



**The Burleith Citizens Associations' Testimony to the D.C. Zoning Commission
Regarding Z.C. Case No. 10-32**

I. INTRODUCTION

Over the past years, the Burleith Citizens Association (BCA) has worked with Georgetown University to try to make GU's evolving Off-Campus Student Life programs work. We have, unfortunately, come to the conclusion that Georgetown University's housing and off-campus policies do not work and cannot work due to the large number of students residing in our neighborhood.

II. OPENING STATEMENT

1. The BCA is here today to represent the Burleith residents, who, are increasingly angry, frustrated and saddened by the dramatic deterioration of our community over the past ten years----deterioration that is a direct result of Georgetown University's policies. Burleith is now a neighborhood in crisis, in the process of changing from a neighborhood of owner-occupied homes to a neighborhood of student group rental homes, essentially an extension of the university's campus. **(EXHIBIT 1 and 2)**
2. Throughout the 2010-2020 Campus Plan approval process, GU has defined the parameters of the discussion solely in terms of its own viability, characterized its growth strategy as "modest," and downplayed the plan's threat to the viability of the surrounding residential communities.
3. Burleith is rapidly becoming GU's dormitory as GU has failed to provide adequate housing for its ever-increasing student body. In 2000, GU stated that the number of students living in the adjoining neighborhoods by 2010 would decrease, total enrollment would be under 10,000, and the number of group homes in Burleith would decline significantly. In fact, total GU enrollment has increased to over 14,000 students, with the 2010 Plan calling for a new overcall cap of almost 15,000 students by 2020 (as amended by GU's 3/31/11 Pre-hearing Submission). **(EXHIBIT 3 and 4)**
4. In other words, GU increased its student population by over 4,000 from 2000 to 2010; and the current Plan indicates that the 4,000 number will grow by another 967 by 2020...or an expansion of 4,967 students from 2000 to 2020! And the number of rental student group homes has increased significantly.
5. You will hear from Burleith residents about the negative effect the conversion of residential homes to group rentals has had on our quality of life and indeed on the future of Burleith as a viable residential neighborhood. These residents will include some who are moving out of Burleith, because they can no longer tolerate disorderly conduct, unacceptable noise, increased traffic congestion, poorly maintained homes and yards, and expanding numbers of student group rental homes. **(EXHIBIT 5, SECTION 3 – EMAILS AND SECTION 4 - PETITIONS)**

6. The grave nature of the problems is evidenced by an unprecedented unity of opposition to the Plan by the two Advisory Neighborhood Commissions – 2E and 3D; by the four citizens associations that surround GU - the Burleith Citizens Association, Citizens Association of Georgetown, the Foxhall Community Citizens Association, and the Hillandale Homeowners Association; and by the Council members of Wards 2 and 3, Jack Evans and Mary and Councilmember-at-large Vincent Orange, all of whom have criticized the Plan through press releases, letters to the Commission, interviews and testimony. **(EXHIBIT 6)**
7. In a March 29 letter to the Zoning Commission, Councilmember Evans said: “Over the past 10 years, Georgetown University has increased its total enrollment by over 40 percent -- without taking effective actions to mitigate the impacts on the surrounding communities. ... I have urged the university – and the Zoning Commission—to produce a plan that houses 100% of undergraduates on campus and takes other effective measures to mitigate community impacts.” We agree. **(EXHIBIT 7A and 7B)**
8. The Burleith Citizens Association strongly supports the statements/positions as submitted by the Advisory Neighborhood Commissions 2E, and 3D and by the Citizens Association of Georgetown and the Foxhall Community Citizens Association.

III. BURLEITH HISTORY

1. Burleith is a small neighborhood made up of approximately 535 row houses in a five square block area. It is bordered by a national park to its north and by the University and Medstar Hospital on the GU campus to its south. **(EXHIBIT 8)**
2. A typical Burleith row house has two stories and a basement. Each story measures approximately 600 square feet. **(EXHIBIT 9)**
3. For most of its history, Burleith has been a close-knit, active community with a strong citizen’s association, seasonal celebrations, award-winning newsletter, children’s events, and neighborhood improvement projects.
4. In recent years, the District has invested in Burleith by rebuilding the Georgetown Library, renovating local public schools Hardy Middle and Stoddert Elementary, and there are future plans to modernize Ellington School for the Arts. Most recently, Ellington Field, used by a number of schools for outdoor recreation, was beautified by a 1.8 million dollar renovation.
5. We seek to retain this positive environment, which is being lost due to irresponsible university policies.

IV. GEORGETOWN UNIVERSITY’S ADVERSE IMPACTS

A. Housing

1. We want to emphasize that the most serious and negative problem created by this 2010-2020 Plan is the conversion of single-family residential row houses into student group rental homes.
2. Unfortunately, the future stress on the community anticipated from this Plan is an exacerbation of the stresses of GU’s previous 10-year Plan, which includes the University’s failures to live up to their 2000-2010 Plan.

3. During the spring of 2010, the BCA completed a door-to-door survey in which Burleith residents identified which houses were home-owner occupied, which were rentals, and of those rentals which were occupied by GU students. These results are shocking. **(EXHIBIT 10)**
4. The Burleith housing map shows the location of GU student group houses in 2010 revealing the block-by-block changes of residential homes into student group rentals. **(EXHIBIT 11)**
5. Of the 535 houses, 166, almost one third, are GU student group homes. Our count is conservative as we could not obtain data for 18 houses and did not include students living in owner-occupied houses. Indeed, in its Pre-hearing Submission, GU states that students occupy 191 Burleith residences, or 36% of all Burleith housing stock. According to GU, their undergraduate and graduate student population totals 622 as of Fall 2009 living in Burleith. **(EXHIBIT 11A and 11B)**
6. The BCA's survey did not include students living in basement apartments where the main part of the home was owner occupied.
7. Mr. Smart states in his report that 60% of Burleith houses are owner-occupied. Our door-to-door survey disputes his results by showing only 52% as owner-occupied with an astounding 48% rental rate. We also note that Mr. Bolan of the Bolan Smart firm predicted in his testimony on behalf of GU in 2000 that the number of group houses in Burleith would be reduced to 20 in 2010. An 8% difference that equates to an additional 43 Burleith rental homes. **(EXHIBITS 12A and 12B)**
 - a. 20 GU predicted-student group rentals vs. 166 actual-student group rentals? In short, GU's predictions have been consistently wrong and the consequences to the community severe **(EXHIBIT 13)**
8. According to our survey, there are 38 graduate student group homes, as well as 12 homes occupied by both GU graduate and undergraduate students. These results again dispute Mr. Smart's report that graduate students have a strong preference for living independently of other GU students. **(EXHIBIT 14)**
9. In 2000, GU predicted a "modest" growth in graduate student enrollment. The actual increase, however, was much higher with an increase of 2,715 or 76%, and the number of graduates living in Burleith increased 22%, from 162 to 198 students. **(EXHIBIT 15)** While the increase of 36 graduate students may appear to be small, it equates to another 9 to 12 single-family residential homes turning into GU student group rentals. A large number for a small community! **(EXHIBIT 16)**

10. In 2000, the BCA conducted a door-to-door survey of undergraduate homes. In comparing the 2000 survey to the 2010 survey results, one is able to see the blocks where a major conversion of homeowner- occupied homes into GU student group rentals occurred. According to GU we have 424 undergraduates living in Burleith. These conversions continue. **(EXHIBITS 17A and 17B)**
11. One can look at it this way--- in the next ten years, if only 30 additional graduate or undergraduate students come to live in Burleith, we could see a loss of 10 or more houses in Burleith. The community simply cannot afford to lose any more houses without serious consequences for neighborhood stability and quality of life.
12. Caps on enrollment should be set to include all categories of GU undergraduate and graduate students. Appropriate caps should be established to prevent manipulation and over enrollment.
13. We have concerns about the new GU cap for undergraduates of 6652, a 636 increase from 6016, the 2000 cap approved by the BZA.
14. GU needs to provide additional data to clarify the counting of students studying abroad in the fall and spring as defined in the 2000 plan.
15. Further information is needed from GU to clarify the number of students attending the summer sessions, which are currently being promoted by GU nationally and internationally. We are concerned about a significant expansion of summer session students that are not currently accounted for or capped. Where will they be housed and are they included in the Office of Planning's report as currently written? **(EXHIBITS 17C, 17D AND 17E)**
16. An independent auditing firm should conduct a review of GU's compliance with enrollment caps and off-campus housing limits each semester including the summer school sessions.
17. We support the Office of Planning's recommendation that GU house 100% of its undergraduates on campus or in satellite dormitories outside 20007. However we should not have to wait until Fall 2014 for relief and would ask the Commission for relief starting in Fall 2013.
18. An analysis conducted of Burleith's 2010 sales shows that of the 25 homes that were sold, 10 were sales to investors. Of those ten, Burleith lost another 3 owner- occupied homes to GU group rentals. Two of the highest priced sales in 2009 and 2010 were houses purchased by parents for their GU students. **(EXHIBIT 18)**

19. GU could, as they have done in the case of Magis Row, purchase property in Burleith to house students. We ask that GU be prohibited from purchasing property in Burleith.
20. GU's housing policies provide a strong inducement for investors to turn single-family residential homes into student group rentals. Investors, who can charge \$1000 per student bed for a group house, routinely allow six students to a house. These landlord investors are thus able to bring in \$6000 or more per month. **(EXHIBIT 19)**
21. The rental houses, which were originally two to three bedroom homes, now have basements, dining rooms and living rooms converted into bedrooms. Contrary to code, even small basements are converted into unsafe, multiple cell-like bedrooms. And even if a house is too expensive for the normal investor, parents are purchasing houses for their children to use and rent out to other students. **(EXHIBIT 20)**
22. The BCA survey revealed that 55% of the student group rental houses do not have a "basic business licenses" (BBL)-- meaning that they have not been inspected and thus may pose unsafe living conditions. **(EXHIBIT 21)**
 - a. As a result of our survey, the BCA reported over 91 of unlicensed and uninspected student group rentals to DCRA.
 - b. Rental houses that do not have BBL's are recorded on the DC Tax roles as owner occupied. DC's tax records, therefore, do not accurately capture the number of rental vs. owner-occupied houses and the owners of those houses are getting an unwarranted tax break.
 - c. Despite GU's attempt to educate its students about the problem of uninspected houses, students will still seek to rent in the communities nearest to GU.
 - d. Some landlords will work around the system by securing a BBL inspection upfront and then converting rooms afterwards.
23. There is strong student demand for housing in Burleith, because: there is not enough housing on campus; on-campus housing is expensive; on-campus rules are more stringent; and because of the community's proximity to GU.
24. As a Georgetown student wrote in the November 2010, "Georgetown Voice": "The heart of the issue is that there's simply not enough room for

everybody, " ... "Every year students are forced into surrounding neighborhoods".... There's simply nowhere else to go." **(EXHIBIT 22)**

25. GU has a responsibility under zoning regulations not to become objectionable to neighboring properties; therefore, GU must and can find the financial resources to provide affordable housing either on campus or outside zip code 20007. According to the Washington Business Journal, Forbes Magazine ranks room and board at GU as the second most expensive in the nation. **(EXHIBIT 23)**

- a. Records show that over the past 17 years, GU has successfully secured through the District's Revenue Bond Program over 1 billion, 128 million dollars. In 2010, GU secured \$90 million in bonds for purposes other than building student housing. We, the taxpayers, essentially subsidize these low-cost bonds. **(EXHIBIT 24)** In 2010, because of ANC and community concerns about the amount of financing dedicated to non residential construction Linda Greenan, GU's Associate Vice President for External Relations, testified to the ANC that GU has the financial ability to comply with whatever the Zoning Commission may decide with regard to the 2010-2020 campus plan. **(EXHIBIT 24A)**
- b. At a recent Student Housing Summit held by Real Estate Bisnow, experts noted that the construction, financing and managing of student housing is a lucrative real estate development industry. Financing is supported by Fannie Mae and Freddie Mac with banks currently competing for deals. **(EXHIBIT 25)**
- c. There are many options available to GU to create turnkey dormitories such as:
 - i. Repurpose existing buildings
 - ii. Design multi-use buildings
 - iii. Take advantage of modular construction that can create dorms in a matter of days **(Exhibit 25A & 25B)**
 - iv. Arrange for favorable leases in existing apartment buildings
 - v. Use public-private partnerships **(Exhibit 25C)**
- d. This means that GU has access to lenders and developers to fund, build and convert student housing at minimal cost to itself.

B. Noise, Trash and Deferred Maintenance

1. Noise

- a. The adverse impact of GU's student group houses on their neighbors cannot be overstated. It goes to the very core of our quality of life, our peace of mind and the ability to enjoy our homes and neighborhoods in a safe and tranquil environment. Simply put,



GU's policies threaten the viability of Burleith as a residential neighborhood.

- b. Frequent student noise at all hours of the day and night and foul language create an unacceptable environment for the residents. Many of the residents have small children. Others are elderly, and many go to work early in the morning--often after a sleepless night.
- c. Life-style noise is created from a large number of students living in a small row house designed for smaller numbers. Noise easily travels through the common walls and cannot be controlled by GU's off-campus policies.
- d. Street noise emanating from roaming packs of students going to parties and waiting for what some call "GU's drunk bus" has reached epidemic proportions.
- e. Alcohol-fueled parties that occur on a weekly basis significantly disrupt the lives of residents, who feel threatened by unacceptable levels of noise, intimidation and attacks on their properties.
- f. The associated public intoxication, urination, yelling, property damage and other drunken behaviors represent a threat to the public health and safety of our residents (including students). **(EXHIBIT 26)**

2. Trash

- a. The accumulation of trash stemming from so many students living in one house and failing to follow trash collection rules produces unhealthy sanitary conditions and exacerbates the difficult problem of rat infestation. **(EXHIBIT 27)**

3. Deferred Maintenance

- a. Student group houses routinely have: uncut lawns, overgrown shrubs, unshoveled snow, unraked leaves, and trash and junk in their front and back yards--- all of which contribute to neighborhood blight. **(EXHIBIT 28)**

V. GU'S OFF CAMPUS POLICIES

- A. GU has numerous programs to manage their students' off-campus behavior: Student Neighborhood Assistance Program (SNAP) patrols, hot lines, advisors, sanctions and a code of student conduct. Every ten years, GU claims that some tweak of its Off- Campus Student Life Program will deal effectively with student misconduct. The reality is, however, that these programs have consistently proven



ineffective, because of the sheer number of students and student houses and the University's failure to impose strong sanctions on repeat offenders.

- B. These programs don't solve the escalating quality of life issues that GU has inflicted on Burleith by forcing us to house its transient student population. The transient aspect of the student group houses is corrosive to community development and cohesion, as temporary student residents are often not concerned with the interests and well-being of the community.
- C. GU has rules that govern student behavior. On campus they are enforceable. Off-campus, they are not enforced. The neighborhood cannot resolve these problems by calling GU's SNAP or an off-campus advisor.
- D. In addition, there have been too many instances of retaliation against residents who have called the police or SNAP---retaliation such as keyed cars, bricks through windows, the burning of signs, intimidation and graffiti. The burden to enforce rules and take our neighborhood back should not fall to us when the cause is GU policies or lack thereof. **(EXHIBITS 29, 30 A-D, and 31)**
- E. Over the years, we have come to the conclusion that we cannot rely on GU's programs to deal with student misconduct but must depend on MPD, DCRA and DPW. The burden is thus on us, as well as on budget-strapped DC agencies to deal with problems created by GU's housing policies.
- F. These problems have only one solution-- MOVE THE STUDENTS BACK ON CAMPUS WHERE there is adult supervision and RULES APPLY. This solution is obvious and consistent with GU's obligation to function in a manner that is not objectionable to the surrounding communities.

VI. TRAFFIC AND PARKING

- A. The impact of GU-related traffic, due to over enrollment and poor housing policies, has taken a toll on our neighborhood. Burleith is basically landlocked during rush hours as many commuters and trucks cut thru our neighborhood to get to GU and MEDSTAR hospital. **(EXHIBIT 32)**
- B. We oppose the alignment of 38th Street with the university's entrance 1, as it will further encourage cut thru traffic in the neighborhood. The proposed alignment doesn't solve the traffic congestion problem. We support a "Y" median, which will only permit right turns out of 38th and right turns into 38th. **(EXHIBIT 33)**
- C. Ellington Field borders 38th St and is utilized by residents and their families on a daily basis. An alignment of 38th St with Entrance 1 would create a hazardous situation with the users of the park – many of whom are children. **(EXHIBIT 34)**
- D. Parking problems for residents occur as a result of as many as six occupants with cars living in one house—a house that would normally have only one or two cars,

not four to six. This doesn't account for the many visitors the group house situation brings.

- E. GU has withdrawn its request for additional student parking, but many of its graduate students are already parking in Burleith, as there is no student parking allowed on campus during the day. Where will the additional 967 graduate students park?
- F. To increase their rental income, more and more landlords are building concrete parking pads where yards once were. This has consequently caused the neighborhood to lose former gardens and trees to student parking at group houses. Additionally, this kind of landlord accommodation to students has resulted in a loss of green space and problems related to ground water retrieval and water runoff. **(EXHIBIT 35)**

VII. MEDSTAR

- A. The details pertaining to the building of a new hospital are an unknown. There is a serious lack of transparency on this issue despite the fact that this expansion could have a significant impact on the community and the ongoing problems of housing, traffic and parking. GU has had several years to work on a solution with MEDSTAR, and the uncertainty of a MEDSTAR/GU agreement on a land swap renders many of GU's Campus Plan's housing, traffic and parking assumptions problematic.
- B. Rebuilding the hospital in sections in its current location would take a decade and be very disruptive not only to the hospital but to the residents of Burleith. Impacts on traffic on Reservoir Road and parking availability for patients and residents could be significant. GU states it is requesting no additional hospital parking but the Hospital Transportation study says it needs 500 more spaces. We need a Campus Plan for the Hospital.

VIII. IMPACT ON DC

- A. Georgetown University's poor student housing, expanding enrollment and transportation policies are the impetus for the growing number of student group rentals, which in turn have an overwhelming impact on District services. Excessive trash collections, police calls for drunken and noisy students and parties, landlords' illegal use of group houses, and over utilization of our streets lead to a serious drain on the resources of various city departments, such as MPD, DPW, DCRA and DDOT.

IX CLOSING STATEMENT

- A. In conclusion, under DC Zoning law, any use contemplated in a campus plan must not be "likely to become objectionable to neighboring property." (Zoning Regulations section 210-2) Despite this obligation, GU has put forth a plan that clearly exacerbates the negative effect of its previous expansions on the surrounding neighborhoods. **(EXHIBIT 36)**



- B. GU's Plan threatens the viability of Burleith as a residential community where citizens can enjoy a good quality of life in a cohesive, single-family oriented community.
- C. The long-standing problems in our community are directly related to GU's desire to grow enrollment and tuition revenue without assuming responsibility for housing the increased numbers of students. If GU is allowed to expand irresponsibly, the danger exists that a valued residential neighborhood will become predominantly off-campus student group housing. If this were to occur, it would be a significant loss to the residents of Burleith and to the city as a whole. **(EXHIBIT 37)**
- D. Burleith has been a stable neighborhood composed of citizens who pay taxes and contribute in multiple ways to their community and city. Driving these citizens away would represent a loss on many levels, --economically, socially, and culturally--. And the notion that a neighborhood should be threatened because GU is ignoring its obligation to house its students is objectionable and irresponsible.
- E. GU MUST respect its surrounding communities. It MUST bring a substantial number of students back onto campus or onto satellite housing outside of zip code 20007 to reverse the trend and mitigate the adverse impacts that this university has thrust upon us over the years. While 250 beds is a start, it is totally inadequate to reverse the student housing numbers in Burleith. And we cannot wait until the Fall of 2014 to find out what GU proposes to do. By then it may be too late for Burleith.
- F. We therefore ask you to 1) reject GU's 2010-2020 Plan that would continue, even exacerbate, the University's adverse impact on the surrounding neighborhoods, and 2) direct the University to come back with a Plan that effectively addresses the serious concerns of Burleith and the other affected communities.

Note to Exhibits: Exhibits have all been presented to Zoning Commission on June 2nd, 2011. Some exhibits may have been dated May 12 and/or May 16th, because of the uncertainty of when the Burleith Citizens Association's oral presentation would occur.