

9 MS. RENSHAW: University.

10 CHAIRPERSON SOCKWELL: With the University. Full-
11 time undergraduate students residing within the District of
12 Columbia.

13 MS. PRUITT: Why would it be restricted if it is
14 with the university District students?

15 CHAIRPERSON SOCKWELL: Because they would impact
16 the parking 24 hours a day if they are living within the District.
17 They might be living on campus, and they might be living in the
18 Foggy Bottom-West End area. But if they are living in Virginia,
19 they are commuters.

20 COMMISSIONER MITTEN: But somebody who has a car
21 that is registered, because they are a commuter, could be parking
22 in the community, which you would want to be able to identify that
23 person as a student, because if you are trying to measure impact
24 of student drivers on parking in the neighborhood.

25 I think you would want to make it inclusive of all

1 full-time undergraduate.

2 CHAIRPERSON SOCKWELL: All right. It won't make
3 much difference. Okay. Will register their vehicles..

4 MR. BERGSTEIN: You might want to say will provide
5 vehicle registration information to the University.

6 CHAIRPERSON SOCKWELL: Yes, that's true.

7 MS. RENSHAW: On an annual basis.

8 CHAIRPERSON SOCKWELL: At the beginning of the fall
9 semester. As well -- and since we have to make this complete --
10 and whenever such vehicle's registration change.

11 COMMISSIONER MITTEN: I second.

12 CHAIRPERSON SOCKWELL: Okay. All in favor?

13 (A chorus of ayes.)

14 CHAIRPERSON SOCKWELL: Opposed? Abstentions?

15 (No audible response.)

16 CHAIRPERSON SOCKWELL: All right. Then that brings
17 us back to the term. I had offered that we approve the
18 application 16553 subject to a term or for a term expiring June
19 30th of the year 2009.

20 And that would automatically bind in all of the
21 approved conditions that we have discussed this morning. Is there
22 any discussion on the term and on the motion?

23 (No audible response.)

24 CHAIRPERSON SOCKWELL: Is there a second on the
25 motion? Well, we have a second on the motion actually, I think.

1 COMMISSIONER MITTEN: As long as we are also
2 including the language, which I think -- and just so we are clear,
3 that I think you had mentioned before, "or at such time prior to
4 that date as the Zoning Commission" --

5 CHAIRPERSON SOCKWELL: Exactly.

6 COMMISSIONER MITTEN: Fine. Great.

7 CHAIRPERSON SOCKWELL: Discussion?

8 MS. RENSHAW: Mr. Chairman, I had originally been
9 of the mind that this term should be less than the 8-1/2 years
10 that we are -- or that you have now proposed.

11 I am more comfortable with the term, because we
12 have gone through all of these conditions. I am even more
13 comfortable with the term and am willing to vote for the June
14 30th, 2009 because of the clause that is remaining in the document
15 that at such time prior to that date as the Zoning Commissioner's
16 successor determines conditions warrant submission of an updated
17 campus plan.

18 That means that any organization or any person can
19 bring before the body any kind of complaint, or any reason for an
20 updated campus plan. There is an avenue for the community to
21 speak up to the zoning commission about concerns, and perhaps
22 speak to the advisory committee, and then speak to the zoning
23 commission.

24 But this gives muscle to all parties who have
25 participated -- and will participate -- in campus planning that

1 you have a window of opportunity as they say to speak up if
2 something is amiss, or if you want to alter the plan if something
3 becomes irrelevant prior to June 30th, 2009.

4 VICE CHAIRPERSON REID: Ms. Renshaw, who are you
5 referring to when you say you?

6 MS. RENSHAW: You? The public. The community, the
7 Foggy Bottom-West End community.

8 VICE CHAIRPERSON REID: I didn't know who
9 specifically you were speaking to, but when you say any person,
10 wouldn't there have to be a motion on the part of some recognized
11 body or party, or --

12 MS. PRUITT: Usually they are the motions of the
13 parties. There are quite a few parties.

14 VICE CHAIRPERSON REID: I think that the language,
15 which is the same ostensibly as what was in the 1985 plan, speaks
16 for itself.

17 CHAIRPERSON SOCKWELL: I believe, Board Members,
18 that the gist of Ms. Renshaw's statement is that the community has
19 a voice in the ultimate determination of the campus plan at any
20 time during its period of operation or during the time that it is
21 in force.

22 And that through the organizations that the
23 community has available to it, individuals can propose that the
24 campus plan process be rethought, and yet the actual activity of
25 proposing such would come from those organizations and individuals

1 that could be parties under the circumstances of the regulations.

2 Is that not correct?

3 MS. RENSHAW: That's correct.

4 CHAIRPERSON SOCKWELL: All right. All in favor?

5 (A chorus of ayes.)

6 CHAIRPERSON SOCKWELL: The plan passes with the
7 amendments, modifications, conditions as approved by this Board
8 for the period expiring June 30th of the year 2009.

9 The plan will be in force as of the typical time
10 once the order is written and approved.

11 Is there anything further that we need to take up? If not, that
12 is the end of this Special Public Meeting of the Board of Zoning
13 Adjustment. The meeting is now adjourned.

14 (Whereupon, the Special Meeting was concluded at
15 11:05 a.m.)

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