

*By Alykhan Merali (Georgetown 2013)*

The Office of Planning report on Georgetown University's 2010 Campus Plan was a game changer, by all accounts. The 100% on-campus mandate surprised many and led to questions about how the report was formulated. Toward understanding the OP process, on May 22nd DC Students Speak filed a request under the Freedom of Information Act, asking the Office of Planning to release all communications that they had with ANC 2E, ANC 3D, the Burleith Citizens Association, the Citizens Association of Georgetown, and Georgetown University regarding the 2010 Campus Plan.

On Monday, OP responded to this request, handing us a 300+ page tome that we will attempt to release in full this week (a similar FOIA request to ANC 2E has not yet been responded to). What has become apparent in our first read through the provided materials is that there is an extremely close relationship between OP and ANC 2E, CAG, & BCA. The documents also show that ANC 2E, particularly Chair Ron Lewis, wielded significant influence in the drafting of OP's report.

Based on the emails, it appears that OP met with the University once, sometime in November 2010 in advance of the Campus Plan's final filing but well into its drafting. By contrast, OP met with community groups no fewer than five times and exchanged emails with Chair Lewis with immense regularity. The headliner of these meetings took place on February 24th, when Chair Lewis, Mayor Vincent Gray, OP director Harriet Tregoning, OP deputy director Jennifer Steingasser,

ZONING COMMISSION  
District of Columbia

CASE NO. 10-32  
EXHIBIT NO. 297

and perhaps others sat down to discuss the resolution that ANC 2E would pass the following Monday

Besides displaying a certain verbal chumminess that borders on inappropriate, the communications between Chair Lewis and the OP staff, generally Ms. Steingasser, reveal significant coordination. As the below correspondence from July 2010 shows, Chair Lewis provided Ms. Tregoning and Ms. Steingasser with talking points for how to deal with Georgetown University while also arguing for them to disregard the University's argument as much as possible.

**Steingasser, Jennifer (OP)**

---

**From:** Lewis, Ron (ANC 2E02)  
**Sent:** Friday, July 09, 2010 11:59 AM  
**To:** Tregoning, Harriet (OP); Steingasser, Jennifer (OP)  
**Subject:** Fwd: Our meeting re the Georgetown University campus plan  
**Attachments:** Talking points for City Administrator meeting.07.08.10.docx

Harriet and Jennifer,

An email I've sent to Neil Albert as a follow-up to yesterday's meeting with him is attached, FYI. I'm also attaching the talking points I used at the meeting.

Best regards,

Ron

----- Forwarded message -----  
**From:** Lewis, Ron (ANC 2E02) <2E02@anc.dc.gov>  
**Date:** Fri, Jul 9, 2010 at 11:38 AM  
**Subject:** Our meeting re the Georgetown University campus plan  
**To:** "Albert, Neil (EOM)" <Neil.Albert@dc.gov>  
**Cc:** "Kenner, Brian (EOM)" <brian.kenner@dc.gov>

Neil,

Thank you very much for the good meeting yesterday about the Georgetown University 10-year campus plan and the need to fix the serious adverse impacts the university is causing for the surrounding communities.

With your encouragement, we will continue working closely with OP on this with the goal of getting a much better plan.

When Linda Greenan and the Georgetown University folks come in to see you, as you said they've requested, I just urge you to keep in mind that the arguments they will make have been thoroughly reviewed and rejected by the community and by OP.

And if they ask if you have any suggestions, the most helpful thing you could do would be to tell them they need generally to listen harder to OP and the community, and specifically they need to begin bringing significant numbers of off-campus undergraduates into on-campus housing.

Our sincere thanks for your time and involvement. Let me know, please, if we can be helpful in any way.

With best regards,

Ron

Ron Lewis  
Chair, ANC 2E

Perhaps the most interesting tidbit in the correspondence is Chair Lewis' memo dated 2/7/11 sent to OP's Ms. Steingasser, Stephen Mordfin, and Joel Lawson. A number of elements in this memo were eventually included in OP's report. This is most clear with regards to the 100% on-campus requirement. The memo outlines a phase-in undergraduate cap proposal and yearly targets (2016, for instance) that were not in ANC 2E's resolution but that would eventually be in OP's report. The memo also includes Chair Lewis considering the legality of requiring students to live in zip codes other than 20007. This memo is reproduced in part below:

Check with OAG now re D.C. housing laws on GU (1) encouraging or (2) requiring students to live outside of 20007

*Require annual audits of enrollment numbers and numbers of students living off-campus in zip code 20007*

*If need be, GU's enrollment caps would be lowered (phased in) if other measures, such as those listed above, were not taken or were ineffective in limiting off-campus housing in zip code 20007*

*Setting the limits on off-campus housing in zip code 20007*

The current off-campus situation vs. 10 years ago:

Currently, there are some 1,385 to 1,710 undergraduates living off-campus in zip code 20007 and 1,132 graduate students <2009 figures -- see separate spreadsheet, provided earlier>

This is up from 1,342 undergraduates and 1,072 graduate students living in zip code 20007 in 1999-2000

GU projected and OP's 2000 Report concluded that 700-800 undergraduates could be living off-campus in zip code 20007 by 2010, a significant decrease from 1999-2000 levels. The OP Report proposed to cap this at 700 undergraduates.

This reduction, however, did not occur. There are actually more undergraduates and graduate students living off-campus in zip code 20007 than there were 10 years ago.

*Goal by 2013, 2016, 2020 -- how many off-campus students should be living in zip code 20007?*

Such policy consultation would continue throughout the process. As OP began to finish their report on the plan, Chair Lewis was provided with an early copy of it at 10:17am on May 5th, before it was released to the public. He responded thusly:

**Steingasser, Jennifer (OP)**

---

**From:** Lewis, Ron (ANC 2E02)  
**Sent:** Thursday, May 05, 2011 11:12 AM  
**To:** Steingasser, Jennifer (OP)  
**Subject:** RE: A copy of OP's report re the GU campus plan

Jennifer,

Thank you!!

I only have a technical question -

Under "Campus Housing" - will it say anywhere that if the housing is on-campus it must be west of the 37th Street gates (and not in the "on-campus" residential area between 35th and 37th Streets - e.g., the "1789" block)? And that if it's not on-campus west of the gates it can't be anywhere in zip code 20007? GU's pre-hearing submission would allow them to put the 250 beds in the 1789 block or in commercial property in 20007.

This applies for the first 250 beds and also for the remaining beds to be provided over the next several years - will the OP report make clear that this needs to be not in zip code 20007 east of the campus gates, not in commercial property in 20007 etc?

I appreciate the condition that location would be subject to ZC approval, but it might help to specify some excluded areas if possible.

Best regards,

Ron

An hour and a half later, Ms. Steingasser sent Chair Lewis an updated draft of their report, including the fairly significant additional provision that all housing built to meet the 100% mandate had to be within the University's gate, and could not be on the blocks east of 37th Street generally considered on-campus.

**Steingasser, Jennifer (OP)**

---

**From:** Lewis, Ron (ANC 2E02)  
**Sent:** Thursday, May 05, 2011 12:12 PM  
**To:** Steingasser, Jennifer (OP)  
**Subject:** RE: A copy of OP's report re the GU campus plan

Jennifer,

Thank you!!!

Ron

**Preventing terrorism is everybody's business.**

If you SEE something, SAY something.

Call the Metropolitan Police Department at (202) 727-9099 or email at [SAR@DC.GOV](mailto:SAR@DC.GOV) to report suspicious activity or behavior that has already occurred.

Call 911 to report in-progress threats or emergencies.

To learn more, visit <http://www.metro.dc.gov/operationtip>.

---

**From:** Steingasser, Jennifer (OP)  
**Sent:** Thursday, May 05, 2011 12:37 PM  
**To:** Lewis, Ron (ANC 2E02)  
**Subject:** RE: A copy of OP's report re the GU campus plan

Here it is- I added your concern. I haven't been able to attach the maps but have to run to NCPC and will send them to you later this afternoon.

Jennifer

Jennifer Steingasser, AICP, Deputy Director  
Development Review and Historic Preservation  
DC Office of Planning

Chair Lewis does not appear to be the only individual from the community that had impact on the ultimate report issued by OP. Among the most curious elements of the report was that its section on the changing nature of the neighborhood drew heavily on a British study of university towns in the UK. GU's legal counsel Maureen Dwyer raised several questions about the notability and relevance of this study during her cross-examination of OP. Based on our FOIA request, it appears as though CAG legal advisor Richard Hinds is the original source of this report:

**Steingasser, Jennifer (OP)**

---

**From:** Richard deC HINDS [rhinds@ogsh.com]  
**Sent:** Tuesday, January 25, 2011 4:30 PM  
**To:** Mordén, Stephen (OP)  
**Cc:** Steingasser, Jennifer (OP); Lawson, Joel (OP); Jennifer Aternus; luca@pivato.com; Ronald Lewis; Lenore Rubino  
**Subject:** UK Article

I thought the attached article might be of interest since it makes clear that the same problems facing Georgetown and Burleigh have surfaced throughout England.  
<http://thecollector.org.uk/38articles.pdf>

Richard

---

Richard deC. Hinds  
Cleary Gottlieb Steen & Hamilton LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006  
T +1 202 674 1540; F +1 202 104 1999  
[www.clearygottlieb.com](http://www.clearygottlieb.com) | [dhs.clearygottlieb.com](http://dhs.clearygottlieb.com)

All of this is particularly striking considering that it appears no student input was taken by OP. Despite being more than receptive to Chair Lewis, Aaron Golds, a former ANC 2E commissioner who supported the Campus Plan, does not appear to have had a similar chance to discuss his views. The only piece of correspondence in the dossier between Commissioner Golds and OP is the following:

**Steingasser, Jennifer (OP)**

---

**From:** Golds, Aaron L. (ANC 2E04)  
**Sent:** Thursday, July 08, 2010 9:52 AM  
**To:** Steingasser, Jennifer (OP)  
**Cc:** ATD OP; alg53@georgetown.edu  
**Subject:** Georgetown University 2010 Campus Plan

Ms Steingasser:

My name is Aaron Golds and I serve as the Advisory Neighborhood Commissioner for SMD 2E-04. I am also a rising senior at Georgetown University. I've heard you are the staff member at OP who has been working with the University and community on GU's 2010 Campus Plan.

As the student who has been most involved in the planning process, I wanted to touch base with you to make myself available for any questions you may have. You should feel free to contact me at any time at one of my e-mail addresses ([aaron.golds@anc.dc.gov](mailto:aaron.golds@anc.dc.gov) or [alg53@georgetown.edu](mailto:alg53@georgetown.edu)) or on my cell phone: [202-691-1111](tel:202-691-1111).

I hope OP, along with the Zoning Commission, can work with GU and the neighborhood to move past the distortions and misinformation about the plan, the University and its students and pass a campus plan that allows the University to fulfill its academic mission.

I look forward to speaking with you in the future.

Sincerely,  
Aaron L. Golds  
[aaron.golds@anc.dc.gov](mailto:aaron.golds@anc.dc.gov)

This lack of concern for student input is troubling, as is the general tenor of relations between OP and individuals like Chair Lewis. Tomorrow, we will have additional documents that although not directly related to the drafting of OP's report will still almost certainly be of interest to students that have followed the Georgetown Campus Plan debate. We appreciate your patience as we continue to navigate this sizable document.

*Editor's note: This article is being published with assurances from the Student Press Law Center that reproduction of documents obtained through Freedom of Information is completely legal.*

2011 JUN 20 AM  
*By Scott Stirrett (Georgetown 2013) and Alykhan Merali  
(Georgetown 2013)*

Yesterday, we released several communications between the Office of Planning and members of ANC 2E and the Citizens Association of Georgetown that showed a close relationship between the three bodies during the drafting of the Office of Planning report on the Georgetown University Campus Plan. Pursuant the same Freedom of Information request that brought us those emails, we also uncovered several other emails that although not directly related to the drafting of OP's report are still likely of use to the public.

The most interesting of these is a law brief sent by CAG President Jennifer Altemus to OP staff, ANC 2E Chair Ron Lewis, and two other individuals. The brief evaluates the current standing of Belle Terre v. Boras, a 1974 Supreme Court case that upheld the constitutionality of zoning regulations that limit the number of unrelated individuals that can live in a home together.

The brief reads as so:

**From:** Jennifer Altemus [cag-president@cagtown.org]  
**Sent:** Thursday, June 24, 2010 6:49 PM  
**To:** Cidlowski, Laine (OP); Steingasser, Jennifer (OP); Rich Hinds; Ronald Lewis; Louise Brodnitz; Anne Lewis  
**Cc:** Parker, Travis (OP)  
**Subject:** Re: DC Office of Planning, law research follow up  
**Attachments:** B&O Letter final.pdf

Hello all - I have attached a copy of the letter that our law firm provided about group houses and copied below their follow up as to the research. Please let me know if you have any questions.

Thanks,  
Jennifer Altemus

Karl

You asked that I respond to a request from Jennifer Altemus for information regarding the status of the U.S. Supreme Court's decision in *Belle Terre v. Boraas*, the case we cited in our April 13, 2010 letter to the Citizens Association of Georgetown. In particular, Jennifer asked that we examine what effect the Supreme Court's decision in *Moore v. City of East Cleveland* had on the precedential value of the decision in *Belle Terre*.

I shepardized *Belle Terre v. Boraas*, 416 U.S. 1 (1974), and there are 11 cases that distinguish its holding and one state court case that declined to follow it. Of the 11 cases that distinguished the holding, only one was a U.S. Supreme Court decision, *Moore v. City of East Cleveland*, 431 U.S. 494 (U.S. 1977). The holding in that case distinguished the holding in *Belle Terre* based on the difference between the zoning ordinances at issue. In *Moore*, the zoning ordinance imposed a limit on the number of certain family members that could live together (i.e., it prevented a grandmother from living with her grandchild), but the ordinance in *Belle Terre* did not impose any limitation on the number of related persons living together. In particular, the court in *Moore* said:

"But one overriding factor sets this case apart from *Belle Terre*. The ordinance there affected only unrelated individuals. It expressly allowed all who were related by 'blood, adoption, or marriage' to live together, and in sustaining the ordinance we were careful to note that it promoted 'family needs' and 'family values.'" 416 U.S., at 9. *East Cleveland*, in contrast, has chosen to regulate the occupancy of its housing by slicing deeply into the family itself. This is no mere incidental result of the ordinance." *Moore*, 431 U.S. at 499.

The remaining cases that distinguished the holding *Belle Terre* did so primarily on bases similar to that in *Moore*.

A New Jersey state court declined to follow the holding in *Belle Terre*, stating in its decision that an ordinance limiting the number of unrelated individuals that can live in one household is impermissible because it violates provisions of the state constitution. *State v. Behar*, 81 N.J. 99, 103 (1979).

There were no court decisions from the D.C. court system that cited *Belle Terre*. Eleven decisions from the D.C. Circuit (appellate and district court levels combined) cited the decision, but did not disagree with it or distinguish it.

Therefore, *Belle Terre v. Boraas* remains the bellwether case interpreting the constitutionality of a zoning ordinance that limits the number of unrelated individuals who can reside together in a home.

Please let me know if you have any questions.

Thanks,  
Geoff

Considering that CAG is using legal services to investigate this case, it would appear as though they may once more be considering pushing for a *Belle Terre*-like zoning overlay in Georgetown and Burleith. This was first attempted in 1997, when residents called for a zoning ordinance that would restrict the number of unrelated individuals living in a home together to three. The result, as the *Washington City Paper* described it, was "full-fledged war." Then, as now, students (of all ages) and young professionals should be very concerned about such a proposal.

Also of concern should be the manner in which ANC 2E Chair Ron Lewis dismisses the vote of one of his colleagues. Following ANC 2E's vote to oppose the Campus Plan, he sent their full resolution and this email to the Office of Planning:

**Steingasser, Jennifer (OP)**

---

**From:** Lewis, Ron (ANC 2E02)  
**Sent:** Thursday, March 03, 2011 4:59 PM  
**To:** Tregoning, Harriet (OP); Steingasser, Jennifer (OP); Lawson, Joel (OP); Mordfin, Stephen (OP)  
**Subject:** FW: ANC 2E filing in Zoning Commission Case No. 10-32, GU campus plan  
**Attachments:** ANC 2E letter to Zoning Commission re GU campus plan.03.03.11.PDF; ANC 2E findings and recommendations re the GU 2010-2020 campus plan.02.28.11.pdf

Harriet, Jennifer, Joel and Steve,

The ANC 2E findings and recommendations regarding the Georgetown University 2010-2020 campus plan are attached - we approved them earlier this week and they're being filed today with the Zoning Commission. As expected, the vote was 6-1 - all the ANC 2E commissioners who are permanent residents voted in favor and the one commissioner who's a GU student voted against. The Citizens Association of Georgetown and the Burkeith Citizens Association came out with statements strongly supporting the ANC 2E position; and last night, ANC 3D (Foxhall Village, Palisades, Spring Valley etc.) voted 8-0 to oppose the GU campus plan for reasons similar to ours.

Let's keep in touch as the hearings draw closer.

Best regards,

Ron

Student ANC commissioners are ANC commissioners, and their votes should be considered in the same manner as other commissioners, regardless of what Chair Lewis perceives their long-term plans to be. Chair Lewis also fails to mention that in addition to CAG and BCA having spoken in favor of his resolution, DC Students Speak also spoke that night in opposition to it.

Below are some addition emails that interested us. We'll have the full document tomorrow.

**Steingasser, Jennifer (OP)**

---

**From:** Don Edwards [don@jsallc.com]  
**Sent:** Thursday, November 18, 2010 7:08 AM  
**To:** Steingasser, Jennifer (OP)  
**Subject:** Fw: Fwd: Porterfield leaving GU according to Vox

Fyi

Sent from my Verizon Wireless BlackBerry

---

**From:** Ronald Lewis <ronald.b.lewis@gmail.com>  
**Date:** Wed, 17 Nov 2010 17:59:01 -0800  
**To:** Don Edwards <don@jsallc.com>  
**Subject:** Fwd: Porterfield leaving GU according to Vox

Don,

In case you haven't seen this ...

All the best,

Ron

----- Forwarded message -----

**From:** Jeff Jones <info@midatlanticimport.com>  
**Date:** Tue, Nov 16, 2010 at 12:55 PM  
**Subject:** Porterfield leaving GU according to Vox  
**To:** Ronald Lewis <ronald.b.lewis@gmail.com>, Ed Solomon <eduxedo@aol.com>  
**Cc:** Jennifer Aliemus <ceo-president@cagtown.org>, Cynthia Pantazis <cynthia.pantazis@bingham.com>, Lenore Rubino <lenorerubino@gmail.com>, Bill Starrels <bill.starrels@gmail.com>

Nov 16 2010

• 2

Porterfield to leave Georgetown, named President of Franklin & Marshall College