

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.

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P-R-O-C-E-E-D-I-N-G-S

(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.

1 I now declare today's public hearing adjourned.

2 Thank you.

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

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

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

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

14 MR. HART: Certainly, Madam Chair. The case this
15 morning is application 16553 of The George Washington University,
16 pursuant to 11 DCMR 3104.2, for a special exception for the review
17 and approval of the University Foggy Bottom Campus Plan - years
18 2000-2010 under Sections 210 and 507; the boundaries are as
19 follows:

20 Pennsylvania Avenue on the north, 19th, H, 20th,
21 and G Streets on the east; F Street on the south and 23rd, G and
22 24th Streets on the west, and also includes a portion of Square
23 122 extending south of F Street along 19th Street, N.W.

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

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

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

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

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

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

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

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

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

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

25 From the Office of Planning:

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

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

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

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

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

11 From the DPW:

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

14 From Corporation Counsel:

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

18 That is it, Madam Chair.

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

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

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

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

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

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

19 So here goes. Board members, I think that, and you
20 can determine if this is the best approach, enter into some
21 discussion regarding this particular case and then make a motion.

22 Or we can make a motion and then enter into discussion. What is
23 your pleasure?

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

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

4 CHAIRPERSON REID: And readiness.

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

8 CHAIRPERSON REID: Okay. Does everyone agree?

9 MEMBER RENSHAW: Yes.

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

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

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

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

25 This would be beginning on page 22 of the

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

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

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

13 CHAIRPERSON REID: Okay. Any other suggestions?

14 MEMBER RENSHAW: It's reasonable.

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

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

1 discussion.

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

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

11 CHAIRPERSON REID: Which ones are you --

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

17 CHAIRPERSON REID: Okay. All right.

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

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

25 COMMISSIONER MITTEN: Madam Chair, I think that the

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

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

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

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

17 COMMISSIONER MITTEN: The ones that are in red.

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

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

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

25 COMMISSIONER MITTEN: Commercially zoned and they

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

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

4 COMMISSIONER MITTEN: Yes.

5 CHAIRPERSON REID: So what are you saying?

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

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

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

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

21 COMMISSIONER MITTEN: Yes.

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

24 COMMISSIONER MITTEN: Yes.

25 CHAIRPERSON REID: All right. Okay. That would be

1 --

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 CHAIRPERSON REID: Well, again, I think that would

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 deliberate on and from there decide how we would like to proceed.

2 I am certainly not against taking a look at these issues in
3 depth.

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

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

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

21 CHAIRPERSON REID: Okay. Thank you.

22 Mr. Sockwell.

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

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

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

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

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

15 CHAIRPERSON REID: Mr. Moulden.

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

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

24 CHAIRPERSON REID: Okay.

25 Ms. Mitten, did you want to further elaborate on

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

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

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

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

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

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

1 look at both our proposals or both submissions.

2 The university defines the housing opportunity
3 areas as all the areas on campus, and existing off-campus
4 residential facilities owned or controlled by GW as of November
5 8th of 2000, the properties located in squares 43, 58, 81, and
6 122, as well as property located outside the Foggy Bottom area.
7 That is, the area bounded by 19th Street, E Street, Rock Creek
8 Park, and Pennsylvania Avenue, not including housing opportunity
9 area.

10 Then Office of Planning says existing university
11 residential facilities privately owned by GWU on squares 43 and
12 122 and any property located within the campus plan boundary. I
13 think we need to get our arms around what, in fact, to we deem to
14 be the housing opportunity area.

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

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

25 CHAIRPERSON REID: Well, are you saying that you

1 want to enter into a discussion about the basis for that decision?

2 Is that what you're saying?

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

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

10 COMMISSIONER MITTEN: I do, actually.

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

16 VICE CHAIRPERSON SOCKWELL: That's fine.

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

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

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

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

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

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

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

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

18 CHAIRPERSON REID: That's with the boundaries?

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

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

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

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

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

13 The core areas that have been defined in the past,
14 and I was looking to find where I had gotten this. I'm thinking I
15 got this out of the 1985 plan but basically it had been identified
16 as being concentrated at the center of campus between 20th and
17 23rd Streets and between I and G Streets. You can draw a big
18 block and that's basically where we're targeting these core
19 academic areas. All of those uses fall under this
20 academic/administrative category that is being proposed. I think
21 it's important to remember that we are trying to concentrate those
22 uses at the core of the campus because that's the philosophy.

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

1 currently proposed.

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

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

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

17 CHAIRPERSON REID: Okay. Do you see a conflict?

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

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

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

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

2 CHAIRPERSON REID: We'll get to impact.

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

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

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

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

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

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

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

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

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

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

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

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

1 of uses.

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

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

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

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

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

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

1 have some kind of relief available.

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

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

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

15 CHAIRPERSON REID: Any further comments?

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

21 CHAIRPERSON REID: With the what?

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

25 CHAIRPERSON REID: I thought that was what you just

1 addressed.

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

4 CHAIRPERSON REID: You have more?

5 COMMISSIONER MITTEN: Well, I have specifics.

6 CHAIRPERSON REID: Okay.

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

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

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

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

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

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

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

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

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

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

25 COMMISSIONER MITTEN: Well, they are asking these

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

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

8 COMMISSIONER MITTEN: Correct.

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

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

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

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

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

25 But we also know that on the south there is

1 something that is legitimately being buffered by peripheral uses.

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

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

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

20 COMMISSIONER MITTEN: Well --

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

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

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

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

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

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

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

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

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

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

18 What you are looking at is trends or where you see
19 this ultimately having -- it may not be today but looking at the
20 future over the span of the campus plan to anticipate where there
21 may be problems and then trying to make judgments as to that at
22 this point rather than getting to that point and having problems.

23 Proactively I guess is the best we can say.

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

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

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

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

20 Any other discussion on this particular issue,
21 board members?

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

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

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

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

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

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

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

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

25 Madam Chair, if I could just add that under the

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

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

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

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

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

1 was an issue.

2 COMMISSIONER MITTEN: Madam Chair.

3 CHAIRPERSON REID: Yes.

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

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

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

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

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

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

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

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

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

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

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

1 same thing as already in place? Is this more?

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

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

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

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

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

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

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

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

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

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

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

15 CHAIRPERSON REID: I don't know --

16 MEMBER MOULDEN: -- and some proposed
17 recommendations.

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

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

24 CHAIRPERSON REID: Okay. So --

25 MEMBER MOULDEN: Existing conditions campus plan,

1 development conditions. Transportation management plan is part of
2 this.

3 CHAIRPERSON REID: Oh. Okay.

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

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

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

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

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

25 CHAIRPERSON REID: Okay. Well, your question is

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

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

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

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

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

13 COMMISSIONER MITTEN: There is a requirement of the
14 1985 plan that a campus rideshare program be established. We have
15 a description, as Mr. Moulden pointed out, in the traffic study
16 that was provided that describes existing transportation
17 management plan. There is no discussion of a rideshare program.

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

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

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

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

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

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

19
20 COMMISSIONER MITTEN: Well, I guess there was an
21 issue about -- there are numerous issues that have been raised
22 about whether or not the university is in compliance with the
23 existing plan. The penalty for not being in compliance with the
24 existing plan is no further processing. I think we are duty bound
25 to determine whether or not they are in compliance with the

1 existing campus plan.

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

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

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

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

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

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

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

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

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

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

12 Let's move now to traffic.

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

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

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

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

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

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

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

8 CHAIRPERSON REID: If you have an issue about that,
9 this is the time to bring it up. We're talking about Section
10 210.2 which pertains to noise. This is the opportunity to discuss
11 that.

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

14 VICE CHAIRPERSON SOCKWELL: I have a comment.

15 CHAIRPERSON REID: Okay. Mr. Sockwell.

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

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

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

5 CHAIRPERSON REID: Okay. Mr. Moulden.

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

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

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

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

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

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

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

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

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

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

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

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

5 CHAIRPERSON REID: Okay. Thank you.

6 Traffic. Board members?

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

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

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

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

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

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

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

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

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

17 Ms. Mitten.

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

20 CHAIRPERSON REID: Okay.

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

24 CHAIRPERSON REID: Well, you can.

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

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

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

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

13 CHAIRPERSON REID: I think that you're right. In
14 regards to enrollment, I think that would be one of the conditions
15 if we decided to move forward on it. That is a condition as to
16 the number of students -- a gap on the number of students per se.

17 Then we look at the number of beds. There are some concessions,
18 a proposal that was put forth by the university and to see whether
19 or not we felt this would be something that would be doable. I
20 think that the cap on the enrollment was 2,000?

21 VICE CHAIRPERSON SOCKWELL: 20,000

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

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

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

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

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

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

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

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

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

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

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

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

22 Today total enrollment is 16,500.

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

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

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

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

11 Mr. Sockwell.

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

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

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

1 think it's subject to more discussion.

2 CHAIRPERSON REID: Thank you.

3 Mr. Moulden or Ms. Renshaw?

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

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

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

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

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

24 MEMBER RENSHAW: Table it at this point.

25 CHAIRPERSON REID: All right. What about

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

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

10 COMMISSIONER MITTEN: The current maximum is 3.5.

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

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

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

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

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

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

6 COMMISSIONER MITTEN: I think there is.

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

11 COMMISSIONER MITTEN: No, Madam Chair.

12 CHAIRPERSON REID: Okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 CHAIRPERSON REID: Do you know --

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

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

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

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

16 Again, I want to correct myself from something I
17 said before where I said one of the properties was in the SP zone.

18 I was misreading a modified version of the original campus plan.

19 Anyway, it was C-3-C.

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

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

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

4 VICE CHAIRPERSON SOCKWELL: That is what I did say.

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

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

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

16 It's been suggested and it's in the record that
17 that development would be 900,000 square feet of commercial FAR
18 which sounds like one or more office buildings to me. I'm saying
19 that given that we have
20 -- we don't have a lot of control but we have some control and we
21 have some control over square 54.

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

25 If you eliminate that from the campus, which I am

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

4 CHAIRPERSON REID: Okay. Here's where I'm having a
5 little difficulty. No. 1, in their proposal, in their campus
6 plan, is there anywhere in the campus plan that proposes that the
7 9,000 square feet that will be commercial investment is going to
8 be taken out of the universities and it's not going to be part of
9 the university?

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

13 COMMISSIONER MITTEN: Correct.

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

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

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

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

1 well understood.

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

9 COMMISSIONER MITTEN: It's 900,000.

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

12 COMMISSIONER MITTEN: No, Madam Chair.

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

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

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

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

25 I'm saying that the cleanest way to ensure

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

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

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

13 CHAIRPERSON REID: What page?

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

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

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

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

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

3 In a circumstance where the university is so
4 constrained, there just isn't available land to develop things,
5 why do we want to make square 54 vulnerable to being used for
6 anything other than university use by giving it that designation?

7 If somebody would care to try and change my mind has to make a
8 compelling reason why that's appropriate.

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

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

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

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

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

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

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

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

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

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

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

4 COMMISSIONER MITTEN: That's correct, Madam Chair.

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

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

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

25 COMMISSIONER MITTEN: If you would like to break

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

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

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

9 CHAIRPERSON REID: Let's table that issue.

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

15 CHAIRPERSON REID: Okay.

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

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

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

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

9 COMMISSIONER MITTEN: All right.

10 CHAIRPERSON REID: Square 39 is now designated
11 medical health.

12 COMMISSIONER MITTEN: Right.

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

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

17 CHAIRPERSON REID: Where is the residential?

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

20 CHAIRPERSON REID: I don't see that.

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

23 CHAIRPERSON REID: I'm on Figure E.

24 COMMISSIONER MITTEN: You don't want Figure E?

25 CHAIRPERSON REID: I am on Figure E.

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

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

13 CHAIRPERSON REID: Mr. Thomas was the
14 one --

15 COMMISSIONER MITTEN: He was the attorney for --

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

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

25 CHAIRPERSON REID: All right. Any further

1 discussion on that?

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

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

8 CHAIRPERSON REID: Okay. Well --

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

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

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

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

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

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

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

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

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

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

1 that we need in order to do so properly.

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

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

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

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

25 Do you feel that is the most appropriate

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

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

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

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

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

1 property dedicated to university use.

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

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

11 I do think as a housing designation that is
12 probably less valid than would be, I think, a support medical
13 facility, medical use, health use to the hospital which is
14 currently being built so that you would have a medical office
15 building or something of that nature supporting the hospital use.

16 It would be in the right location for that. Otherwise, the
17 support medical use would have to be located somewhere else. You
18 would have to flip that into a location that might not be as
19 compatible with the campus design.

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

1 hospital.

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

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

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

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

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

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

1 square 39.

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

6 If you look on Figure D there's an alley that
7 separates two relatively narrow sites that are yellow on Figure D.

8 Those from the building identification map, which is another
9 figure in this --

10 CHAIRPERSON REID: Yellow or orange?

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

13 CHAIRPERSON REID: It's orange over here.

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

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

18 COMMISSIONER MITTEN: Okay.

19 CHAIRPERSON REID: You have something --

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

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

25 COMMISSIONER MITTEN: What do you guys have,

1 orange?

2 CHAIRPERSON REID: Orange.

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

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

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

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

19 COMMISSIONER MITTEN: Okay.

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

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

24 CHAIRPERSON REID: Show me again.

25 COMMISSIONER MITTEN: These are solid orange and

1 this designates mixed.

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

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

6 CHAIRPERSON REID: Your question is?

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

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

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

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

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

25 Square 79, 2145 G Street, currently has the

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

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

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

11 CHAIRPERSON REID: Which number is that?

12 COMMISSIONER MITTEN: That's square 80, address 611
13 22nd Street.

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

16 COMMISSIONER MITTEN: Well, yeah. You have to look
17 --

18 CHAIRPERSON REID: In the square?

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

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

24 COMMISSIONER MITTEN: Yes.

25 CHAIRPERSON REID: All right. Go ahead. Again,

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

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

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

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

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

22 now --

23 COMMISSIONER MITTEN: Madam Chair --

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

1 COMMISSIONER MITTEN: Madam Chair --

2 CHAIRPERSON REID: -- the answer to your questions.

3 I'm just saying that makes our job more laborious to have to do
4 that right now.

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

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

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

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

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

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

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

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

12 That's not including requests for reconsideration,
13 a portion of the plan being remanded to the BZA, and all of that.

14 There were five decision meetings. My guess is at some point the
15 record might have been reopened to take in additional information.

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

20 CHAIRPERSON REID: We've already done that. I
21 asked that earlier. About 20 minutes to 1:00 I had suggested that
22 given the fact that these questions are being raised we don't have
23 answers to, perhaps during the lunch break staff could find out
24 the answers for us so that could be able to proceed
25 once we come back from lunch. That's the only thing we can do.

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

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

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

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

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

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

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

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

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

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

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

18 MEMBER MOULDEN: No.

19 CHAIRPERSON REID: Ms. Renshaw?

20 MEMBER RENSHAW: No.

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

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

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

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

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

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

19 CHAIRPERSON REID: I mean, notwithstanding that,
20 maybe I'm not clear but I thought that a proposal to us from
21 George Washington University was that they were going to have
22 1,250 beds on campus. Regardless how it was juxtapositioned on
23 the campus that's what was going to be there. Even if they took
24 something away, the composite number would always remain as what
25 they proposed to us.

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

5 CHAIRPERSON REID: It says additional on-campus
6 housing.

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

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

16 COMMISSIONER MITTEN: Effectively, yes.

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

19 SECRETARY PRUITT: Yes.

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

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

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

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

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

15 MEMBER RENSHAW: Not right now.

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

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

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

24 COMMISSIONER MITTEN: Yes, Madam Chair.

25 CHAIRPERSON REID: To be extracted from the

1 boundaries. Did you have a suggestion for replacement?

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

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

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

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

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

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

25 CHAIRPERSON REID: Okay. Let me see if I

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

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

10 CHAIRPERSON REID: Okay. The rationale for that --

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

13 VICE CHAIRPERSON SOCKWELL: Most of it
14 is --

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

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

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

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

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

25 CHAIRPERSON REID: Okay. Which square is that?

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

3 CHAIRPERSON REID: It doesn't say. 121?

4 VICE CHAIRPERSON SOCKWELL: Yes.

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

9 COMMISSIONER MITTEN: Redraw the boundaries.

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

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

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

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

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

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

24 CHAIRPERSON REID: What page is it?

25 VICE CHAIRPERSON SOCKWELL: That's page --

1 MEMBER RENSHAW: A-6.

2 VICE CHAIRPERSON SOCKWELL: A-6 and beyond.

3 CHAIRPERSON REID: A-6?

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

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

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

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

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

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

25 CHAIRPERSON REID: Oh, okay.

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

4 COMMISSIONER MITTEN: But you will have excluded
5 two things that I don't think you want to exclude, which is you
6 would exclude the northern portion of what is called the Burns
7 Clinic and you would exclude Thurston Hall because that's zoned C-
8 3-C as I read these zoning maps.

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

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

13 VICE CHAIRPERSON SOCKWELL: You see, the thing is -
14 -

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

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

20 CHAIRPERSON REID: Yes.

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

25 B is all of those properties that I outlines are

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

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

8 COMMISSIONER MITTEN: I think the problem is I
9 think it's a philosophical problem and it runs to my feelings
10 about square 54, which is you are trying to -- you have this
11 university that's effectively bursting at the seams and to have
12 these designations for commercial investment, they are either
13 included and they're a fiction that you have control, which is the
14 ones I'm suggesting be eliminated, or, as in the case of square
15 54, you're opening them up to anything but university use by
16 having a designation on a property that is currently legitimate
17 within the campus plan.

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

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

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

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

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

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

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

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

1 COMMISSIONER MITTEN: Okay.

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

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

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

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

21 MEMBER RENSHAW: Madam Chair.

22 CHAIRPERSON REID: Yes.

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

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

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

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

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

14 SECRETARY PRUITT: Madam Chair.

15 CHAIRPERSON REID: Yes.

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

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

1 would be prudent in the regulations.

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

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

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

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

25 My feeling would be that we would continue it when

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

5 MEMBER RENSHAW: Lab use categories.

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

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

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

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

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

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

25 If we don't have some preliminary discussion today,

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

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

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

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

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

1 you too much?

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

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

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

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

17 SECRETARY PRUITT: Okay.

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

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

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

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

1 to reconvene at 2:15 p.m.)

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

2 (2:50 p.m.)

3 CHAIRPERSON REID: We'll resume with the decision.

4 Not quite decision. Deliberation meeting of this board today.

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

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

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

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

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

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

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

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

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

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

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

20 This would be item No. 12, condition No. 12 on the
21 1985 campus plan. "The university shall provide between 2,700 and
22 3,000 off-street parking spaces within the campus boundary."

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

1 particularly in light of the language within the campus boundary.

2
3 If we want to make a specific exclusion of for the
4 Kennedy Center spaces, I think that we need to state that. I
5 think there is an additional issue which is that the community has
6 raised the fact that there's insufficient parking on campus.

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

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

13 COMMISSIONER MITTEN: No, the minimum is currently
14 2,700 and is being proposed to be increased by the university to
15 2,800 spaces. We need to decide how we are -- is that 2,800
16 spaces within the campus boundaries except for 150 spaces at the
17 Kennedy Center? Are we going to have that be 2,800 spaces within
18 the campus boundary period? Then the question is the community
19 has raised the issue about whether or not that is sufficient.

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

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

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

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

6 CHAIRPERSON REID: In the meantime while you're
7 looking at it, let's look at the 150 parking spaces. Now, it
8 seems to me that if, in fact, there's additional parking and then
9 they have identified and they have an agreement with the Kennedy
10 Center to provide additional parking, it appears to me that it
11 would be in the interest of the community to allow that to happen.

12 To me that's a no-brainer. I would like to hear some other
13 comments. I have no problem with accepting the 150 Kennedy Center
14 spaces.

15 VICE CHAIRPERSON SOCKWELL: Madam Chair, it should
16 be noted that the university enrollment is significantly below the
17 20,000 students that were approved under the 1985 campus plan and
18 that the parking spaces are probably closer in line to what was
19 considered acceptable with that 20,000 student cap than one might
20 think when one just looks at the increase at 150.

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

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

7 What do you think, Ms. Mitten?

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

11 CHAIRPERSON REID: Where are you?

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

16 The last line is, "At the community's request the
17 university agreed to raise the lower limit on parking spaces from
18 2,700 to 2,800." Just in terms of establishing that as a
19 legitimate offer, that is probably not the first place it appears
20 but it is certainly a definitive place that it appears.

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

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

1 think there is

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

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

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

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

15 VICE CHAIRPERSON SOCKWELL: I'm always interested.

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

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

25 Then if you take the existing campus population of

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

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

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

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

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

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

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

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

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

16 COMMISSIONER MITTEN: I agree. I agree completely.

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

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

25 CHAIRPERSON REID: Right.

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

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

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

15 VICE CHAIRPERSON SOCKWELL: What might
16 be --

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 COMMISSIONER MITTEN: If there's information.

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

12 COMMISSIONER MITTEN: No, I'm not.

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

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

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

21 MEMBER RENSHAW: GW is given a range and this is in
22 its plan for off-street parking inventory range from 2,700 to
23 3,240 parking spaces.

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

1 inventory.

2 COMMISSIONER MITTEN: Which page are you on?

3 VICE CHAIRPERSON SOCKWELL: I'm on page 15.

4 CHAIRPERSON REID: Of?

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

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

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

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

13 VICE CHAIRPERSON SOCKWELL: It says, "There are
14 2,342 off-street parking spaces within the campus plan boundaries
15 as of September '99.

16 CHAIRPERSON REID: Okay.

17 VICE CHAIRPERSON SOCKWELL: And then --

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

20 VICE CHAIRPERSON SOCKWELL: Yeah.

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

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

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

1 VICE CHAIRPERSON SOCKWELL: Recommends range.

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

4 VICE CHAIRPERSON SOCKWELL: Yeah.

5 CHAIRPERSON REID: Okay.

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

10 CHAIRPERSON REID: No, that would be inclusive.

11 VICE CHAIRPERSON SOCKWELL: Inclusive of Kennedy.

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

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

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

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

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

23 VICE CHAIRPERSON SOCKWELL: Sixty-one additional
24 spaces.

25 MEMBER RENSHAW: What about the 3,240 that is

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

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

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

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

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

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

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

25 VICE CHAIRPERSON SOCKWELL: Probably the Kennedy

1 Center.

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

9 CHAIRPERSON REID: Okay, but --

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

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

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

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

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

9 COMMISSIONER MITTEN: Exactly.

10 CHAIRPERSON REID: Okay.

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

17 Now there are the enrollment numbers, at least as
18 they stand now, may increase, the number of faculty may increase,
19 and the number of staff may increase. What has been offered is a
20 3.7 percent increase in off-street parking.

21 Given the fact that there is already a parking
22 problem, I think we have to ask ourselves is a 3.7 percent
23 increase going to alleviate the problem if there is no increase in
24 enrollment or staff or faculty and then add to that and will that
25 3.7 percent increase in off-street parking capacity accommodate

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

3 CHAIRPERSON REID: Wait a minute.

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

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

11 VICE CHAIRPERSON SOCKWELL: It would be helpful.

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

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

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

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

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

4 COMMISSIONER MITTEN: In terms of the maximum?

5 CHAIRPERSON REID: Yes.

6 COMMISSIONER MITTEN: The maximum is the same.

7 CHAIRPERSON REID: What about the staff?

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

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

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

17 CHAIRPERSON REID: Do we have those numbers?

18 COMMISSIONER MITTEN: Yes. I believe it's on page
19 --

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

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

24 CHAIRPERSON REID: Okay. Where is existing?

25 COMMISSIONER MITTEN: Not in the

1 traffic --

2 CHAIRPERSON REID: What page?

3 COMMISSIONER MITTEN: Not in the traffic study.

4 I'm in the proposed campus plan.

5 CHAIRPERSON REID: Oh, proposed campus plan.

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

8 CHAIRPERSON REID: Yes. Let me see that.

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

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

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

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

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

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

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

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

10 COMMISSIONER MITTEN: What would remain constant?

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

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

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

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

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

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

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

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

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

18 CHAIRPERSON REID: Based on riders or drivers?

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

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

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

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

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

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

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

25 It would be a statistical analysis thing of some

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

5 It is something that we can consider but I'm not
6 sure that we can truly qualify the numbers. The numbers could
7 rise and could put a significant additional demand on the spaces.

8 I just don't know how we can be sure the extent to which that
9 demand can be determined for peak hour.

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

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

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

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

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

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

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

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

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

1 that would be necessary to accommodate them?

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

6 CHAIRPERSON REID: The demand time analysis as
7 well.

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

15 CHAIRPERSON REID: The increase in parking demand.

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

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

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

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

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

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

20 Then what we have to think about is approving the
21 campus plan, the uses we are going to be approving, and whatever
22 increase in enrollment, staff, and faculty that would result from
23 all of that, there is going to be additional off-street parking
24 demand and we are trying to quantify that.

25 We also then if it can be quantified, and I think

1 it can, people could argue with the percentages that would be
2 applied for various things but there is this additional demand
3 that is being created. I'm not certain that there has been any
4 accommodation in the minimum parking requirement for the new
5 demand.

6 If the applicant wants to address that, I think
7 that would be great. If they don't, based on the little analysis
8 that we just walked through between what I did and what Mr.
9 Sockwell did, I don't see that we could say with certainty that
10 there will not be objectionable conditions related to off-street
11 parking, or just say parking, because of the increases that are
12 being projected for the campus plan.

13 CHAIRPERSON REID: Okay. Any further discussion?
14 Okay. Now, let's move on to the next item on the campus plan
15 which is what?

16 COMMISSIONER MITTEN: It's loading actually. It's
17 loading which is a subsection under Buildings, Parking, and
18 Loading Facilities.

19 CHAIRPERSON REID: Okay. Discussion?

20 COMMISSIONER MITTEN: Madam Chair, there is one
21 small issue and I couldn't identify this in the record so if
22 someone else can identify it in the record, I would appreciate it
23 but I couldn't find it.

24 Under this category it says, "As part of the
25 traffic management plan included in the campus plan, a truck

1 management plan will be implemented to reduce the impact of
2 university related trucks on neighborhood streets."

3 Now, I did overlook something in the traffic study
4 earlier and Mr. Moulden corrected me. If anybody could find it
5 where the truck management plan is included but I could not find
6 one so I would request that we be provided one if we have not yet.

7 CHAIRPERSON REID: It seems like I recall there
8 being a diagram that demonstrated the circulation of the trucks.
9 Okay. Is this it right here on page 17? It shows the circulation
10 as to which way they would go.

11 COMMISSIONER MITTEN: That just talks about where
12 the loading facilities are located but it's really not a truck
13 management plan.

14 VICE CHAIRPERSON SOCKWELL: Are you talking about a
15 truck en route?

16 COMMISSIONER MITTEN: Well, what it
17 says --

18 CHAIRPERSON REID: What page is that?

19 MEMBER RENSHAW: Page 37 of the GW --

20 COMMISSIONER MITTEN: Could you turn on your mike,
21 please? I can't hear you.

22 MEMBER RENSHAW: Page 37 of the campus plan under
23 Loading? This is what we're referencing?

24 COMMISSIONER MITTEN: Yes.

25 MEMBER RENSHAW: Ms. Mitten, I think you have

1 already stated this as part of the traffic management plan
2 included in the campus plan. "A truck management program will be
3 implemented to reduce the impact of university related trucks on
4 neighborhood streets."

5 COMMISSIONER MITTEN: Then keep reading because
6 that's where it says what the plan is supposed to --

7 MEMBER RENSHAW: "The plan includes a truck
8 circulation route that identifies the main routes that delivery
9 vehicles should use to access loading facilities on campus while
10 discouraging use of neighborhood streets. The plan also includes
11 suggested delivery times that occur during off-peak traffic
12 periods."

13 CHAIRPERSON REID: Okay. Do we have that?

14 MEMBER RENSHAW: See Appendix M. Do you have
15 Appendix M?

16 CHAIRPERSON REID: Do we have that?

17 COMMISSIONER MITTEN: Appendix M is --

18 CHAIRPERSON REID: It seems I remember seeing that.

19 DIRECTOR KRESS: I think there are several pieces
20 of information that you are looking to be adding to the record.
21 We can all take a look but then we can ask the applicant to refer
22 us to the appropriate place if we haven't been able to locate it.

23 CHAIRPERSON REID: Okay. That was the only other
24 thing we had in regards to the traffic, Ms. Mitten?

25 COMMISSIONER MITTEN: Yes, that was in the category

1 of Loading.

2 CHAIRPERSON REID: Oh, Loading. I'm sorry.

3 COMMISSIONER MITTEN: Yes, Madam Chair.

4 CHAIRPERSON REID: All right. Now, the next one
5 was --

6 MEMBER RENSHAW: Screening signs, streets, public
7 utility facilities.

8 CHAIRPERSON REID: All right. Were there any
9 issues regarding that? Okay. What about athletic and other
10 recreational facilities?

11 VICE CHAIRPERSON SOCKWELL: This is the next
12 category.

13 CHAIRPERSON REID: Oh, okay. The description of
14 all activities and capacity if all present and proposed campus
15 development. I think we have that described.

16 VICE CHAIRPERSON SOCKWELL: I think we discussed it
17 before lunch.

18 CHAIRPERSON REID: No interim use of land is
19 proposed. No new use select for approval site of buildings moved
20 off campus complies with the policies of the district elements of
21 the comprehensive plan. I suppose there would be some discussion
22 about that.

23 Now, there were quite a few issues raised as to the
24 campus plan compliance complying with the comprehensive plan.
25 There was a general concern in regard to the proposed plan not

1 being inconsistent with the campus plan.

2 In pertinent part it states, "A loss of the housing
3 site off of Foggy Bottom west end aggravated by a lack of
4 dormitory construction." Basically it says that the university
5 must continue to construct student dormitories to alleviate the
6 pressure on the housing site outside the boundaries of the campus
7 plan.

8 The university must be sensitive to the surrounding
9 residential neighborhood. I think that there has been some
10 attempt on the part of the university to create additional
11 housing.

12 Also based on the concessions that have been made
13 by the university due to the various negotiations that have been
14 conducted through the Office of Planning and also with ANC and the
15 community, I think that they are sensitive to the surrounding
16 residential neighborhood. I don't think that the plan is
17 inconsistent with the comprehensive plane. Discussion?

18 Mr. Moulden, do you have some discussion? Your
19 mike is on.

20 MEMBER MOULDEN: No. I'm sorry.

21 CHAIRPERSON REID: Okay.

22 COMMISSIONER MITTEN: Madam Chair, I think on the
23 issue of not being inconsistent with the comprehensive plan, I
24 think everyone has taken some direction from the comprehensive
25 plan in just what you mentioned, which is the expressed desire and

1 priority to protect existing residential neighborhoods and then
2 the specific issues related to Foggy Bottom and George Washington.

3
4 We really haven't had this discussion yet about the
5 housing issue in the context of the campus plan. I think it is
6 only after that, and it will be in the context of that discussion,
7 that we decide individually how much of a priority that's going to
8 be.

9 I think clearly from the many sections of the
10 comprehensive plan that speak to this issue, this has to be a
11 priority in our deliberations about the housing issue. It is just
12 going to be a question of whether or not we really go far enough
13 to provide the kind of protections that the comprehensive plan is
14 urging us to provide.

15 At the moment given that we haven't really had that
16 substantive discussion, I think we definitely have the direction
17 and it is as you have presented it.

18 CHAIRPERSON REID: Thank you. You have a comment?

19 VICE CHAIRPERSON SOCKWELL: Basically one of the
20 issues that I brought up in the first hearing is still with regard
21 to perimeter development. Not necessarily just uses but, in
22 particular, the bulk that would be developed adjacent to the more
23 residential perimeter areas of the campus.
24 That and orientation of whatever is constructed are going to be
25 significant issues.

1 While the concept of bulk and use are one thing, it
2 would be further described and further dealt with under any
3 further processing which would be specific buildings to be
4 produced on the campus along the perimeter.

5 I think one of the issues is going to be how that
6 perimeter is sensitive to the adjacent community, i.e., is the
7 university's impact intended to minimize negative interaction or
8 to maximize university utilization without regard for the impact
9 on the adjacent community.

10 I think we will have to think about it certainly,
11 and yet it's a further processing issue undoubtedly because that
12 is when the physical structures come to light.

13 CHAIRPERSON REID: Okay. Thank you, Mr. Sockwell.

14
15 All right. Now, where are we?

16 MEMBER RENSHAW: Athletic and other recreational
17 facilities. We talked about that.

18 CHAIRPERSON REID: Yeah, we went over that. We
19 were down to comprehensive plan.

20 MEMBER RENSHAW: Comprehensive plan. And then
21 following that is, "Proposed buildings are within the floor area.

22 Limit for the campus as a whole." That would be just about the
23 last.

24 CHAIRPERSON REID: Okay. Now, what we need to do
25 is make sure that staff has the various questions and issues that

1 we'll need additional information on. Look through to make sure
2 that there are no other areas that we have overlooked.

3 COMMISSIONER MITTEN: Madam Chair, while it wasn't
4 a specific category that came up in the framework that we were
5 using, I think the issue that we have been putting off until the
6 end, the big issue is the issue of on-campus housing. I don't
7 know if that is something that you wanted to get into today or
8 reserve for the next deliberation.

9 CHAIRPERSON REID: No, I think we should address
10 it. If you have a question about it and if you want to bring it
11 up because everything today we want to make sure we include any
12 questions, any issues, so that when we meet the next time, we'll
13 have the information that we need to make a decision. This has
14 been basically a fact-finding working meeting today.

15 COMMISSIONER MITTEN: Did you want me to begin?

16 CHAIRPERSON REID: Yes, sure.

17 COMMISSIONER MITTEN: All right. Well, I guess I
18 would just like to generate some discussion. There have been a
19 lot of things that have been proposed about the way that we should
20 approach housing on campus.

21 I think first we need -- one of the issues that we
22 need to decide is going forward knowing that
23 -- well, going forward we need to decide what kind of requirement
24 for on-campus housing will eliminate the possibility that this
25 campus is going to create objectional conditions for the

1 surrounding community.

2 In terms of whether or not we make it a percentage
3 of full-time equivalent students or whether we make it a fixed
4 number of beds or something like that, we have to decide what is a
5 sufficient number or percentage of on-campus housing.

6 Then we have to decide if we are going to make it
7 strictly housing within the campus boundaries or are we going to
8 include some of these other areas that have been suggested in
9 terms of housing opportunity areas.

10 Then the third issue that has been proposed is
11 really focusing not on the campus itself but on the community
12 would be quantifying the number of students living in the
13 community and then providing some kind of protection for the
14 community going forward knowing that the situation would (a) not
15 be exacerbated, and (b) be somewhat alleviated in terms of the
16 concentration of students in the Foggy Bottom Community.

17 CHAIRPERSON REID: What we have to do is look at
18 section 210 again and decide whether or not the proposed on-campus
19 housing is adequate or objectionable or is it acceptable. And the
20 fact that the amount they propose to increase the on-campus
21 housing to.

22 Now, Ms. Mitten, when you get into the on-campus
23 housing, what you have to take into consideration is the fact that
24 what is being proposed is something that is predicated upon an
25 analysis and the requirements of the university that is consistent

1 with their capability.

2 I don't think that it would do well for us to pick
3 a number out of the air or to use a mathematical analysis that
4 would be something that would not be obtainable by the university.

5 When we proceed in this area, I think that we should proceed
6 rather cautiously to make sure are we asking something that is
7 within the realms of reality.

8 COMMISSIONER MITTEN: I wasn't suggesting that we
9 would do anything other than that.

10 CHAIRPERSON REID: Okay. So the proposed campus
11 plan includes 1,350 new on-campus beds potentially increasing on-
12 campus beds by 40 percent from 3,519 to 4,869. They also propose
13 to house freshmen and sophomores on campus except those who are
14 commuters and married and have children, so forth and so on, to be
15 implemented in the fall of the year 2001 and 2002 for freshmen and
16 sophomores.

17 Seventy percent of full-time undergraduates will be
18 housed in university housing by the end of 2005 toward a long-term
19 goal of housing and 80 percent of full-time undergraduates
20 university owned or controlled housing.

21 Last, to existing university owned apartment
22 buildings on campus will be dedicated and increasingly to student
23 housing as apartments become available. Now, is that not
24 acceptable? Is their proposal not acceptable? If it's not, then
25 what do we do?

1 COMMISSIONER MITTEN: Well, I mean, I think we need
2 to explore the things that you cited there. The first one is the
3 1,350 beds that have been proposed.

4 Now, I think there have been some modifications
5 made to some of these things.

6 For instance, the 1,350, as I understand it, is broken down as
7 follows: 500 beds on square 54.

8 The 500 beds on square 54 would either be built on
9 square 54 or an alternative site that would be selected but 500
10 beds is contingent on approval of the PUD for square 54 for
11 rezoning to C-3-C for commercial development of approximately
12 900,000 square feet of gross floor area, the university obtaining
13 the relevant permits to go forward with that development. There
14 is a contingency for those 500 beds.

15 CHAIRPERSON REID: Did it say 500 on 54 or
16 somewhere else?

17 COMMISSIONER MITTEN: On 54 or somewhere else but
18 the contingency doesn't change. The contingency for 500 beds is
19 related to the approval of the PUD on square 54.

20 CHAIRPERSON REID: Where are you reading from?

21 COMMISSIONER MITTEN: I have it in my notes. I
22 don't know what the source document is at this point.

23 CHAIRPERSON REID: Let's try to find it because I
24 think I need further clarification about -- no, that's not the one
25 I'm referring to. No, I want the one that Ms. Mitten has that

1 says 500 is contingent upon the square 54 being -- the approval of
2 square 54. But then she said it was there or elsewhere.

3 I think that where you're going with this from what
4 I'm hearing is that you're saying that if, in fact --

5 COMMISSIONER MITTEN: Madam Chair, I found it. I'm
6 sorry. I found it.

7 CHAIRPERSON REID: Okay. Where?

8 COMMISSIONER MITTEN: This is in the applicant's
9 Proposed Findings of Facts and Conclusions of Law.

10 CHAIRPERSON REID: Okay. What page?

11 COMMISSIONER MITTEN: Page 14. Actually, this is a
12 good place to be because it runs through each of the sites. Okay.

13 I don't know that I need to read this. Maybe everybody could
14 just read the paragraph under square 54 to themselves and then we
15 could talk about it.

16 CHAIRPERSON REID: Okay. That was my question. It
17 says, "University would have the option of building all the
18 portion of the 500 beds on square 54 or on alternate site on
19 campus."

20 COMMISSIONER MITTEN: Keep reading. My point is
21 what's next.

22 CHAIRPERSON REID: "Housing will be conditioned
23 upon the university plan approval of PUD along the development of
24 square 54." All right. Let's see here. I don't know. The way
25 I'm reading this it says before a development could be constructed

1 on square 54, the university must file for zoning approval to
2 construct the 500 beds on square 54. That's a given. They have
3 to do that.

4 Or on an alternative housing site prior to or
5 simultaneously with filing for the PUD. I'm reading that -- I
6 wasn't reading that to say that if they get the approval of the
7 PUD, there will be no 500 beds built anywhere. My understanding
8 of reading it is that if it's not there, it will go somewhere
9 else. They will be made available on campus.

10 COMMISSIONER MITTEN: There was pretty extensive
11 discussion about the contingency for these 500 beds. I mean, if
12 your understanding is that it's not contingent, then we could just
13 write it that way and there wouldn't be any question.

14 CHAIRPERSON REID: Why don't we ask.

15 COMMISSIONER MITTEN: That's fine.

16 CHAIRPERSON REID: Since we have all these other
17 things that we're dealing with today, ask them if the
18 interpretation of it is correct. I gleaned from this paragraph
19 that they have to get approval to build it on square 54.

20 If they don't get the approval to build on square
21 54, irrespective of that, that the 500 beds will go elsewhere on
22 campus. They mentioned the alternative housing site. I didn't
23 see that as being conditional or one having to do with the other.

24 COMMISSIONER MITTEN: I think that would be a good
25 point to get clarified because that's not my understanding.

1 CHAIRPERSON REID: Okay.

2 COMMISSIONER MITTEN: Then I guess just to go
3 further with running down the 1,350 beds that you had mentioned.
4 Now if you turn the page back to Proposed Findings of Facts and
5 Conclusions of Law on page 23. There are the two other squares.

6 The balance that we are working with now is 850
7 because we have a total of 1,350. We have discussed 500 so we're
8 working on 850 and trying to identify where those are targeted.
9 200 beds are to be located on square 103.

10 That is a noncontingent proposal for 200 beds.
11 Then the other 650 beds is again a conditional proposal and that
12 is discussed at the bottom of the page under square 80.

13 "The university would provide an additional 650
14 beds on square 80 upon the condition that the District of Columbia
15 transfer property ownership on that site to the university for
16 development." As we know, that's the site for the school without
17 walls.

18 Now, sort of a late breaking introduction into the
19 equation has been the final sentence under square 80 which is if
20 it's an noncontingent development, that it would be approximately
21 288 beds. That is relative to the 650.

22 What I read is being proposed as it relates to the
23 1,350 is it is 1,350 of which 1,150 are contingent, or a total of
24 488 noncontingent.

25 CHAIRPERSON REID: Okay. 650 if, in fact, they

1 have the transfer of the school without walls into the
2 development.

3 Then if the District of Columbia property is not
4 transferred to the university, GW will pursue in the alternative
5 the development of housing on property together with other
6 property that may be acquired on that square. The university
7 estimates that approximately 288 beds will be provided in this
8 alternative development.

9 Now, what's not clear is -- are you saying you
10 think it's either or? Either the 650 or the 288?

11 COMMISSIONER MITTEN: Yes, Madam Chair.

12 CHAIRPERSON REID: I'm not sure. I mean, it seems
13 strange to me that the university would offer 650 and then 288.
14 I'm not really sure. I guess it has to be interpreted by them.
15 I'm not sure if it's either or. We'll have to get a
16 clarification. If, in fact, that number goes down from 650 to
17 288, then you said 488? Where did you get that from?

18 COMMISSIONER MITTEN: Well, there's 200 beds being
19 proposed on square 103 without a contingency.

20 CHAIRPERSON REID: Oh, right. Okay. So are you
21 saying -- okay. We'll get clarification on that. Next question.

22 COMMISSIONER MITTEN: You had run down a list of
23 what the university had proposed and then said, well, is that not
24 acceptable so we were discussing the individual items. Now I've
25 lost track of what came after 1,350.

1 CHAIRPERSON REID: Oh, it was potentially
2 increasing on-campus beds by 40 percent from 3,519 to 4,869.

3 COMMISSIONER MITTEN: Okay. That's 1,350. That's
4 just an extension of the original thought.

5 CHAIRPERSON REID: 1,350.

6 COMMISSIONER MITTEN: The difference between those
7 two numbers, the 40 percent increase, is 1,350.

8 CHAIRPERSON REID: Oh, yes. I'm sorry. That was a
9 continuation. Basically they are identifying how that was going
10 to be achieved.

11 COMMISSIONER MITTEN: Yes.

12 CHAIRPERSON REID: Okay. And then freshmen and
13 sophomores will be housed on campus except those who can't
14 basically. Is there any disagreement or discussion about that? I
15 think that was the objective of the ANC and community.

16 Then all full-time undergraduates will be housed in
17 university housing by the end of 2005 toward a long-term goal of
18 housing 80 percent of full-time undergraduates in university owned
19 or controlled housing. Is that okay?

20 COMMISSIONER MITTEN: Well, Madam Chair, I think we
21 need to just explore exactly what that proposal entails which is
22 on page 24 of the Proposed Findings of Fact and Conclusions of
23 Law. This is under No. 5, "Minimum Housing Commitment for Full-
24 Time Undergraduates."

25 CHAIRPERSON REID: Wait a minute. I thought we

1 were talking now about --

2 COMMISSIONER MITTEN: The 70 percent. Right?

3 CHAIRPERSON REID: 70 percent to 80 percent.

4 COMMISSIONER MITTEN: Okay. What it says is, "The
5 university will pursue to the full extent of its authority the
6 approvals required for the housing identified in conditions 1A and
7 2 above." Just to review -- well, actually, those references must
8 be wrong because I think it must be 3A. It's No. 3 above I
9 assume. Maybe I'm reading the wrong place. I'm looking in the
10 wrong place. Just a second. I don't find conditions 1A and 2.

11 CHAIRPERSON REID: "The university will provide
12 housing in addition to the beds identified in petition 1 above in
13 the housing opportunity area."

14 COMMISSIONER MITTEN: We have to identify what
15 these conditions are supposed to be because I can't trace them
16 back through the document. But I guess the important part is they
17 are going to pursue these contingent developments that we
18 discussed in square 80 and square 54.

19 Then the operative sentence is, "So long as the
20 development of these housing facilities is not delayed by
21 circumstances beyond the university's control housing will be
22 provided in the housing opportunity area (which is bigger than the
23 campus) for a minimum of 70 percent of GW's Foggy Bottom full-time
24 undergraduate population by the end of the 5th year after the plan
25 is approved." The obligation to 70 percent is in itself

1 contingent.

2 CHAIRPERSON REID: Wait a minute. Why do you say
3 contingent?

4 COMMISSIONER MITTEN: I've just been informed that
5 the reference in the first line under No. 5 is supposed to be
6 condition 3A above. That was what we were discussing in terms of
7 the potential for the 1,350 beds. The 1,350 beds are contingent.

8
9 We talked about what they are contingent on. What
10 the university is saying is so long as the development of these
11 housing facilities is not delayed by circumstances beyond their
12 control.

13 I assume that if they are not approved, that the 70
14 percent commitment is eliminated as well because they are saying,
15 "Look, if you let us build 1,350 beds, then we can meet this
16 requirement. If we can't, then the commitment is not a valid
17 one."

18 CHAIRPERSON REID: You mean 1,350 or 500?

19 COMMISSIONER MITTEN: 1,350 is what's included in
20 3A. That includes square 103, square 80, and square 54.

21 CHAIRPERSON REID: Wait a minute. Where does it
22 say that?

23 COMMISSIONER MITTEN: It doesn't. Ms. Kress just
24 told me that there is a correction. There it says conditions 1A
25 and 2 above, it's supposed to say condition 3A.

1 CHAIRPERSON REID: All right. And this is housing
2 included on page 25? Is that what you are referring to?

3 COMMISSIONER MITTEN: I'm reading on
4 page --

5 CHAIRPERSON REID: 24 kicks you back to page 23.

6 COMMISSIONER MITTEN: Yes.

7 CHAIRPERSON REID: And then 3A is broken down by
8 the square 103, 180. This is confusing.

9 COMMISSIONER MITTEN: And square 54. In addition
10 to the 1,350 beds it says that the housing, the 70 percent minimum
11 is going to be provided in the "housing opportunity area" which
12 is, as I said, larger than the campus boundaries. The definition
13 of that has yet to be determined.

14 CHAIRPERSON REID: They define it right there in
15 the next paragraph.

16 COMMISSIONER MITTEN: That's their definition. The
17 planning head suggested an alternative definition.

18 CHAIRPERSON REID: Oh, you mean to be determined --

19 COMMISSIONER MITTEN: By us.

20 CHAIRPERSON REID: Yeah. Okay. Now, you're saying
21 -- what you're contending is that when you read over to page 24
22 regarding conditions 1A and 2 above.

23 COMMISSIONER MITTEN: Which should say 3A.

24 CHAIRPERSON REID: I'm sorry, 3A. Is it 3A and B?

25 COMMISSIONER MITTEN: It's just 3A. B doesn't

1 really relate to this.

2 CHAIRPERSON REID: Where is the 2?

3 COMMISSIONER MITTEN: Pardon me?

4 CHAIRPERSON REID: It's just 3A?

5 COMMISSIONER MITTEN: Take out 1A and 2 and replace
6 it with 3A.

7 CHAIRPERSON REID: Okay. Again, I don't know what
8 they're saying. What I gleaned from your conversation is you're
9 saying that you think that once you go to this particular referral
10 to 3A, then that nullifies the proposal for the 1,350 beds?

11 COMMISSIONER MITTEN: No, Madam Chair. What I'm
12 saying is we were specifically discussing the university's
13 commitment to house 70 percent of the full-time undergraduate
14 students on campus or to house 70 percent of them.

15 They are proposing, (a) that be within a defined
16 housing opportunity area, and (b) their ability to accommodate
17 what they are proposing is contingent upon receiving approvals for
18 the 1,350 beds that are described in detail.

19 CHAIRPERSON REID: That's what I'm asking. My
20 question was if, in fact, we look at this particular reference to
21 conditions 3A which conditions whether or not the beds will be --
22 not the 200 but I guess it's the --

23 COMMISSIONER MITTEN: The 650 and the 500.

24 CHAIRPERSON REID: The 1,150?

25 COMMISSIONER MITTEN: Yes.

1 CHAIRPERSON REID: That nullifies the proposal to
2 do that because if they cannot do it, then the aspect of the 70
3 percent becomes moot.

4 COMMISSIONER MITTEN: That's exactly right.

5 CHAIRPERSON REID: Okay. Again, let's get some
6 clarification because I can't answer that. Next issue.

7 COMMISSIONER MITTEN: Was that the end of the list?
8 You had read a list of things that had been proposed and I'm not
9 sure that was the end of it.

10 CHAIRPERSON REID: I was at the 70 percent and then
11 toward a long-term goal of 80 percent. Then the last one was,
12 "Two existing university owned apartment buildings on campus will
13 be dedicated increasingly to student housing as apartments become
14 available."

15 COMMISSIONER MITTEN: That's already included.
16 That was included in the original plan for transitioning the west
17 end apartments and 2109 F Street.

18 CHAIRPERSON REID: Does it stipulate that it would
19 be dedicated increasingly to student housing as the apartments
20 became vacated?

21 COMMISSIONER MITTEN: Yes, but the ability to
22 quantify what that will be is dependent -- you know, to determine
23 how many of those beds will be available at a given point in time
24 is not really within the control of the university because it
25 requires people to move out.

1 It requires people who are currently nonstudents to
2 vacate apartments that then students can be cycled into so they
3 don't have the control of when those people would --

4 CHAIRPERSON REID: Basically what they are
5 proffering to us is that they will use those apartment buildings
6 to further provide student housing as those apartments become
7 available. We don't know when that is going to happen but,
8 nonetheless, that is another vehicle for providing housing, I
9 think, on-campus housing.

10 COMMISSIONER MITTEN: Yes, Madam Chair.

11 CHAIRPERSON REID: All right. Now, was there
12 another one? Do you want to get into the defining the housing
13 opportunity area?

14 COMMISSIONER MITTEN: Well --

15 CHAIRPERSON REID: That's kind of hard.

16 COMMISSIONER MITTEN: Well, I think we could do
17 that or we could deal with the issue of the students living in
18 Foggy Bottom and the notion that has been put forward by the
19 office of planning that we should be working in some way and we
20 could do that in a number of different -- along a number of
21 different courses of action to maintain and prospectively decrease
22 the number of students living in the foggy bottom area.

23 One of the things that needs to be done early on,
24 and I don't think anyone has a problem with this, I think the
25 community endorses it, the Office of Planning, and the university

1 as well, is collecting the information about where the
2 undergraduates are living.

3 I think we have no disagreement about getting the
4 information. It's a question of what do we do with it and when
5 are we going to do something with it. Are we going to attempt to
6 tie something in the plan to the concentration of students in
7 Foggy Bottom. Are we going to use that as a tool for evaluation
8 in the future and so on.

9 Then along the lines of what has been proposed by
10 the university in terms of housing 70 percent of the
11 undergraduates somewhere whether it's a housing opportunity area
12 on campus or whatever, we need to examine that issue in light of
13 if we have unrestricted undergraduate enrollment, then that could
14 be a substantial increase in students.

15 Or do we want to have a fixed number of beds that
16 are required and somehow couple that either with a percentage or
17 with a cap on undergraduate enrollment.

18 CHAIRPERSON REID: I don't know if we should get
19 into exploring the cap on the enrollment. I think that we talked
20 about that already. The enrollment right now is 20,000.

21 COMMISSIONER MITTEN: That's the headcount.

22 CHAIRPERSON REID: Now you're saying that you want
23 to further define that by what?

24 COMMISSIONER MITTEN: No. I'm saying that we need
25 to discuss whether or not in trying to deal with the issue of

1 making certain that there are not further encroachments into the
2 residential uses in Foggy Bottom, do we want to use beds on campus
3 as the soft cap coupled with some kind of percentage requirement.

4 That's what had been discussed.

5 What has also been discussed is the idea of 70
6 percent of existing enrollment plus a one to one requirement for
7 any additional students that there would be one bed provided for
8 every additional student above the existing enrollment. Or, I
9 mean, there's a lot of different ways to approach the problem.
10 I'm just trying to put what has been suggested out in front of
11 everybody.

12 CHAIRPERSON REID: Well, here is where I'm a little
13 confused, Ms. Mitten. I thought that we were approaching this as
14 trying to find the housing opportunity area. All right? Now does
15 that relate to the number of beds?

16 COMMISSIONER MITTEN: Well, I think the idea is
17 that in any requirement there's going to be a requirement and it's
18 either going to be a percentage requirement or there's going to be
19 a flat-out number of beds required for full-time undergraduates.
20 Okay?

21 Now, it's a question of 70 percent of something or
22 80 percent of something or a fixed number of beds and they are
23 going to be located some place. Some place can be within the
24 campus boundaries or some place could be within the housing
25 opportunity area which would be the campus boundaries plus other

1 sites that would be identified.

2 I think we need to -- we can discuss the housing
3 opportunity area now if you would like but I think we need to keep
4 in mind that the purpose of designating the housing opportunity
5 area is because that's where the beds are going to be.

6 Whatever kind of caps or restrictions or
7 requirements, minimums we are going to establish, it's going to be
8 within the boundaries of the housing opportunity area or on campus
9 to the extent that those are different.

10 CHAIRPERSON REID: Again, why not just define the
11 housing opportunity areas and then go into trying to determine the
12 number of beds and allocating which beds to which areas. I think
13 the approach would be to first try to define the housing
14 opportunity area.

15 COMMISSIONER MITTEN: Okay. I was just trying to
16 say what the -- I don't disagree with you.

17 CHAIRPERSON REID: The parameters. I
18 mean --

19 COMMISSIONER MITTEN: I understand. When we define
20 the housing opportunity area, we are defining that because it's of
21 significance and I was just trying to convey the significance of
22 it. What does it mean to do that.

23 CHAIRPERSON REID: Okay. The university said all
24 areas on campus. Do we disagree with that?

25 COMMISSIONER MITTEN: No.

1 CHAIRPERSON REID: All right. Then they say
2 existing off-campus residential facilities owned or controlled by
3 GWU as of November 8 of the year 2000. Do we disagree with that?

4 VICE CHAIRPERSON SOCKWELL: No.

5 CHAIRPERSON REID: Okay.

6 COMMISSIONER MITTEN: Wait. Excuse me.

7 CHAIRPERSON REID: Existing off-campus residential
8 facilities owned or controlled by GWU as of November 8th, 2000.

9 COMMISSIONER MITTEN: Okay. Now, there's a whole
10 lot of uncertainty about what that means. We have identified for
11 us -- if you could bear with me, I'll tell you exactly. There are
12 four sites that have been specifically identified for us by the
13 applicant as where there are currently approximately 950 resident
14 student beds provided outside the campus plan boundaries.

15 I think it would behoove us to speak specifically
16 about which facilities we're talking about if we are going to be
17 designating areas off campus. The definition of existing off-
18 campus residential facilities owned or controlled by GW, we really
19 don't even know what they control.

20 If we deal specifically with properties that we
21 know are functioning as dormitories, I think that would be helpful
22 and I can identify the four that they identified if you would
23 like.

24 CHAIRPERSON REID: Okay.

25 COMMISSIONER MITTEN: They are the Dakota which is

1 at 2100 F Street, Riverside Towers which is at 2201 Virginia
2 Avenue, the Aston which is at 1129 New Hampshire Avenue, and the
3 HOVA or the Hall on Virginia Avenue which is at 2601 Virginia
4 Avenue.

5 CHAIRPERSON REID: What was the last one?

6 COMMISSIONER MITTEN: HOVA, Hall on Virginia
7 Avenue, former Howard Johnsons.

8 CHAIRPERSON REID: Okay.

9 COMMISSIONER MITTEN: I think that --

10 CHAIRPERSON REID: Okay. Now, identify the square
11 based on these facilities that you just mentioned.

12 COMMISSIONER MITTEN: Okay. The Dakota is in
13 square 81. Riverside Towers is in square 58. The Aston is in
14 square 72. And HOVA is in square 6. I'll just reiterate that
15 these are all outside the campus boundaries as they currently
16 exist.

17 CHAIRPERSON REID: Okay. Now, the university did
18 not identify 72 or 6.

19 COMMISSIONER MITTEN: They did not identify --

20 CHAIRPERSON REID: They refer to "existing off-
21 campus residential facilities owned or controlled by GW." Then is
22 says, "Properties located in squares 43, 58, 80, and 122." Now,
23 is that exclusive? I guess it would have to be exclusive of ones
24 at 72 and 76.

25 COMMISSIONER MITTEN: Madam Chair, I think that the

1 four buildings that I just identified for you would fall under No.
2 in the university's thing.

3 CHAIRPERSON REID: Oh, okay.

4 COMMISSIONER MITTEN: In No. 3 there are sites that
5 are controlled and not yet -- well, we can run through them.
6 Square 43 is where all those townhouses got knocked down. That's
7 planned for a dormitory that will contain, I think, 350 beds.
8 I'll tell you precisely in a minute. Yeah, 350 beds.

9 Then squares 58 and 81 we had something in our
10 final packet of information that had some yellow on it, a little
11 plat. I'll show you. If anybody finds it first, help me out.
12 That's it.

13 This is describing what I believe are the
14 additional properties. I show that what is shaded is what GW owns
15 so they are showing in square 58, for instance, Riverside Towers.
16 But then there's some other property that they own in square 58.
17 Then in square 81 they own some property there. I guess they are
18 just wanting that to be included.

19 The university is proposing that be included in the
20 housing opportunity area. Then in square 122, which is the
21 associated general contractor site, there is some number of beds
22 I've lost track of that are proposed to be included on that site.

23
24 That's 200 beds that are proposed for inclusion on
25 the AGC site. That's how No. 3 and the properties included in No.

1 3 differ from No. 2, I believe. Then the final category sort of
2 speaks for itself.

3 CHAIRPERSON REID: Okay. Now, that differs from
4 the Office of Planning which says existing facilities, properties
5 currently owned by GWU on squares 43 and 122. They only mention
6 two of the squares.

7 COMMISSIONER MITTEN: Correct.

8 CHAIRPERSON REID: Any property located within the
9 campus plan boundary. Okay. So the difference is -- wait a
10 minute.

11 COMMISSIONER MITTEN: I would say there are two
12 differences. One is that the Office of Planning is not including
13 the properties in squares 58 or 81 that are currently owned by the
14 university.

15 In fact, maybe I should just modify what I just
16 said which is the proposal from the university is not that it is
17 properties that are currently owned by the university located in
18 squares 43, 58, 81, and 122, but it's properties in those squares.

19
20 You have the potential of creating additional
21 demand by the university for properties in those squares because
22 those would be places for them to put housing. I think we just
23 need to be cognizant of that if we decide to include those
24 squares. Those two squares are not included.

25 Then the property located outside of the Foggy

1 Bottom area is what has been proposed by the university but not
2 included by the Office of Planning. I think this is important
3 because I think the notion behind having some housing requirement
4 is that we are trying to achieve a concentration of undergraduates
5 in a particular location.

6 Well, there's two things. We are either trying to
7 achieve a concentration in a particular defined location, or we
8 are trying to eliminate a concentration in another location. What
9 the university is saying is that we are either going to
10 concentrate them on campus in our existing facilities.

11 These other four squares as we have identified that
12 basically about the campus, or we are going to within the 70
13 percent that we are suggesting, that's going to be everywhere else
14 except Foggy Bottom. That's a significant difference.

15 CHAIRPERSON REID: Okay. I think, again, Ms.
16 Mitten, that the 70 percent is not germane until we get a
17 clarification on the other question that we had regarding the
18 contingency issue with the number of beds. Is it not?

19 COMMISSIONER MITTEN: Yeah. I guess the only
20 reason I mentioned it is it goes back to some clarity I had tried
21 to add which was when we are defining the housing opportunity
22 area, we are doing that toward some end and the end is we are
23 either -- well, the end is that we are either going to say --
24 well, we are going to say that's where we want to have x number of
25 beds.

1 Either x number of beds or some percentage of beds.

2 I think that is relevant as to whether or not you are going to
3 include in that area places completely outside of the community.

4 CHAIRPERSON REID: Well, here's my thought about
5 that. Okay. What the university is proposing includes two more
6 squares than the ones that the Office of Planning proposes.

7 Now, if you are going to relate that to the 70
8 percent rule, then it appears to me that the number that the
9 university can provide is going to be determined on what they are
10 suggesting to us to be located in the housing opportunity area.

11 It would take away two of the proposed squares.
12 Doesn't that eliminate on its face some of the beds that they are
13 proposing within the housing opportunity area?

14 COMMISSIONER MITTEN: It doesn't eliminate on its
15 face the beds. It eliminates some of the potential areas where
16 they could locate those beds.

17 CHAIRPERSON REID: We're not saying the same
18 thing? What are you saying? If you don't have the squares, how
19 can you propose to locate anything on them?

20 COMMISSIONER MITTEN: Well, they can continue to do
21 whatever they are permitted to do by right. It's a question of
22 whether or not -- you see, if we put a property in the housing
23 opportunity area, we are effectively providing -- we are providing
24 some incentive for them to put housing there. Right now they have
25 their own reasons for where they put housing.

1 We're going to give them a new reason to put
2 housing in certain places. We have to decide if we give them a
3 reason to put housing on square 58, if we give them a reason to
4 put housing on square 81, is that accomplishing what we want to
5 accomplish?

6 CHAIRPERSON REID: Wait a minute. Don't they
7 already have student housing there on both 81 and 58?

8 COMMISSIONER MITTEN: They have it on square 58 and
9 Riverside Towers and on 81.

10 VICE CHAIRPERSON SOCKWELL: The Dakota.

11 COMMISSIONER MITTEN: The Dakota. Okay. There's a
12 lot more property on square 81 than just the Dakota. That's a big
13 square. What I'm saying --

14 CHAIRPERSON REID: So what you're saying is you
15 think that will allow them to be more invasive into those
16 particular squares taking other properties? Is that where you're
17 going with this?

18 COMMISSIONER MITTEN: Well, I think there is the
19 potential for that. I'll just go back, if I could, to the map
20 which is --

21 CHAIRPERSON REID: Which map?

22 COMMISSIONER MITTEN: You can pick a map.

23 CHAIRPERSON REID: Land use map?

24 COMMISSIONER MITTEN: How about Figure D.

25 CHAIRPERSON REID: Okay.

1 COMMISSIONER MITTEN: So on Figure D we had talked
2 about the issue of the core and my notion that the core is moving
3 south. What you're effectively doing if you are providing any
4 kind of incentive for the university to build additional dormitory
5 space in square 58 and square 81 is you are pushing the campus
6 further to the south. I think that (a) we probably don't need to
7 do that, and (b) you have to recognize that there is an
8 implication.

9 One of the big issues that has been raised both by
10 the community and the office of planning is this idea of
11 displacement of existing residential uses. You are going to be
12 providing an incentive for that to continue if you include those
13 specific properties in the housing opportunity area.

14 CHAIRPERSON REID: Okay. So you're saying that you
15 feel to include those two squares would allow for further invasion
16 of the university into the Foggy Bottom area. When the university
17 proposes 1581, you want some further clarification that they mean
18 something to exceed the already existing buildings that they have
19 there.

20 COMMISSIONER MITTEN: Yes, because I think that if
21 they didn't mean something in excess of the buildings they already
22 have there then -- because the buildings they already have there
23 would be included in No. 2, what they propose for housing
24 opportunity areas. They are clearly including something else.

25 CHAIRPERSON REID: Again, we don't know so that's

1 another area for clarification.

2 COMMISSIONER MITTEN: That's fine.

3 VICE CHAIRPERSON SOCKWELL: Madam Chair, as well
4 the No. 4 property is located outside the Foggy Bottom area which
5 is loosely defined as anything that is outside of this specific
6 designation that they provided may or may not be a factor that we
7 should look at in that it could impact the need for on-campus
8 parking because it sort of leaves the entire rest of the city
9 available for housing.

10 That would mean that students could be far removed
11 from the campus area. If classes are conducted at the campus,
12 those people would either use public transportation or some other
13 form of transportation to arrive at the campus.

14 There is no specification of the potential impacts
15 of that. Nor has there been, I think, with any other campus plans
16 but in this particular case, the parking issue seems to be one of
17 the principal ones and we should at least consider the
18 implications.

19 COMMISSIONER MITTEN: Madam Chair, I think Mr.
20 Sockwell raises a good point. I think that it also points up the
21 sort of dual objectives that we are trying to accomplish which I
22 had mentioned earlier.

23 One is we are trying to concentrate the students in
24 a particular area. That is one objective. The other objective is
25 we are trying to deconcentrate another area which is the Foggy

1 Bottom residential community.

2 I think we have to keep in mind how desirable it is
3 on many levels that these students be concentrated on the campus.

4 I say that because of the issue that Mr. Sockwell raised related
5 to parking and related to traffic because it was raised in the
6 discussion about first year universities and their ability to
7 build community among the students and to create an identity and
8 so on. It was raised as an issue of control of student behavior
9 that they be located on campus.

10 Then it's a whole question of efficiency of
11 facilities. The university has said that they would provide
12 shuttle buses if there were concentrated students elsewhere.
13 Well, what would be preferable utilization of their transportation
14 money would be not to be bussing students to the campus from other
15 places but to have the students already there.

16 I think there is a lot of reasons that compel us to
17 find ways to concentrate the students on the campus and not to
18 allow a sort of default mechanism that gets them out of Foggy
19 Bottom but doesn't really solve these other issues that really
20 recommend the concentration.

21 VICE CHAIRPERSON SOCKWELL: If I can say, Madam
22 Chair, what might not be something that we can actually scope into
23 this is the fact that there is a potential for the development of
24 group house type communities around dormitory facilities that
25 might be remote from the campus, yet would be concentrations of

1 students.

2 MEMBER RENSHAW: Madam Chair?

3 CHAIRPERSON REID: Yes.

4 MEMBER RENSHAW: I would like to ask for some
5 clarification on this square 80 since we're talking about on
6 campus housing. On page 23 it sites, as we have said, an
7 additional 650 beds on square 80 conditional, though, that --

8 CHAIRPERSON REID: What page?

9 MEMBER RENSHAW: Page 20.

10 CHAIRPERSON REID: The full finding?

11 MEMBER RENSHAW: Yes. Dated November 14.
12 Contingent upon DC transferring property it owns to the
13 university. Then it drops down to if it doesn't get that property
14 288 beds would be provided in this alternative development. That
15 is a difference of 362 beds. So I would like to ask for some
16 clarification as to whether or not that property is going to be
17 transferred if the university can provide that information.

18 CHAIRPERSON REID: You mean the school without
19 walls?

20 MEMBER RENSHAW: Yes, the school without walls.

21 CHAIRPERSON REID: Ms. Renshaw, we've already
22 addressed that earlier.

23 MEMBER RENSHAW: Are we coming back to it?

24 CHAIRPERSON REID: No. We asked for that already.

25 MEMBER RENSHAW: You have asked for information as

1 clarification as to the status?

2 CHAIRPERSON REID: Yes.

3 MEMBER RENSHAW: That's good and I underscore that
4 then.

5 CHAIRPERSON REID: Thank you. Okay. Now, getting
6 back to this housing opportunity area, I think that there is a lot
7 of speculation as to the intent of some of the things that have
8 been proffered to us by the applicant. As such, those areas have
9 to be clarified.

10 However, I also wish to caution that we as a board
11 can expect some degree of reasonableness and we can apply that
12 doctrine to this particular proceeding.

13 However, when you get into the micro-management of
14 the campus plan itself to the extent that you start to whittle
15 away at some of the concessions that have been proposed by the
16 applicant to mitigate or offset some of the possible adverse
17 impact and we then start to in effect decrease -- I think we start
18 to decrease some of our effectiveness.

19 I think what we want to do is to see if, in fact,
20 for example, the area that is proposed as the housing opportunity
21 area seems to meet or to effectively mitigate some of the adverse
22 impact as though we could second guess what the intent was and why
23 they are doing it. Are they proposing things that they are
24 proposing in this particular area and what it consist of and what
25 more there is to it.

1 I think what we are trying to do now is scratch
2 below the surface and trying to second guess what the intention of
3 the applicant is here. Again, if, in fact, the intention is to
4 try to have most of the residential dormitory and a core of the
5 university, okay, that's well and good.

6 However, be mindful of the fact that the
7 practicality of it always may not be doable and we have to
8 consider that. I think that asking for clarification as to
9 rationale or reasoning behind some of the things that they are
10 suggesting to us goes a long ways for us being able to make a
11 decision that is based in some type of reality rather than just
12 arbitrarily picking out things and having them changed.

13 All right. Now, we need a clarification as to
14 those issues regarding square 58 and 81. Then the only other
15 thing was the property located outside of the Foggy Bottom area,
16 those areas bounded by 19th Street, E Street, Rockcreek Park, and
17 Pennsylvania Avenue, not including the housing opportunity area.

18 Now, wait a minute. Let's go back here. Wait a
19 second. The university defines housing opportunity area as, No.
20 4, property located outside the Foggy Bottom area; that is, the
21 area bounded by 19th Street, E Street, Rockcreek Park, but not
22 including the housing opportunity area. Am I reading that wrong?

23 COMMISSIONER MITTEN: No, you're reading it right
24 but let's maybe go to the --

25 CHAIRPERSON REID: Wait one second. These are

1 areas outside the housing opportunity area. Is that what they're
2 saying? No. 4 on page 5 of the Proposed Findings. I'm sorry.
3 It's page 5 of the corporation council submission to us.

4 MS. NAGELHOUT: It's page 25 of the applicant's
5 findings of fact.

6 CHAIRPERSON REID: No, page 5 of the corporation
7 council.

8 MS. NAGELHOUT: It's the same thing. That's where
9 I got it from.

10 CHAIRPERSON REID: Yes. I'm sorry. That's what I
11 was about to say. That was reiterating what had been submitted in
12 the Proposed Findings of Fact. Basically this is saying areas
13 that are other areas beyond the housing opportunity area.

14 How can that be? This is the housing opportunity
15 area. Then it says the property is located outside of Foggy
16 Bottom area that is not included in the housing opportunity area.
17 That would be the housing opportunity area?

18 VICE CHAIRPERSON SOCKWELL: Well, what it's saying
19 is that there is a housing opportunity area defined within the
20 campus. Then there's the Foggy Bottom area which has specific
21 locations which are owned by the university and used for housing.
22 This is everywhere else but outside of the Foggy Bottom.

23 COMMISSIONER MITTEN: Madam Chair, if I could --

24 CHAIRPERSON REID: That's saying everywhere else
25 the way I'm reading it.

1 COMMISSIONER MITTEN: The definition of the housing
2 opportunity area in the Applicant's Proposed Findings of Fact and
3 Conclusions of Law might be a good reference.

4 CHAIRPERSON REID: That's on page 24?

5 COMMISSIONER MITTEN: At the bottom of page 24. So
6 it's all areas on campus --

7 CHAIRPERSON REID: What number is that?

8 COMMISSIONER MITTEN: It's at the very last
9 paragraph.

10 CHAIRPERSON REID: Okay. Last paragraph.

11 COMMISSIONER MITTEN: Existing university
12 residential facilities off campus as of November 8, which existing
13 university residential facilities is open to some interpretation,
14 owned or controlled. We would have to clarify that.

15 Properties located in square 43, 58, 81, and 122,
16 as we had discussed. Then 4, properties located outside of the
17 "Foggy Bottom area" as defined below.

18 That is their definition of housing opportunity
19 area so they are suggesting that they should be able to meet their
20 70 percent requirement by housing students among other places
21 outside of Foggy Bottom off the campus in another neighborhood.
22 They should be able to meet their minimum that way.

23 CHAIRPERSON REID: Wait a minute. That's what I
24 was asking. Are we all reading this the same way that it's saying
25 everywhere else?

1 COMMISSIONER MITTEN: Yes.

2 VICE CHAIRPERSON SOCKWELL: Yes.

3 CHAIRPERSON REID: That doesn't make a lot of
4 sense. Can we get a clarification on that as well? Why have a
5 housing opportunity area and then indicate therein that it's
6 everything inside and everything outside, too.

7 VICE CHAIRPERSON SOCKWELL: I think there is a
8 closed-in area that includes the campus and other properties
9 within Foggy Bottom. Then there is the potential for developing
10 housing throughout the city outside of Foggy Bottom.

11 They are sort of saying it in a more specific than
12 general manner. The idea is that even in the community's
13 testimony there has been discussion of housing outside of the area
14 not impacting Foggy Bottom.

15 CHAIRPERSON REID: So anywhere in Washington where
16 there is housing that is provided.

17 VICE CHAIRPERSON SOCKWELL: Which is available for
18 housing. Where there is space available for housing they could
19 develop a portion of their --

20 CHAIRPERSON REID: And that would be included in
21 the larger housing opportunity area.

22 VICE CHAIRPERSON SOCKWELL: Right.

23 CHAIRPERSON REID: Okay, I think. Okay. I would
24 like clarification on that. I mean, we are now interpreting it
25 literally, I think, that anywhere they have housing would be

1 included in the housing opportunity area.

2 VICE CHAIRPERSON SOCKWELL: Yeah.

3 COMMISSIONER MITTEN: Madam Chair, you're right.
4 It's like you could take the whole city and then just X out Foggy
5 Bottom and then everything else would be included. Most of the
6 city would be included and a very small part of Foggy Bottom.

7 CHAIRPERSON REID: No, that's not the way I was
8 interpreting it. I was interpreting it as being that is specified
9 and then beyond the Foggy Bottom area there is housing over on
10 Dupont Circle and housing all over Wootley Park or Adams Morgan.

11 COMMISSIONER MITTEN: Right.

12 CHAIRPERSON REID: Wherever the housing is located
13 for GW students would be included in the housing opportunity area.

14 VICE CHAIRPERSON SOCKWELL: Right.

15 COMMISSIONER MITTEN: Correct.

16 CHAIRPERSON REID: All right. Now, I think under
17 that category that was the last item. Is there another item that
18 we need to address? Another issue or another question that we
19 need to address today? If you don't have anything, I do.

20 This is in regard to that I had asked for
21 information from the Office of Planning and I was going to try to
22 muddle through it because I thought we were going to be able to
23 conclude today, but since we're not able to do that, then my
24 question to them is I had asked for a chart that would explain the
25 expansion of George Washington University in Foggy Bottom.

1 What I got was a chart that came from the D.C.
2 assessment directory which really does not answer my question in
3 that it is not as conclusive as I would like for it to be. For
4 example, it has at the bottom the dates. It gives the dates but
5 these dates are not in equal increments that would show me clearly
6 how the university has expanded.

7 I want to know also if it was expansion -- if this
8 is expansion into the Foggy Bottom area or just expansion within
9 the George Washington campus boundaries. I want to know the
10 expansion over time of the university into Foggy Bottom, not in
11 the campus boundaries but outside of the campus boundaries.

12 This is the issue that is causing so much
13 consternation in the community. I want to see the percentage or
14 square footage over time of how it has expanded in equal yearly
15 increments.

16 I don't want something that is a copy of another
17 type of report because the report that it came from is for another
18 purpose so it doesn't serve this purpose adequately for us to be
19 able to glean what we are talking about. The problem is the issue
20 of the invasiveness of the university. The perceived invasiveness
21 of the university.

22 Then it gives me another chart that gives the
23 George Washington percentage ownership of Foggy Bottom. Now, I
24 need to know again off campus, not just the properties that are --
25 I don't want to know the ownership of GW. I want to know the

1 ownership of the properties outside of GW, the GW boundary. Also
2 I want the years to be in equal increments.

3 The last column in both of these charts has an area
4 that is referenced with an asterisk. Then you look at the legend
5 and it says, "Actual acquisition date unknown." That means
6 absolutely nothing. It shows basically at the end an upturn which
7 may not be accurate.

8 I don't want to see a grey area that is not defined
9 as to what, in fact, it is referring to. It's saying actual
10 acquisition date unknown. That does not mean a lot. Anything
11 that is not reflected already should not be on this chart because
12 it doesn't tell us anything.

13 For example, the last column on the one that has
14 the university expansion -- I don't know if it's in boundary or
15 out of boundary -- shows expansion up to square footage of almost
16 -- let's see, maybe it's 1,300,000. Then it jumps up to
17 1,600,000. I don't know what that means.

18 I need to have something that is more definitive
19 that gives me clearly an idea as to what we're looking at and
20 what, in fact, we're talking about. I suspect since they did
21 attach a map that they are talking about within the boundaries of
22 GW and that's not the objective.

23 We need to be able to look at it as it pertains to
24 areas in Foggy Bottom. Also a clear and concise chart that you
25 can do very easily on MicroSoft that doesn't take a lot to do it.

1 A graph.

2 Okay. That's the only other thing I had.

3 Questions?

4 MEMBER RENSHAW: Are you including Westend in that?

5 CHAIRPERSON REID: Um, good question. Why do you
6 ask?

7 MEMBER RENSHAW: Because there was some discussion
8 in our material about Foggy Bottom alone or Foggy Bottom - or /
9 Westend.

10 CHAIRPERSON REID: I saw that. That's why I'm
11 asking --

12 MEMBER RENSHAW: Why not take, I would say, the
13 overall area of Foggy Bottom / or - Westend.

14 CHAIRPERSON REID: Yeah. Do we have a definition?
15 Also do we have -- can we have people come in from Westend as
16 well who testified?

17 MEMBER RENSHAW: Yes.

18 CHAIRPERSON REID: Okay. Then yes. I wasn't sure.
19 I mean, Foggy Bottom -- the reason why I was asking is because
20 some people include Westend as part of Foggy Bottom. They kind of
21 like mesh them together so I wasn't sure.

22 MEMBER RENSHAW: Foggy Bottom/Westend.

23 CHAIRPERSON REID: Foggy Bottom separately and
24 Westend separately or both of them together?

25 MEMBER RENSHAW: Both together.

1 CHAIRPERSON REID: Okay. Foggy Bottom and Westend.

2 VICE CHAIRPERSON SOCKWELL: You want the properties
3 broken down by use?

4 CHAIRPERSON REID: Use is --

5 VICE CHAIRPERSON SOCKWELL: You're saying owned by
6 but they may not be university purpose.

7 CHAIRPERSON REID: Like what?

8 VICE CHAIRPERSON SOCKWELL: I don't know. Office
9 buildings.

10 CHAIRPERSON REID: Investment?

11 VICE CHAIRPERSON SOCKWELL: Yes. You want
12 investment properties as well as campus?

13 (Whereupon, off the record.)

14 CHAIRPERSON REID: We're going to get some
15 clarification from the Office of Planning specifically as to what,
16 in fact, these charts are telling us because it's not clear and
17 we'll do that after we adjourn.

18 Now, we need to look at the timelines. Ms. Kress,
19 do you have that? Also, the issues that will have to be addressed
20 in the interim.

21 DIRECTOR KRESS: I might start by talking to the
22 issues. Staff has been taking copious notes but I can tell you we
23 would feel a lot more comfortable -- we'll get it out in draft but
24 we would feel more comfortable being able to review the
25 transcripts because it was a rather long day and some of these

1 issues are rather complicated.

2 I did speak with Andy Altman and the staff at OP
3 because I had also heard from the board members they felt they
4 needed some additional input from Office of Planning.

5 Andy Altman suggested to me the middle of February.

6 I know that earlier today the applicant felt very strongly to
7 have it as fast as they could. Of course, that was prior to this
8 afternoon and the additional information.

9 Considering all of that, what staff is suggesting
10 is that the transcripts will take about two weeks to get here and
11 I think everybody, OP, needs access to the transcripts. That gets
12 us to about the 29th of December.

13 What we're suggesting since the applicant said they
14 could do it quickly is that the applicant's submission come in by
15 the 12th of January and that the responses of the parties and the
16 OP report come in by the 25th of January, that revised findings of
17 fact come in by the 31st of January, and that the decision be made
18 at the regular Tuesday morning meeting on February 6th.

19 CHAIRPERSON REID: All right. Is that it?
20 Anything else? If there is nothing else, that will conclude
21 today's deliberation. We will reconvene to hopefully bring some
22 closure to this and come up with a decision on February 6th.

23 In the interim, because we have some more time, it
24 would be great if both the applicant and the opposition can
25 continue to try to reconcile differences and try to meet and come

1 up with a closer meeting of the minds in addition to the things we
2 talked about today.

3 Given the information that we requested, that
4 should give further clarification to most people predicated upon
5 the questions and then the answers. Maybe that will give an
6 opportunity -- there's a light at the end of this tunnel for there
7 to be some resolution to this case. Thank you very much.

8 (Whereupon, at 5:07 p.m. the meeting was
9 adjourned.)