JAMES E. MCLEOD
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September 7, 2000

BZA
Case No. 16553
Exhibit No. 185

Sheila Cross-Reid, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street NW, Room 210S
Washington, D.C. 20001

RE: Statement of James McLeod, Foggy Bottom Resident, and Party in the Case of George Washington University's (GWU's) Campus Plan Application, No. 16553

Dear Chairperson and Members of the Board:



Figure 1: Pennsylvania House, 2424 PA AV NW (view of PA AV side of building). Of the 42 units shown (6 per floor for the top seven floors), only 11 remain occupied by long-term residents. Of the total of 126 units on these floors, only 30 remain occupied by long-term residents (defined as those who have lived here since GWU leased between 27 to 33 units to house students in 1997).

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I welcome this opportunity to express my opposition to the 2001-2010 plan proposed by George Washington University for its Foggy Bottom campus. As I mentioned in April, my name is James E. McLeod. My address is 2424 Pennsylvania Avenue NW #407, Washington, D.C. 20037, where I have lived full-time since 1983.

Need For More On-Campus Housing

I share the concern I have heard expressed by other Foggy Bottom residents that the Campus Plan has little meaning unless it in some way controls GWU's use of housing stock outside the campus boundaries. The only way I can figure out for you, members of the D.C. Board of Zoning Adjustment, to give it such meaning is to require GWU to build on-campus housing for nearly all of its full-time undergraduate students

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attending the Foggy Bottom campus. I support the 100 percent goal advocated by the Advisory Neighborhood Commission 2A in April.

There are good arguments to be made for why 90 percent might be a reasonable compromise. For example, you might not want to require on-campus housing for local students who want to live with their parents or you might not want to discourage the University from giving more freedom in housing choices to sophomores or juniors who finish their respective years in the top10 percent of their class, but the housing units not used by undergraduates can be used by graduate students, who (according to Applicant's Revised Exhibit 13) are to be phased out to free up space for undergraduates.

While this requirement for on-campus housing would not prevent GWU from legally purchasing more off-campus housing stock in Foggy Bottom and the West End, it would take away much of its incentive for doing so, since the University would want to fill its on-campus dorms. Also, linking the number of on-campus housing units to full-time undergraduate enrollment will put more of the impact of decisions to increase undergraduate enrollment where it belongs, on GWU.

More On-Campus Housing Will Further Ward 2 Land Use Goals

Title 10 of the D.C. Municipal Regulations states that the objectives of land use are '[t]o conserve and enhance existing residential neighborhoods"(10 DCMR 1338.1(a)) and that the District government should "[m]aintain and enhance older established residential neighborhoods and areas including ... Foggy Bottom [and the] West End...."(10 DCMR 1339.1(a)(1)). By requiring the University to provide on-campus housing equaling the number of full-time undergraduate students, you will be furthering these worthy land use goals for Ward 2.

In its "Revised Exhibit 13," the Applicant talks about committing to



Figure 2: Portion of card formerly available in lobby of The Pennsylvania House. The Aston is now listed as a GWU owned property used to house students. Both locations are outside the campus boundaries.

housing 60 percent of its undergraduates with a long term goal of housing 80 percent of its undergraduate population. But, this housing is not restricted to on-campus. It includes off campus GWU-owned buildings, Riverside Towers, the Dakota, the Aston, HOVA, Square 43, Square 58, Square 81, Square 122 or any commercial zone in the District.

In seeking to become a party in this matter, I mentioned how GWU had used part of the building where I live as a dorm a few years ago. One of the Board members seemed to want to assure me that the organizations I identified as sending its employees or consultants to live in my building probably have long term leases and there may not be much reason to be concerned about GWU taking over the building. The existence of the item exhibited in Figure 2, which features both the Aston (now a GWU property) and the Pennsylvania House, and GWU's desire to use "any commercial zone in the District," cause me to continue to be concerned.

GWU's use of dozens of units in my building to house students facilitated remodeling to furnished units and the effective conversion of an apartment building with many long-term residents, into a building where only a quarter of the units are occupied by people who have been in the neighborhood any significant length of time. The West End is an important link between the neighborhoods of Foggy Bottom and Dupont Circle. Without an adequate supply of on-campus housing, GWU's use of off-campus housing will add directly and indirectly to the transient population in Foggy Bottom and the West End which will neither maintain nor enhance these neighborhoods.

There seems to be a significant amount of commercial space on GWU's campus currently, but I noticed on page 26 of its plan, the Applicant says new space will be required for Commercial/Investment development. "The specific priority in this category is the potential development of properties zoned C-3-C[1] along Pennsylvania Avenue, as a natural part and extension of the northern and eastern commercial campus frontage." I live on Pennsylvania Avenue in a C-2-C zone.[2] While my C-2-C zone may not be an exact match for GWU's potential commercial/investment development, because my building is in a "Commercial District"[3] it seems to fit into GWU's third category of properties for fulfilling its commitment to house 60 percent housing its students, "any commercial zone in the District."

The southern side of my block used to consist of three apartment buildings, a local grocery store, and a church. One apartment building converted to a hotel, The Melrose (formerly The Bristol), and we now have a convenience store instead of a grocery, but there are still long term residents in the block forming a thinner-but-still-sturdy, living link of residents between historic Foggy Bottom and neighborhoods to the north – West End and Dupont Circle. Instead of GWU

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[1]High bulk, major business and employment centers.

[2]High density, community business centers.

[3]*See* 11 D.C.M.R. 105.1(d).

taking over this block and severing long term residents from each other, I would like to see dorms built near (but definitely inside) the boundaries of the University to meet GWU's housing needs. If the zoning exception granted for a new hospital to be built at 900 23rd Street N.W. is not overturned by the Court of Appeals,[4] then the existing hospital offers GWU a fair amount of space for constructing a dorm or dorms. If GWU says it does not have enough on-campus space for dorms, then perhaps it should convert some of its on-campus commercial space to dorms or classroom buildings to free sites on campus. Off-campus investment property, in high bulk, major business and employment centers, in the city or other parts of the region, should prove equally suitable to GWU's goal of generating money.

I pray that the final plan approved by members of this board will serve to instruct GWU that the District values its communities. Speaking of praying, I live a few doors down from St. Stephen the Martyr Church, a noted landmark in Foggy Bottom whose church bells I enjoy hearing on Sundays.[5] I like this neighborhood where I was born and where I occasionally endeavor to make things better. For example, I organized a petition of the National Park Service which resulted in sailboat rentals returning to Foggy Bottom docks. (Attachment 1). I believe Thompson Boat Center is currently the only place in the District where you can rent a sailboat (provided the concessioner has complied with a recent NPS directive to get the Sunfish repaired). I have taken time to express my concerns about zoning or planning issues affecting the residential character of my neighborhood at several past BZA and Zoning Commission hearings. In 1983, I submitted comments to the City Council on the "District of Columbia Comprehensive Plan Act of 1983." (Attachment 2). As a District citizen, through my volunteer work as a member of the D.C. Superior Court Drug Court Committee and in other ways,[6] I attempt to contribute to the betterment of the city.

Working on this statement in that time of year when students return to school, I recall a portion of the welcoming remarks by the President of my college. He said "There is more to life than making a living." I still agree with him, but the making a living part has kept me from spending as much time analyzing GWU's plan as I would have liked. I have expressed my primary concerns and hope to offer additional comments orally if my work permits me to attend the hearings. Years ago I did take a course in land use law at a school whose motto is "Law for the Community and the World." I like the priority of the motto. If GWU's administration wants to achieve its stated goal of becoming a "world-class" university, I submit they need to build more

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[4]The Foggy Bottom Association has requested the DC Court of Appeals (No. 99-AA-1105) to vacate the Aug. 6, 1999 DC Board of Zoning Adjustment order granting the zoning exception to build a new hospital. Oral arguments could be set as early as November.

[5]See WASHINGTON AT HOME, AN ILLUSTRATED HISTORY OF NEIGHBORHOODS IN THE NATION'S CAPITAL, Kathryn Schneider Smith, Editor, pp. 55 - 62 (*Chapter 4, Foggy Bottom: Blue-Collar Neighborhood in a White-Collar Town by Suzanne Sherwood Unger*).

[6]I have written on issues of civic concern in D.C.: McLeod, *Jury Trials for Those Accused of Misdemeanor Offenses in the District of Columbia*, THE WASHINGTON LAWYER (May/June 1999).

quality, on-campus housing[6] to show its appreciation both for its students and the needs of the long-term residents of this city who live in Foggy Bottom and the West End and who wish to maintain and enhance those communities.

Thank you for your attention to my comments on this important matter.

Sincerely,

James E. McLeod

Attachments (2)

cc: James Draude, Esq. (for ANC-2A)
Driscoll & Draude
1230 31ST Street NW
Washington, DC 20007

Barbara Spillenger,
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Washington, DC 20037

Dorothy Miller
Commissioner 2A03
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949 25TH ST NW
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Michael Thomas, Pres.
Foggy Bottom Neighborhood Assoc.
2501 M Street NW #611
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Steven Mandelbaum
Commissioner ANC 2A06 c/o
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Sara Maddux
522 21ST ST NW #401
Washington, DC 20006

Maureen Dwyer, Esq. (for Applicant, GWU)
Shaw Pittman
2300 N ST NW
Washington, DC 20037

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[6]On page 25 of the Applicant's statement, GWU asserts they currently have 3,519 resident student beds within the Campus Plan boundaries, with plans to increase this number to 4,250. On the sheet following Tab 27 of their submission, GWU lists 6,846 as the number of full-time undergraduate students enrolled in the fall semester. To reach the goal of on-campus student beds equaling the number of full-time undergraduate students, either the University should plan (1) to build on-campus dorms with 2,596 more beds than they currently have planned, (2) reduce its enrollment or (3) a combination of 1 and 2.

ATTACHMENT 1 TO
J. McLEOD'S STATEMENT

Thompson's setting sail after delay

By MAX PIZARRO
Current Staff Writer

Always a romantic attraction, rowboats on the Potomac do not measure up to sailboats when it comes to sheer, billowy picturesqueness, according to Jim McLeod, a Foggy Bottom resident and sailboat enthusiast.

And while popular, sculls hardly convey the sense of effortlessness that some members of a sidewalk-bound society yearn for and may yet find in the local activity of sailing.

At McLeod's prodding, Thompson's Boat House was slated to begin sailboat rental no later than this past weekend for the first time in several years, according to the National Park Service.

"They will have two sailboats available," confirmed Kevin Brandt, assistant superintendent for the C&O Canal National Historic Park. "They're small, 18-foot sunfish, and when the wind is up, they're really nice," he said on Friday.

For safety reasons, Brandt said only boatsmen who can prove their competence in a pre-rental test will be allowed to take to the river in the sailboats. He underscored that there would be no novices filling their sails and slicing on a wobbly course toward a crew of hard-charging college rowers come fall mornings.

See **Boats**/Page 29

BOATS

From Page 1

McLeod was appeased Friday afternoon.

He had been flustered for months over what he said was the Park Service's failure to coordinate the delivery of sailboats at Thompson's. He wrote a letter and submitted an accompanying petition to the manager of the concession in 1997. He said he received no reply. He complained again and urged members of the Foggy Bottom community to join him, and in March of this year, Foggy Bottom Association president Ellie Becker received a letter from Douglas Faris, superintendent of the C&O Canal National Historic Park.

"A trial rental period will begin this season when the water warms above 50 degrees F," Faris wrote. "A minimum of two sailboats will be routinely available for public rental for use in and around the Thompson's Boat Center."

But the season came around and still there were no sailboats available for rental at Thompson's.

"The National Park Service said they were going to resume the practice of renting small sailboats but their contractor, Guest Services Inc., has not done so," McLeod said last week. "Whenever I go down there [to Thompson's Boat House] they tell me they don't rent sailboats. But if the Park Service owns the land and leases it to them, they should have their requests honored."

McLeod said it was especially frustrating on a beautiful day, and even more irritating when the titillating sight of the river in the last month's heat has been all a sailor could settle for after taking a trip to Thompson's.

"If the Park Service owns the land and leases it to them, they should have their requests honored."
— Resident and sailor Jim McLeod

"They had several boats in their storage yard," Brandt said of Guest Services. "Apparently, though, they didn't have the ones they wanted. The boats they had were in disrepair.

"What they're doing now is bringing in a couple of boats that will be available for rental," Brandt added.

Managers at the boat house did not return telephone calls.

In the meantime, several miles north of the racy, regatta-hosting Thompson's Boat House is the sleepier Fletcher's Boat House. Fletcher's sits in a wooded copse along the river with the Virginia palisades rising up magnificently across the water on the west, braced by crashing waterfalls and low-lying meadows overhung with sweetgum and poplar trees.

Palisades native Joe Fletcher said he does not offer sailboats at his boathouse, nor does he ever consider it likely he will have them.

"There's just not enough water in our narrow part of the river up here," said Fletcher. "I would think it might be a problem there, too, with all of the rowing shells. Every morning it's a zoo down there. And then you get somebody in a sailboat. I don't know."

Nevertheless, Fletcher said he was not quite content with his 45 rowboats and 75 canoes currently docked at Fletcher's. And while adding sailboats to the fleet does not figure in his plans, he said he is currently seeking approval from the park system for the addition of boats of another kind.

Kayaks.

"We're a concession," Fletcher said. "The park system controls what we do and it controls how much things cost. We can't offer a new lure here at our shop without getting approval, but I am hoping that we'll be able to have kayaks here this season."

ATTACHMENT 2 TO
J. McLEOD'S STATEMENT

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

November 15, 1983

Mr. James E. McLeod
2424 Pennsylvania Avenue, N. W. Apt. 407
Washington, D.C. 20037

Dear Mr. McLeod:

I am in receipt of your letter regarding Bill 5-282, "District of Columbia Comprehensive Plan Act of 1983".

Chairman Clarke and the Members of the Council appreciate your comments on this matter. Your correspondence will be entered into the record. In addition, a copy has been forwarded to the Committee of the Whole.

Sincerely,

Russell A. Smith
Secretary to the Council

cc: Committee of the Whole
Legislative Services Unit