August 2, 2004

Government of the District of Columbia
Board of Zoning Adjustment

Re: BZA Application No. 16566
(Georgetown University Campus Plan)

Submission of the Citizens Association of Georgetown

The purpose of this submission is to set forth the position of the Citizens Association of Georgetown ("CAG") with respect to the remand by the DC Court of Appeals of the Order of the Board of Zoning Adjustment ("BZA") approving with conditions the 2000-2010 Georgetown University Campus Plan. CAG was a party to the BZA campus plan proceeding and an intervener supporting the Order in the Court of Appeals. In summary, the BZA should review the evidence entered into the record relevant to the disputed conditions identified by the Court of Appeals as requiring reconsideration by the BZA and request interested parties to submit their views in writing on the action the BZA should take with respect to those conditions, together with any new relevant information not previously submitted for the record. In addition, because additional relevant evidence is available with respect to two issues of primary importance and significance for both the applicant and the neighboring community, the undergraduate enrollment cap and the University's Off-Campus Student Affairs Program, the BZA should also schedule a hearing to receive that evidence.

Condition #2: The Enrollment Cap

An additional hearing should be held on this condition to permit the BZA to consider the impact of the completion of the Southwest Quadrangle dormitory project in 2003 on student misconduct off-campus. The applicant cited that project as justifying a substantial increase in

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the undergraduate enrollment cap because it would reduce the number of undergraduates living off-campus and the potential for student misconduct. Student misconduct in West Georgetown has if anything increased since the entry of the BZA Order, as it had for several years before.

Not only has student misconduct increased, but the nature of the complaints has grown more severe. While noise and trash are still problems, misconduct has escalated to include destruction of property, assault and attempts at intimidation of residents who complain of student misconduct.

The BZA should hear oral testimony to learn what Georgetown residents have experienced before and since the entry of the BZA's Order, which sought, by means of the Conditions imposed, to deal with student misconduct off-campus by University students. CAG believes that the evidence will demonstrate that there are too many undergraduates living off campus in West Georgetown and Burleith, that the increase since 1990 in the number of students living off campus has been accompanied by an increase in student misconduct and that the recent small decrease in the numbers of students living of campus has not resolved the problem of student misconduct.

Written submissions alone cannot adequately present the serious objectionable conditions that Georgetown University and its students have created for its neighbors.

Conditions 3-10 – The Off-Campus Student Affairs Program

The Court of Appeals found that Georgetown affirmatively invited the BZA to regulate their operations by making compliance with the Off-Campus Student Affairs Program an enforceable part of the BZA Order. Nevertheless, the Court of Appeals struck down several

conditions as involving matters in which the Court ruled the BZA lacks "specialized competence." Written submissions regarding those conditions should be received on remand.

In addition, the BZA should invite written submissions and oral testimony at a hearing on how the Off-Campus Students Affairs Program has functioned in recent years and how it can be improved. CAG believes that the University's Off-Campus Student Affairs Program has been an abject failure and that it needs to be reinvigorated with appropriate modifications to the conditions imposed by the BZA.

Conditions 1, 11-13, 17-19

These conditions were not challenged by Georgetown and should not be addressed on remand. These conditions act to reduce objectionable conditions created by the presence of the University in a residential district and as such, these conditions should be made part of any new Campus Plan order.

Condition 14

The BZA should receive written submissions with respect to this condition. The purpose of this condition was to alleviate the parking problems in Georgetown caused by out of state student vehicles illegally parking on residential streets. With minor modification, this provision is both needed and supported by substantial evidence in the record at the present time.

Condition 15

Written submissions with respect to this condition should be received on remand. The University in its original Campus Plan submission proposed a continuation of the 1990 cap on

the number of on site parking spaces. CAG believes the BZA should adopt the University's original proposal which is supported by substantial evidence in the record at the present time.

Respectfully submitted,
Victoria G. K. Rixey, President

Barbara Zartman, Chairman
Committee on Historic
Preservation & Zoning

Richard deC. Hinds
Legal Advisor
Citizens Association of Georgetown

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Submission of the Citizens Association of Georgetown Re: BZA Application No. 16566 (Georgetown University Campus Plan)* was hand delivered or mailed, postage prepaid, on August 2, 2004 to the following:

Office of the Clerk
Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Maureen E. Dwyer
Deborah B. Baum
For Georgetown University
Shaw Pittman, LLP
2300 N Street, NW
Washington, DC 20037

Burleith Citizens Association
Edward Solomon, President
3525 S Street, NW
Washington, DC 20007

Cloisters in Georgetown Homeowner's Association, Inc.
Barbara Zartman, President
1642 35th Street, NW
Washington, DC 20007

President
Hillandale Homeowners Association
3905 Reservoir Road, NW
Washington, DC 20007-2144

Richard deC. Hinds
Cleary, Gottlieb, Steen & Hamilton for
Citizens Association of Georgetown
2000 Pennsylvania Avenue, NW, Suite 9000
Washington, DC 20006