

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 10-32
Z.C. Case No. 10-32
Georgetown University
(2010-2017 Campus Plan)
July 16 2012

Application of President and Directors of Georgetown College (“University”), pursuant to 11 DCMR § 3104.1, for a special exception for the review and approval of the Georgetown University Campus Plan - 2010-2017¹ under § 210 and for further processing approval of an addition to the Leavey Center in the R-3 and C-1 Zone Districts at premises bounded by Glover Archbold Parkway to the west, the National Park Service property along the Chesapeake & Ohio Canal and Canal Road to the south, 35th Street, N Street to 36th Street, and 36th Street to P Street to the east and Reservoir Road to the north (Square 1222, Lots 62, 801, and 802; Square 1223, Lots 62, part of 65, part of 66, part of 67, 86, 807-810, 812, 815, 826-827, 831, 834, 843, 846-847, 852-853, 855, and 857-858; Square 1226, Lots 94-101, 105-107, 803-804, 806, and 811-815; Square 1248, Lots 150-157, 160-162, 800-802, 804, 806, 829-831, and 834-835; and Square 1321, Lots 811, 815-816, 821, and 823-827.)

HEARING DATES: April 14, May 12, May 16, June 2, June 6, June 20, and November 17, 2011

DECISION DATES: February 9, July 9, and July 16, 2012

ORDER

PRELIMINARY MATTERS

1. Georgetown University (“University”) filed an application on December 30, 2010 for review and approval of the Georgetown University 2010–2020 Campus Plan (“Proposed Campus Plan”).
2. The University filed its Prehearing Submission on March 31, 2011. The prehearing submission supplemented and amended the Proposed Campus Plan. The Proposed Campus Plan was subsequently amended by the University on May 12, June 15,

¹ The application initially proposed a term of approval ending in 2020 but was subsequently amended to revise the proposed term to 2017 and to request further processing approval for an addition and other changes to the Leavey Center in order to permit the conversion of a portion of the building to student housing.

September 19, October 28, and November 17, 2011. As discussed herein, after the close of the public hearing, the Proposed Campus Plan was revised and amended on June 18, 2012.

3. Notice of the public hearing was published in the *D.C. Register* (“DCR”) on January 28, 2011 (58 DCR 808) and was mailed to Advisory Neighborhood Commission (“ANC”) 2E and to owners of all property within 200 feet of the subject property.
4. The Zoning Commission for the District of Columbia (“Commission”) held a regular public hearing on April 11, 2011 and took up some preliminary matters in Z.C. Case No. 10-32. Because the prehearing submission filed by the University on March 31, 2011 contained a number of material changes to the Proposed Campus Plan, the Office of Planning (“OP”) and the District Department of Transportation (“DDOT”) requested additional time (until May 12th) to submit their reports to the Commission (Exhibits [“Ex.”] 28, 29). ANC 2E concurred with this request and asked the Commission to adhere to the regular order of presentation so that they might present their testimony after OP and DDOT made their presentations. (Ex. 30.) The Commission approved the requests and stated the regular order of presentation would be followed. (April 11, 2011 Transcript, at 54-55.)
5. The public hearing on the application was conducted on April 14, May 12, May 16, June 2, June 6, June 20, and November 17, 2011. The hearing was conducted in accordance with the provisions of 11 DCMR §§ 3022 and 3117.
6. The Main Campus is located entirely within the boundaries of ANC 2E. ANC 2E, as the “affected ANC,” was automatically admitted as a party in this proceeding. Additionally, the Commission received applications for party status in opposition to the application from the Citizens Association of Georgetown (“CAG”), the Burleith Citizens Association (“BCA”), ANC 3D, and the Foxhall Community Citizens Association (“FCCA”). (Ex. 20, 21, 22.) These requests were granted. The Commission also received requests for party status from four individuals: Barbara Downs, Edgar Russell, and Irene and Larry Schaffner. The Commission denied the requests for party status because the individuals’ interests were not sufficiently unique and were otherwise represented by CAG, BCA, and ANC 2E.
7. The University presented testimony and evidence from University officials and expert witnesses in the fields of architecture and land planning, real estate and economics consulting, and transportation planning and traffic engineering in support of the application at the April 14, 2011 public hearing.

8. At the public hearing, the Commission heard testimony and received evidence from the D.C. Office of Planning (“OP”) in conditional support of the application.
9. At the public hearing, ANC 2E, CAG, BCA, FCCA, and ANC 3D each submitted testimony and evidence (including testimony from expert witnesses in the fields of land planning and traffic engineering) regarding objectionable conditions related to student density, enrollment, conduct, housing, transportation, and other matters related to the Proposed Campus Plan.
10. On rebuttal, the University presented evidence and testimony from University officials in response to questions from the Commission and the parties.
11. On June 20, 2011, the Commission reconvened the hearing and entertained a request from the University for a continuance in the proceedings until September 19, 2011. (Ex. 279.) DDOT submitted a request supporting the requested continuance, but with a continuation date of October 24, 2011. (Ex. 291.) The University concurred with the DDOT request. (Ex. 318.) The CAG and BCA opposed the continuance and requested that the traffic and transportation issues be severed from the remaining parts of the Proposed Campus Plan and that the hearing on those parts be concluded that evening. (Ex. 310; June 20 Transcript at 12.) ANC 2E, ANC 3D, and FCCA also opposed the request for a continuance (June 20 Transcript at 13-18.) OP supported the proposal to bifurcate the proceedings and conclude on non-transportation issues that evening. (June 20 Transcript at 19.) The Commission voted to approve the continuance until November 17th with the intent of concluding the hearing on that date. (June 20 Transcript at 56-57.) The record was closed to the general public, but left open to the parties. (June 20 Transcript at 57.)
12. On November 9, 2011, the Commission received a report from the DDOT in support of the application, with conditions. (Ex. 347.) The DDOT report, which reviewed the University’s comprehensive and final transportation report submitted in Fall 2011, supplemented and updated earlier comments submitted by DDOT.
13. At the February 9, 2012 public meeting, the Commission directed the University to work with the parties and OP to further assess the existing initiatives proposed to address the impacts of student noise and behavior or, in the alternative, develop new measures to address such impacts. Consideration of the application was deferred until April 30th at which time the Commission would decide whether to hold a limited scope hearing on these areas of concern. If no hearing was required, the Commission would resume its deliberations on the application on May 10th.
14. On April 9, 2012, the Commission granted a request filed jointly by ANC 2E, CAG, BCA, and the University (the “Settlement Parties”) for a 60-day extension of time to explore a mutually acceptable resolution of the issues set forth above. On June 4, 2012,

the Commission granted a request filed jointly by the Settlement Parties for one week of additional time to finalize the terms of the agreement.

15. On June 18, 2012, the Commission received joint conditions of approval submitted by the Settlement Parties. (Ex. 377.) The parties stated that the joint conditions represented the terms of a detailed agreement entered into by ANC 2E, CAG, BCA, and the University which resolved all outstanding contested issues of fact and law on mutually acceptable terms.
16. By letters dated June 18, 2012, ANC 2E, CAG, and BCA withdrew their opposition and supported the Campus Plan as reflected in the joint conditions proposed by the Settlement Parties. (Ex. 374, 375, 378.) By letter dated June 21, 2012, FCCA withdrew its opposition and indicated its support for the Campus Plan as reflected in the joint conditions proposed by the University, ANC 2E, CAG, and BCA. (Ex. 379.)
17. By report dated June 25, 2012, OP supported the Proposed Campus Plan as revised. (Ex. 382.)
18. By letter dated June 18, 2012, ANC 3D submitted a letter in support of the revised Campus Plan as agreed upon by the other parties but raised issues regarding traffic, housing for graduate students on MacArthur Boulevard, the participants in the proposed Georgetown Community Partnership (“GCP”), enrollment, design of Kehoe Field, and legal issues regarding the Commission’s authority. (Ex. 376.)
19. By letter dated June 25, 2012, ANC 2E, CAG, and FCCA submitted a joint response that ANC 3D exceeded the permitted scope of supplemental filings, misconstrued the proposed joint conditions, and raised issues that could be addressed through the Georgetown Community Partnership. (Ex. 381.)
20. By letter dated June 25, 2012, the University moved to strike the portions of the ANC 3D letter related to traffic and responded to the remaining issues raised by ANC 3D. (Ex. 380.)
21. By letters July 3, 2012, the University requested that the Commission reopen the record to accept additional conditions of approval related to transportation issues along Reservoir Road. (Ex. 383, 384.) The Commission approved the request.
22. At a regularly scheduled public meeting on July 9, 2012, the Commission reviewed the correspondence and determined that a further public hearing was not required.

23. At a special public meeting on July 16, 2012, the University amended the application to request further processing approval for an addition and other changes to the Leavey Center in order to permit the conversion of a portion of the building to student housing, and submitted plans illustrating the height and mass of the proposed addition. (Ex. 385.)
24. As a preliminary matter, the Commission denied the motions to strike ANC 3D's filing but found that each of ANC 3D's issues were without merit given the full record in the proceedings and the conditions of approval proposed by the parties:
 - a. Traffic. The Commission finds that the limitation on left-turn activity from the Canal Road entrance during the AM peak period as well as the proposed six-month monitoring during the initial use of the entrance for left turns, which were recommended by DDOT and are included as Condition 22, sufficiently address ANC 3D's concerns.

The Commission also finds that the general traffic issues raised by ANC 3D were fully addressed by the University's experts in traffic engineering and DDOT during the public hearing;

- b. MacArthur Boulevard Properties. The Commission finds that the proposed limitations on the University's acquisition of properties in Georgetown, Burleigh, and Foxhall, as set forth in Condition 34, are reasonable. The University's agreement to such limitations is significant and the limited exception for apartments along MacArthur Boulevard as graduate student housing is reasonable given the existing use and zoning of such properties and the fact that there is nothing in the record concerning the impact of graduate students living in apartment buildings on MacArthur Boulevard. Further, the condition only applies to the portions of MacArthur Boulevard in the Foxhall neighborhood and FCCA, as representatives of the neighborhood directly affected by this exception, has agreed to this condition. The Commission finds that the GCP will provide all parties with a reasonable mechanism to address questions or concerns about any proposed use of these properties.

Given that the University has voluntarily agreed to limitations on the acquisition of property in the surrounding neighborhoods, any question regarding the authority of the Commission to mandate such limitation is moot;

- c. Palisades Citizens Association ("PCA"). The Commission finds that the GCP will provide an opportunity for broad community participation on an issue-by-issue basis as stated in Condition 3. The Commission also finds that PCA is represented on the GCP through ANC 3D;

- d. Enrollment. The Commission finds that undergraduate student enrollment and housing are fully addressed in Conditions 5-10; and
 - e. Kehoe Field. The Commission finds that ANC 3D's concerns regarding the impact of the Kehoe Field enclosure are addressed in Conditions 36 and 37. ANC 3D will have a further opportunity to address concerns about such impact during further processing of the enclosure.
25. The Commission then voted to approve the application in Z.C. Case No. 10-32 as well as the further processing application related to the addition to the Leavey Center, subject to the joint conditions of approval submitted by the parties.
 26. The Commission has reviewed the agreement entered into by Settlement Parties and finds that the modifications to the Proposed Campus Plan as reflected in the joint conditions of approval address the issues raised in this proceeding concerning objectionable conditions related to student density, enrollment, conduct, housing, transportation, and other matters.

As required by law, the Commission must give "great weight" to the recommendations of OP and ANC 2E as the affected ANC, which is satisfied by the Commission acknowledging their written issues and concerns and explaining why it does or does not find their advice to be persuasive under the circumstances. Both OP and ANC 2E submitted reports in support of the Proposed Campus Plan as revised. The Commission finds this advice to be persuasive.

Based upon the record before the Commission, the Commission concludes that the University has met its burden of proof, pursuant to 11 DCMR § 3104.1, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map.

DECISION

Accordingly, it is **ORDERED** that the application is **GRANTED** subject to the following **CONDITIONS**:

Term

1. The Campus Plan as amended is approved for the period January 1, 2011 through December 31, 2017.

Georgetown Community Partnership

2. During the term of the Campus Plan, the University shall work collegially with the parties through the Georgetown Community Partnership ("GCP") to successfully implement this Campus Plan and to develop a successor 20-year Campus Plan for the period commencing January 1, 2018. Any development on the Main Campus shall be

consistent with the University's goal of developing an integrated living and learning campus and the community's goal of as rapid a transition as possible toward a more residential undergraduate on-campus environment. The University shall file the successor campus plan by June 30, 2017. Such plan shall further the interdependent goals outlined by the parties attached as Exhibit A.

3. GCP will be a mechanism for collegial and productive discussion of the Plan's implementation, and for engaging in long-term planning work. The GCP shall be co-chaired by a member of the University's senior leadership and a designee of ANC 2E and have a steering committee composed of representatives from ANC 2E, ANC 3D, CAG, BCA, FCCA, and University senior leadership. The GCP shall also provide an opportunity for broad community and University participation on an issue-by-issue basis. The GCP shall engage a facilitator (funded fully by the University but selected jointly by and responsible equally to the University, ANC 2E, ANC 3D, CAG, BCA, and FCCA leadership) to help establish the initial structure and framework for the GCP. The framework shall include a committee structure that will address the key issues (e.g. public safety, trash, parking, off campus conduct, housing, enrollment, beautification) to facilitate in-depth discussions on core issues.
4. The University shall work with the community parties, through the GCP, together with such outside advisors as are jointly agreed upon to develop more detailed plans for measuring and mitigating the impacts of residential and non-residential graduate students on the Georgetown, Burleith, and Foxhall communities:²
 - a. To this end, the GCP shall retain a highly qualified, professional objective consultant funded fully by the University but selected by the GCP and responsible equally to all members of the GCP. The third-party consultant shall: (1) develop the metrics for analysis; (2) establish benchmarks for evaluating changes in impact; (3) design and deliver annual reports; (4) monitor impacts over time; and (5) propose recommendations to address objectionable impacts. During the first year after Commission approval of the campus plan, the University shall work with the parties and with the third-party consultant, to establish a baseline for measuring the impacts of University graduate students living in Burleith, Georgetown (west and east sides), and Foxhall, taking into account, among other things, the numbers of graduate students living in those areas for 2009, 2010, and 2011, and the number of group houses occupied by University graduate students.

² For purposes of these conditions, the Georgetown, Burleith and Foxhall communities are defined as the neighborhoods bounded on the east by Rock Creek and Potomac Parkway, on the south by the Potomac River, on the west by Canal Road and the Georgetown Reservoir, and on the north by Whitehaven Parkway to Foxhall Road to Hoban Road to Reservoir Road to 39th Street to Whitehaven Parkway (including the 1900 blocks of 39th and 38th Streets) to Whitehaven Street to Dumbarton Oaks Park on the north.

The BCA's survey results will be considered as part of the baseline-setting process:

i. Mediation.

1. The parties agree that any and all disputes, claims, or controversies arising out of or relating to the impacts of graduate students may be submitted to mediation before a mutually agreed upon third party or, in the absence of such agreement within 30 days of the written request for mediation, before JAMS, or its successor;
 2. Either the University or three or more of the other parties (including at least one ANC) may commence mediation by providing the remaining parties with a written request for mediation, setting forth the subject of the dispute and the relief requested;
 3. If the mediation is before JAMS, the parties will cooperate with JAMS and with one another in selecting a mediator from the JAMS panel of neutrals and in scheduling the mediation proceedings. The parties agree that they will participate in the mediation in good faith. The costs of the mediator shall be funded fully by the University but selected by the GCP and responsible equally to all members of the GCP; and
 4. All offers, promises, conduct, and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts and attorneys, and by the mediator or any JAMS employees, are confidential, privileged and inadmissible for any purpose, including impeachment, in any proceeding involving the parties, provided that evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation.
- b. Through reasonable techniques such as, for example, incentives or the provision of University-sponsored graduate student housing elsewhere, the University shall manage the impact of its graduate student enrollment so the impact is not objectionable for the remaining years of the campus plan; and
- c. The University shall implement plans as well for mitigating the transportation and parking impacts from graduate students who travel to the Main Campus, with the goal of achieving significant improvements over current conditions.

Undergraduate Housing

5. By Fall 2013, the University shall re-locate the undergraduate Magis Row community to the 37th Street block facing the campus gates:
 - a. Beginning in Fall 2013, at least five townhouses evenly spaced on the 1400 block of 36th Street will be re-purposed for faculty and staff housing or, subject to Commission approval of this Campus Plan and GCP review and approval, daytime administrative uses;
 - b. From Fall 2013 through Summer 2016, the balance of the above townhouses shall be used for graduate student housing; and
 - c. By Fall 2016, all 16 townhouses on the 1400 block of 36th Street will be re-purposed for faculty and staff housing or, subject to Commission approval of this Campus Plan and GCP review and approval, daytime administrative uses.
6. Also by Fall 2013, the 65 students living on the 1400 block of 36th Street will be moved to and accommodated in other on-campus housing. The move of these 65 students means that the University will continue to provide housing for 5,053 students, but will do so in locations that accommodate neighborhood concerns. In addition to moving these 65 students onto campus, by Fall 2015, the University will house an additional 385 students in new University housing. This means that by Fall 2015, 450 students once living on 36th Street or in other parts of the neighborhood will be housed by the University:
 - a. Any new residence hall constructed to meet the above commitment shall be located either on the Main Campus west of 37th Street or at another location outside of Zip Code 20007, unless the University receives permission from the relevant civic organization (e.g., CAG, BCA, or FCCA, the relevant ANC (ANC 2E or ANC 3D), and this Commission; and
 - b. The University shall be permitted to convert existing portions of the Leavey Center to residential use as well as construct an addition to the Leavey Center to provide such housing. No additional further processing review of such construction shall be required, provided that the design is approved by the Commission of Fine Arts pursuant to the Old Georgetown Act.
7. The University shall require all Traditional Undergraduate Program (as defined in Condition 9) freshman, sophomore, and transfer students under the age of 21 to reside in University housing, except for study abroad students, commuters, veterans, married students, and students with medical conditions or disabilities, religious beliefs or other restrictions that are inconsistent with residence hall life.

Maximum Total Enrollment

8. For the duration of the Campus Plan, the Main Campus student headcount shall not exceed 14,106 students. For purposes of this condition, the Main Campus student headcount shall be defined as the Georgetown University total student body³, minus the number of students (by headcount) who are not registered for any courses located at the Main Campus (e.g. students who are registered for courses located only at off-campus locations (such as the Law Center, SFS-Qatar, and other locations not at the Main Campus (“off-campus”)), students studying abroad, and continuous registration students) and senior citizens auditing courses located at the Main Campus:
 - a. Growth towards the above maximum will be gradual and measured; it will not be linear, but reflected in tranches as new programs come online, culminating in a number that approaches but does not exceed the Main Campus student headcount;
 - b. By December 31, 2013, the University shall locate at least 1,000 students enrolled in the School of Continuing Studies at one or more satellite locations not within zip code 20007. This action shall produce a sharp reduction in the Main Campus student headcount and likely also in impacts related to these students. The University shall be permitted to replace such students, and shall work to do so in a way that minimizes impacts; and
 - c. The University shall maintain the senior citizen auditor program.
9. The Traditional Undergraduate Program student headcount shall not exceed 6,675 students. For purposes of this condition, the Traditional Undergraduate Program student headcount shall be defined as the Main Campus student headcount as defined in Condition 8 plus students studying abroad minus the number of graduate students, professional students, students enrolled in the School of Continuing Studies, non-degree students, and students returning for their second degree in nursing, all by headcount.
10. The Medical Student Program headcount shall not exceed 830 students. For purposes of this condition, the Medical Student Program headcount shall be defined as all students enrolled in the Doctor of Medicine (MD) degree program who are registered in at least one course on the Main Campus.

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

11. The University shall provide the GCP, prior to the end of each Spring and Fall semester, a complete report on the student enrollment maximums set forth in Conditions 8-10 above. The report shall also contain information on the full-time, traditional undergraduate enrollment as defined in the 2000 Campus Plan, other categories of undergraduate students (as defined under the 2000 Campus Plan as well as under this Campus Plan), enrollment in the School of Continuing Studies, and graduate student enrollment. The report shall also contain the number and location of all University-provided student housing. The Report shall contain a certificate as to its accuracy signed by the Provost of the University. A copy of the Report shall also be filed with the Zoning Administrator.
12. Beginning January 2014 and each January thereafter, the University shall provide the GCP a letter from an independent firm jointly selected by the University and the community parties and responsible equally to all members of the GCP (but wholly funded by the University) certifying that the enrollment numbers and University-provided housing numbers for the preceding Fall and Spring semesters are accurate and have been calculated in conformity with this Order.

Graduate Housing

13. To mitigate the impacts of graduate enrollment growth the University shall issue by Fall 2012 a “Request for Information” or similar document soliciting proposals for the development of graduate student housing outside of Georgetown, Burleith, and Foxhall to explore the feasibility of developing attractive University-controlled graduate housing outside of the neighborhoods near campus.

Quality of Life Initiatives

14. The University shall commit sufficient resources (financial, personnel, intellectual capital, etc.) to the University’s Quality of Life Initiative to support a safe community, educate students to be good neighbors, and successfully mitigate the impacts of trash, noise, and student behavior:
 - a. Initiatives shall include programs such as the Student Neighborhood Assistance Program (“SNAP”), the late-night Metropolitan Police Department (“MPD”) reimbursable detail, daily trash and litter pick up patrols, education of students about the responsibilities of living in a residential community, the Hotline, and late-night weekend shuttle service:
 - i. The University shall ensure that SNAP, the MPD reimbursable detail, and the University’s Department of Public Safety are proactive in addressing issues as well as responsive to calls;

- ii. The University shall explore having the late night M Street shuttle run with shorter intervals between buses than current intervals, to increase the convenience and attractiveness of this service to students;
 - iii. The University shall require all undergraduate students who live off campus during the academic year and during the summer to attend an orientation program that will address “good neighbor” issues, reminding and educating students about appropriate conduct in the off-campus community. This program will especially emphasize objectionable noise both inside and outside of buildings, illegal underage drinking, applicable rules and standards regarding proper disposal of trash and recyclables, restricted parking in the Georgetown, Burleith, and Foxhall neighborhoods, and University expectations that all students conduct themselves in a respectful and responsible manner as members of the local residential community; and
 - iv. The University shall continue to maintain and publicize a hotline available 24 hours per day, seven days per week to receive calls about noise and other quality of life issues; and
- b. The University shall be permitted to modify these programs only as necessary or appropriate to increase efficacy (that is, to focus on results). Through the GCP, the University shall evaluate and collegially develop meaningful ways to enhance the efficacy of these programs based on suggestions and feedback received through the GCP from neighbors, students, the third party consultant, and other stakeholders.
15. By Fall 2013, the University shall implement policy changes that (1) equalize party polices for on- and off-campus parties and (2) reduce the impacts of off-campus student parties. Specifically, the University shall:
- a. Adopt a policy that states that living off campus is a privilege, not a right, taking into account conduct and seniority; students who have engaged in serious or repeated misconduct will not be permitted to live off campus;
 - b. Adopt a noise policy that specifically provides that “excessive noise inside or outside a building” is unacceptable. This will mean that if noise can be heard beyond the property line, it is probably too noisy, taking into account the time and the nature of the activity generating the sound. Violations of the revised noise policy will be part of the Code of Conduct;
 - c. Change student conduct policies to assure that the environment for students to host social gatherings (including parties where alcohol is served) is at least as welcoming on campus as off campus in order to encourage students to initiate

socializing on campus and/or to return to campus for late night socializing. Specific policy and practice changes will include:

- i. Permit students of legal age living in apartments, townhouses, and other living spaces on campus to host parties in impromptu ways, eliminating the need to register parties well in advance;
 - ii. Train Residence Life staff and Department of Public Safety staff to manage student parties on campus in ways that allow those parties to continue whenever it is reasonable to do so (acknowledging that safety is still a primary concern), making it significantly more likely that on campus parties will be allowed to continue;
 - iii. Educate students in ways that encourage them to socialize on campus in safe and appropriate ways; and
 - iv. Maintain transparency in operations and results to the maximum extent possible via the GCP; and
 - d. In addition to the foregoing, the University shall investigate reports of improper off-campus student conduct and to respond to behavior found to violate the Student Code of Conduct promptly with appropriate sanctions. Egregious or repeat violations of the Code of Conduct will be subject to serious sanctions up to and including separation from the University.
16. Through the GCP and with the community, the University shall engage city agencies (DCRA, DPW, MPD) to give vigorous attention to housing code, basic business license, trash, and public safety issues.
 17. The University shall maintain a program to provide its students who are eligible to live off campus with information about housing opportunities outside the Georgetown and Burleith neighborhoods.
 18. By Fall 2013, the University will publish and maintain a list of rental properties in the Georgetown and Burleith neighborhoods that maintain a basic business license according to DCRA's website:
 - a. The University shall maintain the University's posted list of "properties of concern" (properties that are the recipient of three or more credible complaints received by Georgetown over a two-year period);
 - b. The University shall coordinate with DCRA to address problem properties in Georgetown and Burleith;

- c. The University shall continue and enhance a landlord marketing campaign to encourage and promote “good neighbor” behavior from local landlords; and
- d. The University shall adopt a new policy that requires students maintain properties that they rent in the same manner that they would be expected to if they owned the properties (e.g. snow removal and yard maintenance as required by District of Columbia law). Violations of the off-campus property maintenance policy will be part of the Code of Conduct.

On-Campus Social Life Improvements

- 19. By Fall 2014, the University shall complete the New South Student Center, which will include an on-campus student pub and provide an appealing on-campus venue for late-night socializing.
- 20. By Fall 2012, the University shall bring food trucks to campus during late night hours and, through the GCP, work with students and the community on other short-term measures to increase the attractiveness of on-campus socializing.
- 21. Over the term of the Campus Plan, the University shall explore the feasibility of improvements to other on-campus facilities to promote student life on campus (i.e., green space for outdoor campus socializing, academic spaces such as libraries and study rooms, recreational and athletic facilities, student activity spaces, and other social gathering spaces).

Comprehensive Transportation Plan

- 22. The University shall conduct a comprehensive analysis of the campus roadway network and the Georgetown University Transportation Shuttle (“GUTS”) system with regular consultation and input through the GCP, with the goal of maximizing the use of the Canal Road entrance for all GUTS routes except the Wisconsin Avenue route:
 - a. By December 31, 2012, the University shall commence a pilot program that installs GPS devices in GUTS vehicles. By December 31, 2013, the University shall install GPS in all GUTS vehicles;
 - b. Within three years after final approval of the Campus Plan (and with a goal of within two years after the final approval of the Campus Plan), the University shall complete improvements required to maximize the use of the Canal Road entrance and minimize the use of residential streets by GUTS vehicles to at least the same extent as the previously submitted turnaround proposal, subject to such exceptions as the parties agree to via the GCP;

- c. On or before the commencement of such increased use of the Canal Road entrance by GUTS vehicles, the University shall install traffic control gates (or similar devices) at the Canal Road entrance that will restrict use of the Canal Road entrance for left turns during the AM peak period (6:15 a.m. – 10:15 a.m.) to GUTS vehicles, which shall be the only vehicles equipped to activate such gates or devices during such period and to use the left turn lane to exit the campus during such period. The University will evaluate the effectiveness of such measures and, from time to time as appropriate, may modify the control mechanism or other operational measures limiting left turns to GUTS vehicles during the AM peak period;
 - d. After completion of such improvements and commencement of GUTS vehicle left turns on to Canal Road, the University shall conduct a six-month follow-up monitoring study of the Canal Road corridor to assess related impacts on Canal Road traffic conditions; and
 - e. The Loop Road described in 2010 Plan submission will not be proposed as a solution.
23. The University shall continue to adhere to its Transportation Management Plan (“TMP”), as detailed on pages 35 to 39 of Exhibit 339, Tab A of the Record, to promote greater use of the GUTS bus system, transit, bicycling, carpooling, satellite parking, and other transportation alternatives. The University shall be permitted to update the TMP to enhance its efficacy over the life of the Plan.
24. No later than one year after the final approval of the Campus Plan, the University shall design, seek applicable DDOT and other regulatory approvals for and, following receipt of such approvals, construct improvements required to create a left turn lane for westbound traffic along Reservoir Road into Gate #1 (the “Reservoir Road Left Turn Lane”), assuming no regulatory or other circumstances outside of the University’s control that cause delays.
25. For three years after commencement of the use of the Reservoir Road Left Turn Lane, the University shall conduct annual traffic studies of the Reservoir Road and 38th Street/Gate #1 intersection. The University shall provide such studies to DDOT. If, based on DDOT’s review of such studies, DDOT concludes and communicates to the University that the realignment of such intersection is warranted, then the University shall design, seek applicable DDOT and other regulatory approvals for and, following receipt of such approvals, construct such additional improvements to effect such realignment within one year after receipt of DDOT’s conclusion that the improvements are warranted (assuming no regulatory or other circumstances outside of the University’s control that cause

delays). Any realignment design shall consider and shall include, as DDOT may deem appropriate, physical or operational measures to address potential cut-through traffic.

26. Upon the Commission's final approval of the Campus Plan, the University shall contribute the funding for the design and installation of a new traffic signal for Gate #3 and Reservoir Road. This contribution shall be held in escrow during the Campus Plan period, and unless DDOT determines during the Campus Plan period that signalization is required, the contribution shall be refunded to the University promptly at the end of the Campus Plan period.
27. During the Campus Plan period, the University shall conduct an annual transportation performance monitoring study as described on page 36 of Exhibit 339, Tab A of the Record, which shall be furnished to DDOT by November 15 of each year (unless DDOT otherwise requests a later date).
28. All weekday evening performances at the Performing Arts Center expected to draw more than 100 visitors shall begin no earlier than 7:00 p.m.
29. Weekday athletic events at Harbin Field expected to draw over 100 visitors shall begin before 4:00 p.m. or after 7:00 p.m.

Parking

30. The University shall continue to maintain a parking inventory of no more than 4,080 parking spaces within the campus boundary as defined in Condition 39. Spaces set aside for car sharing vehicles such as Zipcar or as charging stations for electric vehicles shall not count towards such limit.
31. The University shall create incentives to encourage students living off campus not to bring cars to campus. In particular, the University shall provide space for Zipcar or other carsharing service vehicles on campus and shall work with DDOT to continue to expand the availability and use of the Capital Bikeshare program on and near the Main Campus.
32. The University shall develop and implement a revised parking management system that promotes use of satellite parking by students arriving for daytime classes by car and on-campus parking by students arriving for evening classes by car. Students shall be firmly directed to use such University or satellite parking facilities or use public transportation alternatives. The University shall continue to work with the community, DDOT, and DPW to (1) develop and implement changes to the management of the on-street parking supply on the streets within and proximate to the campus and (2) ensure regular enforcement of District of Columbia laws and regulations regarding on-street parking, and shall engage the GCP on this issue as helpful and appropriate.

33. Subject to reasonable, very limited exceptions, all Traditional Undergraduate Program students (as defined in Condition 9) shall be prohibited from bringing cars to campus or parking their cars on the street in Georgetown, Burleith, and Foxhall. Violations of the revised parking policy will be part of the Code of Conduct. Notices of this parking policy will be provided to students and to the parents of Traditional Undergraduate Program students.

Limitations on University's Property Acquisitions

34. For the duration of the Campus Plan and except for apartment properties along MacArthur Boulevard (which shall not be used for undergraduate student housing), the University shall not purchase or enter into a lease or other arrangement for additional property in Georgetown, Burleith, and Foxhall for use as student housing, unless the University receives permission from the relevant civic organization (e.g., CAG, BCA, or FCCA) and the relevant ANC (e.g., ANC 2E or ANC 3D).

Medical Facilities

35. Further processing for the Medical Facilities (including MedStar Health) shall be limited to those identified as AA-1/MHC, MHC-1 through MHC-4, MHC-6 through MHC-9, and MHC-15. If the University wishes to propose a more comprehensive plan for the Medical Facilities' growth, the proposed plan shall be provided as an amendment to the Campus Plan, including parking and traffic impacts.

Kehoe Field Enclosure

36. The proposed enclosure of Kehoe Field ("Field") is approved on the condition that the use of the enclosed field will be limited to use between the hours of 6:00 a.m. and midnight, for pre-existing uses consisting of intramural or other non-spectator sports, including team practice, and Trinity School athletics. Other similar athletic uses may be acceptable upon application and approval by the GCP. In the event that the GCP concludes that the University's proposed use is not a similar athletic use, the University shall be permitted to use the Field for the proposed use only if the use is determined to be a similar athletic use by the Zoning Administrator.
37. The design of the proposed enclosure identified as RCA-1 of the Campus Plan will be addressed in a future further processing application. As a part of such further processing application, the University shall provide a viewshed analysis of such enclosure in connection with the further processing application.

Reporting and Compliance Review

38. By November 30, 2013 and for each year of the Campus Plan period thereafter, the University shall file an annual compliance report with the GCP and with the Zoning Administrator that addresses the University's compliance with the above conditions (except for Conditions 5-10, which shall be reported pursuant to Condition 11).

Campus Plan Boundary

39. The campus plan boundary shall remain the same as the campus plan boundary established by the D.C. Board of Zoning Adjustment in the 2000 Plan and depicted on Tab B of Exhibit 8 of the Record.

Revised Campus Plan

40. The University shall prepare a revised 2010-2017 Campus Plan that incorporates all amendments to the initial Campus Plan filed on December 30, 2010 that have been agreed to by the University and are consistent with this Order. The University shall file the revised Campus Plan as well as a table summarizing all changes made to the initial Campus Plan no later than 30 days from the date of this Order and shall serve all parties with copies. Parties shall have 14 days to submit comments on the revisions. Comments shall be strictly limited to whether the revisions strictly or clearly reflect this Order. After review of the University's revised Campus Plan and the parties' comments, the Commission shall determine whether further proceedings are warranted or shall certify the revised Campus Plan as the approved Campus Plan. The revised Campus Plan shall be deemed the approved Campus Plan 60 days after submission, absent action by the Commission.

Human Rights Act

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

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VOTE: 3-0-2

(Anthony J. Hood, Peter G. May, and Michael G. Turnbull voting to approve; Marcie I. Cohen not participating; 3rd Mayoral appointee position vacant.)

BY ORDER OF THE D.C. ZONING COMMISSION
Each concurring member approved the issuance of this Order.

ATTESTED BY:



SARA A. BARDIN
DIRECTOR, OFFICE OF ZONING

FINAL DATE OF ORDER: October 10, 2012

EXHIBIT A

Long Term Plan (beginning January 1, 2018)

ENGAGE IN COLLABORATIVE PARTNERSHIP TO ACHIEVE THE FOLLOWING INTERDEPENDENT GOALS:

Key goals for the University are:

- Develop Main Campus in a 20-year campus plan beginning January 1, 2018, as an integrated, student-centric living and learning campus, which competitively houses at least 90% of undergraduates (i.e. housing for an additional 244 students) on campus by Fall 2025 and which can successfully accommodate further modest enrollment growth;
- Develop Georgetown Downtown to facilitate transitional expansion;
- Redevelop modern, efficient medical facilities;
- Identify and develop next 100 acres; and
- A collegial and harmonious relationship between the University and the community to address future plans and common issues in an effective, creative and lasting way.

Key goals for the community are:

- A livable community for all residents, with a major, permanent reduction in the number of student group houses;
- Effective and continuing measures to assure that off-campus student conduct does not disrupt the residential nature of the community;
- Effective and continuing measures to provide relief from parking and transportation congestion from traffic generated by the University;
- Responsible management of the University's enrollment numbers and movement toward satellite campuses as rapidly as possible;
- Work productively with the University for a successful seven-year campus plan and, following on its success, for a 20-year campus plan beginning January 1, 2018; and
- A collegial and harmonious relationship between the University and the community to address future plans and common issues in an effective, creative and lasting way.