

BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

SUPPLEMENTAL SUBMISSION OF

**THE CITIZENS ASSOCIATION OF GEORGETOWN AND THE BURLEITH
CITIZENS ASSOCIATION**

**ON THE GEORGETOWN UNIVERSITY CAMPUS PLAN –
CASE NO. 10-32**

November 8, 2011

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EXECUTIVE SUMMARY

The testimony and evidence submitted by the Citizens Association of Georgetown (“CAG”), Burleith Citizens Association (“BCA”) and numerous individual residents has established that Georgetown University (“GU”) has created objectionable conditions in the communities of West Georgetown and Burleith, primarily due to its failure to house its increasing student enrollment. The D.C. Office of Planning (“OP”) and ANC 2E support the communities’ conclusion that the current density of students living in student group houses has diminished the quality of life for other residents and threatens the continued viability of these residential neighborhoods. The objectionable conditions present in the communities adjoining the University are not new; GU and the Board of Zoning Adjustment (“BZA”) heard the same complaints from the community in 2000. In response GU promised to reduce off-campus student density and deal effectively with student misconduct. The BZA, on remand from the Court of Appeals, granted GU an increase in undergraduate enrollment based upon these promises, neither of which has been fulfilled. This Commission now needs to take decisive action to address the destabilization of these residential neighborhoods by requiring GU to house its undergraduates and abide by appropriate caps on its total student enrollment.

The parties in opposition and ANC 2E have identified numerous objectionable conditions caused by GU’s large and growing off-campus student population. Despite some new eleventh hour GU initiatives the following objectionable conditions continue to exist:

(1) Long-term, tax-paying adult residents of owner occupied houses in these communities have been replaced over the last ten years by transient students renting investor owned group houses. Many blocks of formerly owner-occupied housing have been turned into

enclaves of student rooming houses. Of the 535 houses in Burleith, 166, or almost one-third, are student group rentals.

(2) The lack of maintenance and consequent deterioration of student group houses have created a blighted neighborhood, which gets worse not better with every year.

(3) Loud parties in group houses and other late night noise – disregarding D.C. laws and basic rules of civility – remain the norm. The nighttime scene in West Georgetown and Burleith remains the same as shown in the CAG video from-earlier this year.¹

(4) Acts of vandalism and intimidation toward neighbors of group houses continue.

(5) Transient loud noises, foul language, vandalism and public urination in the residential streets emanating from groups of students walking back to their group homes and Campus, from other group homes and the commercial corridor continue undiminished.

(6) Student automobile traffic and competition for scarce on-street parking continued unabated.

(7) Excessive production of trash caused by housing many unrelated individuals in small row houses, combined with near total disregard for D.C. rules relating to trash disposal and containers, continues to be a serious problem contributing to neighborhood blight and rodent infestation, despite GU's increased collection efforts.

¹ A CD copy of the video which was part of CAG's presentation to the Commission on June 2, 2011 is enclosed as Exhibit C. It shows graphically the conditions on three separate nights in West Georgetown and Burleith. See June 2, 2011 Transcript at 145-148, 182-184.

Under the zoning law applicable to this proceeding (11 DCMR §210.2) and the pertinent provisions of the D.C. Comprehensive Plan applicable to Universities (10 DCMR §1214.7), a University that has become objectionable to neighboring property because of “noise, traffic, number of students or other similar conditions” must file a plan to eliminate those objectionable conditions. The current Campus Plan, as amended multiple times by the applicant, still falls far short of meeting that standard. GU’s past and current programs to deal with the symptoms of student overcrowding of residential neighborhoods have failed because they do not deal with the root cause of the problem – the number of students forced to live in the community by the lack of adequate University housing.

The University seems to believe that even if existing conditions in the community are intolerable because of the current number of students; if the proposed Plan will not make things much worse it should be approved. GU in fact made that argument to the DC Court of Appeals which responded: “We reject such a reading of the regulations as altogether unreasonable.”² OP and ANC 2E have identified the number of students that GU has *previously* admitted without providing housing for them as the root cause of the objectionable conditions in the community. The proposals in GU’s Campus Plan which permit GU to increase the traditional undergraduate cap by 659 students and increase traditional graduate enrollment by almost 2000 students certainly do not address that issue.

GU has belatedly taken some small steps to address some of the symptoms of student overcrowding, including increased trash collection, a late night “drunk bus” to pick-up its inebriated students from the M Street bars and return them to Campus, and an increase in police

² *President and Directors of Georgetown College v. District of Columbia Board of Zoning Adjustment*, 837 A.2d 58, 65 n.7 (D.C. 2003)

patrols. While welcome, these initiatives have not significantly improved the objectionable conditions the University has created in the adjoining residential communities. Residents of West Georgetown and Burleith continue to report to CAG and BCA that late night noise and other misconduct continue unabated despite the increase in police and SNAP patrols. The solution to that problem is not to add more police, which has proven to be ineffective in combating late night noise, but to reduce the number of undergraduate students who are forced to live in the community because of the lack of adequate on-campus housing.

The GU trash collection efforts (1.5 tons of trash per day, according to GU!) has perversely lead to even greater student disregard for trash collection times and container requirements. They just toss their trash on the sidewalks at whatever time is convenient. As a result, Georgetown streets are still littered with trash most hours of the day and night.

The reason these initiatives, like their predecessors, have failed is simple. When student housing is as prevalent as it is in many blocks of West Georgetown and Burleith, the residential “family life environment” that is supposed to be the objective of R3 zoning, cannot survive.

GU’s graduate enrollment also needs to be capped at current levels. GU provides no housing for its 6,654 graduate students (as of Fall 2010), and graduate group houses off campus pose most of the same issues as undergraduate group houses, including the adverse impact on a residential neighborhood of a high student population. In addition many traditional graduate students and most School of Continuing Studies students drive to the campus. Graduate student traffic and parking demand contributes to the congested traffic and lack of resident parking conditions in West Georgetown and Burleith. To address these objectionable conditions

the community supports responsible University enrollment growth through the creation of satellite campuses as the University has done with its Law School and as it is proposing to do with its School of Continuing Studies. As George Oberlander, an expert urban planner, points out in his Report for CAG/BAC, GU in prior Campus Plans acknowledged that the maximum student capacity of its Campus was 10,000 students. (Report, Exhibit 90A at p. 16.) Adding any more students to the current 14,000 total student enrollment (a 40% increase since 2000) would simply make a bad situation worse.

A Few Historical Facts and Figures

The complaints the Commission has heard from community organizations and individuals residents echo similar complaints made to the BZA in connection with GU's 2000 Campus Plan. In 2000 the BZA found the number of students living off-campus was creating objectionable conditions in the community and rejected GU's request for an increase in undergraduate enrollment. Order No. 16566-A, dated August 6, 2001. However, on remand from the Court of Appeals, a new BZA which had not heard the evidence approved the 2000 Campus Plan based upon the predictions of the University's experts that the construction of the Southwest Quadrangle Dormitory would sharply reduce the number of undergraduates living off-campus and the number of group houses. The BZA also accepted GU's pledge that an enhanced Off-Campus Student Life Program would deal effectively with objectionable behavior of students living off-campus. Order No. 16566-F, dated June 7, 2005. Under the 2000 Campus Plan the University was permitted to increase its traditional undergraduate enrollment by 389 students and average its Spring and Fall enrollment, permitting an even higher enrollment each Fall. In addition, since 2000 the University increased its uncapped non-traditional undergraduate

enrollment by almost 50% to 950 students and its graduate enrollment almost doubled, totaling 6,654 graduate students in 2010 (See ANC 2E Presentation, Ex. 132 for data).

As a result there has been an increase in students living in the community not the predicted decrease. Over 1300 undergraduates live in zip code 20007, primarily in West Georgetown and Burleith. Privately owned student group houses have increased from 175 in 2000 to around 240 today (CAG Supplemental Submission, dated June 6, 2011; Exhibit 245). As fully documented in the Commission's hearings on this Campus Plan the objectionable conditions caused by the number of students living off campus have become unbearable for most residents of West Georgetown and Burleith.

Given this track record and the indisputable fact that the number of students that GU has enrolled without providing housing is causing objectionable conditions, the only effective remedy for this embattled community is for University to house most of its undergraduates either on-campus or in another suitable location, as soon as possible. With over 1,300 undergraduates living off-campus, GU's proposal to house only 250 of them on-campus, several years from now is wholly inadequate. CAG, BCA and ANC 2E strongly supports OP's recommendation that the University be required to house most of its undergraduates on-campus or outside zip code 20007 within a reasonable period of time or reduce its enrollment to bring it into balance with the amount of housing provided.³

The University's proposal to increase its Traditional Undergraduate Student ("TUS") cap by 659 undergraduates can only be approved if the University is going to house those

³ Exclusions from this housing requirement would be appropriate, as OP indicated, for married students, commuters living in the principal residence of their parents or other relative, students studying abroad, and any other students with special needs that could not be accommodated in University housing.

students. GU states that it has included in its proposed TUS cap students abroad and students formally classified as non-traditional such as commuters and that its new cap must be higher than its old one to cover them. That argument conveniently ignores the fact that unless the OP recommendation were adopted GU could decide to reduce the number of commuters and students studying abroad and increase its traditional full time undergraduate enrollment-without providing any housing for them. The OP Recommendation is for the University to provide housing for all who need it, excluding students studying abroad, commuters, etc. That is the only sound approach-the GU proposed TUS cap is open to abuse-and it is the community who would be abused.

The University has many options available to it to provide housing for its students, some of which would involve only modest cost to the University. The attached report from the Scion Group, a firm specializing in helping universities with student housing planning, points out that in addition to the traditional model of owning and operating its own student housing, public-private partnerships provide GU the option to provide such housing without bearing any significant cost or risk. The report notes that Howard University's Howard Plaza Towers East and West with 1730 student beds were built using this technique. See Scion Report, Exhibit A at pp. 4, 7. If GU can find funding and Campus sites for a business school, a science school and a new athletic center it should be able to provide student housing on-campus or in locations outside zip code 20007. Indeed GU has just kicked off a new \$1.5B capital campaign.

The zoning law does not make the cost of compliance a relevant consideration for this Commission when it considers how to correct the objectionable conditions caused by twenty years of enrollment growth without adequate housing. The zoning law simply requires a University located in a residential neighborhood to be a good neighbor by not causing objectionable conditions for its neighbors. In this case, that means GU must become a residential

undergraduate college, as it pledged to do in 1990. The fact that GU did not make good on that pledge and chose instead in its 2000 Campus Plans to house its increasing enrollment in the community is not a decision binding on this Commission. Housing its undergraduates is the action that OP, ANC 2E, the community organizations, the residents and their elected officials, including Mayor Vincent Gray and Council members Evans, Cheh, Orange and Mendelson, have stated is required to eliminate the objectionable conditions that GU has created.

Have GU's new initiatives eliminated the objectionable conditions caused by GU students living off-campus?

In its rebuttal submission dated June 15, 2011, GU listed a number of new initiatives that it was undertaking to respond to the concerns the residents and their associations presented at the Commission hearings. These new enhancements of its decade old Off-Campus Student Life Program are simply more of the same programs that have failed for a decade. While some of these initiatives are certainly welcome, indeed overdue, taken as a whole they have not made a significant improvement in the quality of life in West Georgetown and Burleigh. Significantly missing from the package is adequate housing for its undergraduates. Tweaking programs that have consistently failed for many years will not solve the objectionable conditions in the community created by GU's student housing policies.

Ken Archer reports for CAG's Beautification Committee on GU's increased trash collection:

"GU's twice-per-day pickup of uncanned trash has shown no signs of reducing rat infestations and is probably attracting more rats by inducing students to throw trash on their lawn daily with no fines and undermining CAG's efforts to reduce rats. While students get twice-per-day uncanned trash pickup with impunity, neighbors are receiving \$1000 fines for uncanned trash thanks to DPW enforcement that was requested by CAG."

The University decision to add four more off duty police officers to its existing reimbursable detail may increase student safety but it has done nothing to decrease student noise or misconduct. This initiative ignores the fact that the three officers in the reimbursable detail GU implemented last year had no significant impact on the noise and student misconduct problems as fully documented in the record of this case. Both SNAP and the police typically sit in their cars and do nothing to deal with noise and student misconduct until a complaint is filed, as can be observed in the video of nightlife in Georgetown that CAG presented as part of its presentation to the Commission. A CD of that video is enclosed as Exhibit C. The video shows students screaming in the streets while GU Campus Police, SNAP and MPD cars with flashing lights pass by or observe the scene without taking any action. As the Commission heard from resident witnesses the police are very reluctant to arrest students for even serious violations. There has been no change in that situation since the reimbursable detail was initiated last summer, as demonstrated in the following excerpts from typical emails received by CAG and BCA:

Michelle Galler, October 19, 2011:

“I can definitely state that things have NOT gotten better in my neighborhood (36th & P). My neighbors and I regularly commiserate about the loud parties at Magis Row. In fact, they are worse than last year!!”

Michelle Galler, November 5, 2011:

“I am writing as a resident of 36th Street, and a victim of multiple vandalism incidents involving drunk Georgetown University students. Once again, last night, at precisely 2:38 am, a band of drunken, loud students removed the plants from the planters in front of my home and maliciously threw them around the premises. They have done the same with my plantings in the past, as well, as urinating on the front lawn, and screaming and throwing loud street parties well into the night. (I am happy to supply photographs.)

The noise violations, vandalism and drunken behavior committed by Georgetown University students, especially those in Magis Row across

from the residents on 36th Street, continue to plague my neighbors and me. The police are not protecting us!! We are helplessly being surrounded by callous, entitled students who are NOT BEING SUFFICIENTLY PENALIZED for their bad behavior.⁴”

Lee Child, October 22, 2011:

“When I testified against GU expansion in June I spoke of the four For Sale signs on our block - long time residents are moving out - they simply don’t want their lives to be marginalized by the exploding student population. West Georgetown is being trashed by students. Nothing has improved: the noise is terrible, keeping me awake weekend after weekend; our streets are littered with beer cans and red cups and last night’s supper. There is hardly a day that goes by that I do not pick up bottles and trash while walking my dog. Students do not care about the community or its residents. Neither, it would appear, does GU.”

Marie Louise Carvatti, October 24, 2011:

“The fall has seen exponential growth in the number of students living off campus around 35th and O streets with noise now coming primarily from students walking back and forth from home to campus and to bars, and so is much harder to pin down or report, since it is constantly moving. However, on Saturday October 22nd the perennial problem house at 3429 O Street once again thwarted my attempts to unwind from a particularly long week’s work. Starting in the morning, there was a party on the patio with around 15-20 revelers drinking, shouting and whooping as if they were at a football match. I asked them to quiet down and they left shortly after. The party started up again in the afternoon/evening with more drinking and passing around a pipe with who knows what in it. Early Sunday morning at 4 or 5 am I heard one or more people going in and out of my side patio. I was half asleep but thought I heard the gate slam several times. I looked out the windows but did not see anything and since I was quite exhausted I did not call the police, but went back to bed. In the morning, I discovered a heavy concrete planter that had been in my front yard, with a clematis trailing through the front fence had been picked up, thrown into my neighbor’s yard and the plant had been ripped out.”

⁴ One response to this email: “Michelle, we have dealt with several instances like this involving students in the past. I will have Cmdr Reese follow up with u on how we r going to deal with this growing problem. Clearly we will need the assistance of the University.”

Cathy Lanier
Chief of Police
Washington, DC
202-727-4218

A Burleith resident, October 29, 2011:

“Loud parties [at a student group house] all the time, sometimes until 3 in the morning. This night in particular, the Saturday before Halloween. If this goes on for 1 more hour I will call the cops.”

Another Burleith resident, October 21, 2011:

“This is to confirm our conversation last night when I reported that a few weeks ago, can’t recall exactly when, sorry, I witnessed a young, drunk, male student urinating on 37th Street at the corner of Whitehaven Parkway. An MPD vehicle was passing and the officer got out of the vehicle and approached the young man and asked what he thought he was doing and pointed out that urinating in public was an offence. I did not wait to see the outcome. As I write (at 4:30 p.m. in the afternoon!) my student neighbors at [address deleted] 37th Street are starting a very loud party in their backyard with extremely loud music. If it continues late I will call the police and send you another email. Not sure what the rules are about afternoon parties!!

Stephen Brown who testified before this Commission was so incensed by a loud, late night party on October 22, 2011 in the 3800 block of S Street that he took a short video of same. It is posted on YouTube at <http://youtu.be/MZLu-L0VtJ0>.

CAG has years of experience with its own MPD reimbursable detail that has patrolled the same streets in a neighborhood funded effort to improve public safety. CAG found that it is difficult to obtain the number of officers requested every night. There were often not enough officers available from MPD District 2D to satisfy all the demands for reimbursable officers from the Georgetown Business Improvement District, CAG and GU. The shortage leads to officers from other MPD Districts who have no knowledge of Georgetown and little or no experience dealing with students filling some of the slots. This situation recently lead CAG to terminate its own reimbursable detail and rely instead on patrols by private security officers. In its Rebuttal Submission GU states that it “hopes” to maintain this expanded reimbursable detail [despite these undisclosed issues] (Rebuttal Submission dated June 15, 2011, Tab A). The community does not need “hope” for more of the same failed programs at this point; it needs

decisive action directed at the root problem-too many students forced to live in the community by the lack of adequate University housing.

Every ten years GU pledges to take further steps to ensure serious consequences for bad student behavior but does not deliver-as its own Off Campus Student Life Reports demonstrate (See Fall 2010 Report, GU Prehearing Submission, Tab B at p. 8: Spring 2011 Report, GU Rebuttal Submission, Tab F at p. 9: no serious sanctions, no suspensions or expulsions). GU has rarely imposed serious sanctions for off campus student misconduct and SNAP is never going to address or control effectively all the various kinds of disruptive noise and conduct caused by so many students living off campus. Furthermore, more enforcement cannot stop the exterior and interior noise levels associated with too many people living in one small row house, for example: vulgar language, loud late night conversations, slamming doors and running up and down the stairs at all hours of the night. In addition, the students who learn, through disciplinary measures or otherwise, to live in the community without disrupting the quality of life of their neighbors move out at the end of the school year, and a new group comes in, effectively nullifying any enforcement and education efforts undertaken thus far.

While GU also pledges to do better in following up on resident complaints, the first person to take them up on that offer, at the specific suggestion of Chairman Hood, was Walter Parrs who testified before the Commission on June 6, 2011. His June 15, 2011 report on that follow up, filed as Exhibit 335, concludes:

“I have lost hope that GU will implement any enforcement plan that will address the extensive problems that Burleith and West Georgetown face. How can any University – or anyone for that matter – control literally hundreds of steaming-drunk college students spread over two neighborhoods? I understand why GU cannot propose an enforcement plan: there is none that will work.”

“Chairman Hood and Commissioners, please return undergraduate students to campus because it is the only solution that will right most –

not all – of the wrongs done several nights a week every week of the academic year.”

The Student Parking Measures outlined in Tab B generally reflect existing GU’s policies on student cars. Instead of proposing that undergraduate students that reside in off campus housing in zip code 20007 will be prohibited from parking their cars on residential streets, as American University has done, GU simply proposes that students register their vehicles with the University and comply with D.C. laws on registration. Unfortunately many students living off campus have found ways to obtain improperly permanent or temporary zone 2 parking stickers and they park their cars (several to a house) on the street. AU would impose stiff fines for students caught doing that, GU does nothing.

The proposed Community Council in Tab C is another variation on what has been tried in the past, including meetings between the University and community leaders before the 2010-2020 Campus Plan was filed. However, with over 1,300 undergraduates and 1,100 graduates housed off-campus in zip code 20007, the problems remain too pervasive to be addressed successfully by any type of community dialog. What is needed to make such community meetings effective in dealing with town-gown issues is a commitment by the University to address neighborhood concerns that are presented at the meetings. For a decade GU has held periodic meetings for neighbors to “vent” about student misconduct and related issues but there has been no effective follow-up action by the University. What is missing from the University’s proposal, in addition to a commitment to provide housing for its undergraduates, is a renewed commitment from the University to address effectively grievances and issues raised by the community in such meetings.

In conclusion these new initiatives do not address the basic concern of the community, which its Planning Expert and the DC Office of Planning have also identified as a

serious concern: the many students forced to live off campus by the lack of student housing are threatening the continued existence of West Georgetown and Burleith as viable residential communities. GU's recent efforts to lessen a few of the adverse impacts of an over-concentration of students in the community is simply a last ditch effort by GU to continue housing over 1300 of its undergraduate students in the adjoining residential communities.

What is the Undergraduate Solution?

Providing all undergraduates with University housing as proposed by the Office of Planning and supported by two ANCs, the Georgetown, Burleith and Foxhall civic associations, is essential to resolve the objectionable conditions in the community. Student group houses would revert to single family homes. Noise, trash and parked automobiles from undergraduate group houses would cease being serious problems. While transient noise would remain an issue, it would be largely eliminated in Burleith which is removed from the commercial corridor and reduced in West Georgetown by the elimination of the plethora of party houses scattered throughout the neighborhood.

Housing undergraduates on campus would also minimize transient noise in West Georgetown because most of the bars frequented by students are on M Street and lower Wisconsin Avenue. Increased focus by OCSL, SNAP and the DC Police, on the much smaller number of routes back to campus, combined with the new GU late-night bus service to campus on M Street; and enhanced enforcement of noise violations, along with the decline in undergraduate off-campus group houses, should bring the transient noise problem down to manageable proportions.

The undergraduates living off campus in University owned townhouses on 36th Street in West Georgetown, the so called Magis Row housing, deserve special mention. As set forth in detail in the prior submissions of CAG/BCA the 50-60 students living in those townhouses have been a persistent source of loud late night parties, vandalism, and trash violations for a decade. They serve as party magnets for students who visit them with accompanying shouting, screaming and loud talking at all hours of the night. As noted above by a resident of that street this situation, and vandalism in retaliation for resident noise complaints, continues to this day. And these are townhouses owned and operated by the University, immediately adjoining the Campus! Given the University's unwillingness or inability to control the specially selected students living in these townhouses it is no wonder that GU's efforts elsewhere have failed.

Bringing the off campus undergraduates back on campus (including the undergraduates in "Magis Row") is therefore the essential remedy to the objectionable conditions created by GU for its neighbors. CAG/BCA support the recommendations in the OP Report regarding a reasonable time frame for GU to meet that objective, commencing with housing an additional 250 students on or off campus, as GU has proposed, by no later than Fall 2014, with the rest housed over the next two years. To ensure that GU has adequate incentive to meet those targets and to provide relief to the community in a timely manner it is critical that GU be required to meet those OP's recommended percentage targets either by providing the housing or shrinking its enrollment. To prevent any further stealth expansion of the GU Campus and more Magis Row situations GU also should be prohibited from purchasing property in zip code 20007 for residential purposes without the approval of the Zoning Commission.

Are the objectionable conditions created by GU students limited to undergraduates?

The objectionable conditions in West Georgetown and Burleith are not limited to those caused by undergraduates and undergraduate group houses. ANC 2E, CAG and BCA are very concerned about the huge increase in GU's graduate enrollment in the last ten years and the more than 1,100 graduate students living in zip code 20007. (See GU Rebuttal Submission, Tab M, p. 2).

Graduate students living in group houses pose most of the same problems listed above for undergraduates, including loud late night parties, improper disposal of trash, poorly maintained houses, etc. They are transient residents living in de facto rooming houses who do not have the same neighborhood-oriented interests as either long term owners or renters. When combined with the undergraduate population living off campus, and sometimes sharing a group house with them, they contribute to the destabilization of West Georgetown and Burleith as residential neighborhoods.

As explained in OP Report, the written submission of CAG and BCA dated May 12, 2011 and the Report of Urban Planning Consultant George Oberlander dated March 2011, on file in this case as Exhibit 90A, when the total number of transient students living in a neighborhood reaches the high levels it has in West Georgetown and Burleith it has a negative impact on the character and quality of life in that neighborhood. The total number of graduate and undergraduate students living in West Georgetown and Burleith is in fact threatening to eliminate the residential character of those neighborhoods and make them appealing only to students. While out-of-control parties and other blatant student misconduct may be somewhat less prevalent among graduate students than undergraduates, objectionable conduct and conditions still exist far too often and are increasingly intolerable as total student density on a block increases.

In addition, many graduate students who do not live in West Georgetown and Burleith, including most School of Continuing Studies (“SCS”) students, are driving to school, clogging the overburdened neighborhood streets with student traffic and competing for the scarce parking spaces available for residents. GU has finally recognized that it cannot continue to grow its SCS enrollment on campus and is proposing to establish a satellite campus for its SCS students by December 31, 2013 and move 1,000 SCS students off campus by that date. While that would have a favorable impact on the traffic and parking situation, if GU’s Total Student Cap is not reduced by the same 1,000 students, GU can simply replace them with traditional graduate students and the parking and traffic situation will be unchanged and the number of graduate student group houses will increase.

The Graduate Student Remedy

To resolve the objectionable conditions that GU has created in the adjoining residential neighborhoods it is therefore critical that graduate enrollment on campus be capped at current levels and that future growth in graduate enrollment be handled in one or more satellite campuses, as GU has done for the Law School and is proposing to do for the School of Continuing Studies (“SCS”). Accordingly the community strongly supports GU’s decision to reduce its SCS graduate enrollment by 1000 students effective December 31, 2013, and move those students to a satellite campus, so long as the location is outside zip code 20007. However it is critical that the Total Enrollment Cap for GU be reduced to 13,000 students by that date from the approximately 14,000 currently attending school on campus. Otherwise the 1000 reduction in SCS enrollment, almost all of whom are commuters, would permit a 1,000 increase in traditional graduate students, many of whom live in the adjoining communities in zip code

20007. That could easily subvert the improvement in the neighborhood balance and the residents' quality of life provided by GU housing more of its undergraduates on campus. West Georgetown and Burleith are already at the tipping point and any further increase in GU enrollment could push them over. To the extent these additional graduate students do not seek to live in the adjoining communities they would add to the traffic congestion and parking demand, offsetting the beneficial impact of moving the SCS students, the majority of whom commute by car, to a satellite campus. Any increase in traditional graduate and professional enrollment, such as the 967 increase proposed by GU, should be directed towards a satellite campus.

GU has expanded its student enrollment beyond the capacity of its campus, the road and parking infrastructure and the ability of the adjoining neighborhoods to house its students. The objectionable conditions that it has created need to be reversed and a different more responsible plan for growth adopted. The DC Comprehensive Plan (10 DCMR §1214) specifically encourages Universities located in residential neighborhoods to grow via satellite campuses and that is the future path that GU needs to be encouraged to follow.

Comments on other new issues raised in GU's Rebuttal Submission

The student data contained in Tabs L and M ignore the fact that the objectionable conditions posed by the large number of students living in the neighborhood surrounding the University was a serious problem in 2000 which has simply become worse. In 2000 the BZA granted GU a significant increase in its undergraduate enrollment and allowed it to average Spring and Fall enrollment. As a result there was no decrease in the number of students living in West Georgetown and Burleith in Fall 2010. Note that Tab L which purports to show an insignificant decrease in the number of student "residences" includes students living in basements of owner occupied houses. The principal concern of the community is the group

houses containing 4,5,6 or more students. The number of those houses has increased, not decreased in both West Georgetown and Burleith. See CAG/BCA Supplemental Submission, Exhibit 245.

Tab M shows that the number of undergraduate and graduate students living in zip code 20007 is essentially unchanged from Spring 2000 to Spring 2010. However it is the Fall enrollment, combined with 12 month leases for group houses, that drives the conversion of owner occupied houses to student group houses and the number of students living in the community has been increasing over the last several years, returning the community to the same or in many areas worse conditions present in 2000. Years of neglect of its housing obligations should not create a license for GU to continue to do so.

While Tab N purports to show that there has been a slight reduction in disorderly conduct calls in the last few years the data presented is for the entirety of West Georgetown, Burleith and Cloisters. As CAG demonstrated in its presentation, there has been no reduction in disorderly conduct call for blocks in West Georgetown and Burleith where there is a high concentration of students. See Exhibit 127, slide 20.

In Tab O GU presents the Commission with a different list of its top ten competitors from that previously provided by the University's own Office of Undergraduate Admission and Clearinghouse, an independent source of college data. The conclusion, however, remains the same: GU does not rank very high in providing housing for its undergraduates. Also note that GU includes in its calculation the 111 beds in University owned townhouses in West Georgetown, which are not "on campus" and which have been a source of objectionable conditions for those living opposite the "Magis Row" townhouses on 36th Street for over a decade.

Some of the Universities surveyed by U.S. News and World Report for its “Best Colleges” annual report appear to have included undergraduate beds provided by fraternities and sororities (e.g., MIT) while others did not do so (e.g., UVA). The bottom line is that those Universities have dormitory type housing available for most of their undergraduates and GU does not. Depending on location, fraternities and sororities may pose issues for their neighbors, but it is an entirely different situation from the GU student take-over of the adjoining residential neighborhoods of small houses.

Finally while some Universities such as Vanderbilt University require all undergraduates to live in University housing (see Exhibit B, attached), others simply provide housing for most of their undergraduates and fill it because the demand is there. The demand is also present at GU which has to conduct a lottery every year to determine which lucky upper class students can live in University housing.

The Undergraduate Housing Analysis in Tab S is replete with misstatements, misleading enrollment data and inadequate justification for its conclusions. The statement that the University’s traditional undergraduate population has only grown by 729 students in the last 20 years is a fiction, based on comparing average enrollments during that period and excluding a large number of undergraduates not considered “traditional”. As ANC 2E, CAG and BCA pointed out in their analysis of GU’s own enrollment data, there has been a steady and large increase in Fall undergraduate enrollment and in students living in the community each Fall, which drives the number of conversions from single family to student group house. If the University had in fact provided an adequate number of beds for its undergraduates there would have been a significant decrease in the undergraduate population in West Georgetown and Burleith, as the University predicted would occur in 2000. Unfortunately, that did not happen.

In the community meetings held by GU in the two year period prior to its filing of its Campus Plan, the University was presented with uniform demands from the residents and community leaders attending those meetings to house all of its undergraduates on campus. See, e.g. GU minutes:

https://gushare.georgetown.edu/OfficeOfCommunications/campus_plan/20090530_CommunityMeetingNotes.pdf (“Community wants 100% on campus housing for undergrads”).

The University in fact hired an architect, Alexander Cooper of Cooper, Robertson & Partners, who identified several locations on campus that in his opinion could house hundreds of undergraduates. He did not include the Leavey Center Hotel which was only proposed as a location for a student dormitory after the Campus Plan was filed. The Campus Plan filed in December, 2010, like the earlier drafts of the Campus Plan presented to the community, provides for no new additional undergraduate housing. Indeed GU states that “based on input from consultants and others, the University concluded that meaningful additional on-campus housing generally was not feasible...” (Campus Plan p. 13). In March, 2011 the University backed off from that statement and proposed converting the Leavey Center to an undergraduate dormitory housing 250 students. GU Pre-hearing Submission. In its Rebuttal Submission filed in June, 2011 GU again dug in its heels and states that housing 250 students is all that it is feasible for it to do. When faced with sufficient opposition to its plans GU can discover other feasible solutions, as GU has demonstrated most recently by abandoning its controversial loop road proposal on the west edge of the campus which both it and its consultant, Gorove Slade, stated was the only feasible location.

The University states at page 4 of Tab S that it is unwilling even to consider an off campus housing alternative for its students for reasons that do not pass muster. Some of the

reasons given for not repurposing existing or planned non-residential buildings to mixed use with a residential component are simply cop outs, not adequate justifications for the University's position. Furthermore, many Universities including George Washington University (GW) have faced similar housing problems to GU. They have addressed those problems by creating a satellite campus to house undergraduate students, as GW has done with the Mount Vernon satellite campus. It should be noted that GU had an option to purchase the Mount Vernon campus located on Foxhall Road, located less than 1 mile north of the GU Main Campus, but instead passed on it, permitting GW to buy it. There is no reason why students living in such a satellite campus could not engage fully in the life of the campus to the same extent as they do now, where they are already required to live off campus at some distance from the University. The students who now live off campus in townhouses scattered across zip code 20007 plus a small number located elsewhere in DC, MD and VA have no easy access to dining halls and student meeting rooms which GU states are important amenities. There is no reason why those amenities could not be provided for those students in a satellite campus. GW was able to do it. Furthermore the University has committed to move its School of Continuing Studies to a satellite campus, which would provide some of the academic and administrative functions that the University claims are important to complement off campus housing. Tab S simply reflects an intransigence on the part of the University actively to explore providing additional undergraduate housing either on or off campus, in addition to the conversion of 250 bed Leavey Center. Unfortunately the 250 bed Leavey Center would house only a small percent of the undergraduate students now living in Georgetown and Burleith, and therefore would not provide meaningful relief to those adversely impacted neighborhoods, as is required by law.

BCA Evaluation of Witness Testimony in Support of GU Campus Plan

Of the 24 non-student witnesses who testified in support of the GU Campus Plan 10 are currently employed by the University, four work for institutions directly supported by the University, and two graduated in 2010. Only three of the witnesses not employed by the University actually live in West Georgetown or Burleith.

Taylor Price, 2010 graduate

Father Kevin O'Brien - director of Campus Ministry

Grace Bateman, attorney and long time supporter of University positions on neighborhood issues

Jonda McFarlane – in the past associated with a non-profit supported by GU

Ed Spriggs – Asst GU Athletic Director, SNAP Officer

Edward Machir – Alum and GU adjunct professor

Ray Daneli – Asst Director of Off Campus Student Life, GU

Max Glassie – 2010 Theology Major graduate

Tim Moran – has lived in Georgetown only since August 2010

Matt LeBlanc – Project coordinator GU's LGBTQ Program

Dana Frommer – GU's Burleith Community Advisor

Cory Parker – SNAP Officer, GU

Cory Peterson – Area coordinator, GU Office of Residential Life

Michelle Siemietkowski – GU Director of Residential Ministry

Reverend Patrick Rodgers – GU Director of Main Campus Ministry

Thomas Strike – Burleith resident – rents to GU students

Rory Pullens – Head of School – Duke Ellington School of the Arts, supported by GU

Irasema Sakido – Director of Cesar Chavez charter school – Ward 7, supported by GU

Jacques Arseneau – Alum 2001 & 2007

Will Cook – Hillendale resident who testified he lived in Burleith which made his testimony misleading (Hillendale is a gated community with a small number of student residents); GU grad, testified whole family are GU grads; wife is Chair, GU Alumni Admissions Program

Rev. Nolan Williams, Jr – 1995 – 2010 Metropolitan Baptist Church, supported by GU

Brittany Crawford – Ward 7 mentoree who received GU support

Erica Higley – 1995 GU grad & MBA/Masters Public Policy grad; Glover Park resident

Sally Kram – Director of Public and Govt Affairs Consortium of Universities of Washington Metro Area (University trade association of which GU is a member)

CONCLUSION

CAG and BCA, representing neighborhoods adjacent to Georgetown University, entered into these hearings on GU's 2010-2020 Campus Plan believing that the Zoning Commission and the Campus Plan review process exists to provide relief to residents and neighborhoods of the District of Columbia from unlawful encroachments and objectionable conditions created by neighboring Universities. We have no other protection than the Zoning Commission. Georgetown University is a very self-interested institution that will try to use spin rather than cooperation to achieve its objectives. We look to you, the Zoning Commission, to uphold the zoning laws of the District of Columbia that are being violated every day by Georgetown University.

In conclusion, the Citizens Association of Georgetown and the Burleith Citizens Association urge the Zoning Commission to reject GU's 2010-2020 campus plan, unless GU amends its plan so that it is consistent with the Office of Planning recommendations which, in turn, are consistent with the District's Comprehensive Plan and zoning regulations.

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Georgetown

Lenore Rubino
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