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February 6, 2003

Ms. Carol Mitten, Chair
Zoning Commission for the
District of Columbia
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

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Re: Zoning Commission Case No. 02-32
Georgetown University Performing Arts Center
Landscape Plan and Response to Submissions from Citizens Association of Georgetown and Burleith Citizens Association

Dear Ms. Mitten and Members of the Commission:

Enclosed herewith are 20 copies of the Landscape Plan for the Performing Arts Center, as requested by the Commission, and 20 copies of our responses to the post-hearing submissions of the Burleith Citizens Association and the Citizens Association of Georgetown.

Sincerely,

Nathan W. Gross, AICP

Cynthia A. Giordano

Attachments

ZONING COMMISSION
District of Columbia
Case 02-32
Exhibit 47

ZONING COMMISSION
District of Columbia
CASE NO.02-32
EXHIBIT NO.47

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February 6, 2003

Ms. Carol Mitten, Chair
Zoning Commission for the
District of Columbia
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: Zoning Commission Case No. 02-32
Georgetown University Performing Arts Center
Response to Submissions from Citizens Association of
Georgetown and Burleith Citizens Association

Dear Ms. Mitten and Members of the Commission:

Georgetown University submits this letter in response to the submissions filed by the Citizens Association of Georgetown (CAG) on January 16, 2003, and the Burleith Citizens Association (BCA) on January 23, 2003. Both submissions claim that the University fails to comply with several of the conditions in the Board of Zoning Adjustment Order approving the University's campus plan (Order No. 16566-C), and request that the Commission postpone approval of the University's Performing Arts Center project until the University complies with the Campus Plan Order. As indicated in the University's Pre-Hearing compliance statement dated November 21, 2002 (attached as Exhibit A) and in its letter dated January 13th to the Commission (attached as Exhibit B), the University fully complies with the Campus Plan Order and each of its conditions.

The standard for compliance with the Campus Plan Order is "substantial compliance." Condition 19 of the Campus Plan Order states:

> *No special exception application filed by the University for further processing under this plan may be granted unless the University proves that it has consistently remained in substantial compliance with Conditions 1 through 18 set forth in this Order.*

The University fully meets this standard as described in its compliance statement, the January 13th letter, and as further set forth below.

The University's submissions plainly establish its substantial compliance both with each condition and the conditions as a whole. They demonstrate as well the University's good faith, sustained and continuing efforts not only to comply with the conditions but also to work with the community to address concerns and respond to problems. The opposition filings of CAG and BCA suggest their difference of opinion with the University over the scope and meaning of certain aspects of three conditions and desire to use this forum to expand the Order's requirements. As we demonstrate below, these opposition filings fail to undermine the University's showing of substantial compliance.

The University will address each of the conditions raised by CAG and BCA, and explain how the University complies with those conditions below.

I. Enrollment.

CAG contends that the University's enrollment for academic year 2002/2003 exceeds the cap contained in Condition 2 of the Campus Plan Order. Condition 2 states:

> *The Applicant shall not increase undergraduate enrollment above the cap of 5,627. This cap shall apply to traditional full-time undergraduate students; that is, undergraduate students who require housing.*

The cap of 5,627 was based on the enrollment number the University projected in the 2000 Campus Plan for academic year 2000/2001. That number was computed the same way the University computed the enrollment numbers for each of the previous 10 years, namely by taking an average of the fall and spring enrollment numbers.

The University has consistently applied the same averaging formula for reporting enrollment numbers to the Board of Zoning Adjustment (BZA). The 1990 Campus Plan contains averaged enrollment numbers going back as far as 1977. The 2000 Campus Plan contains averaged enrollment numbers going back to 1990. As explained in the University's January 13th submission, the University's enrollment numbers for traditional full-time undergraduates historically are higher in the fall than in the spring, primarily because some students leave campus to attend academic programs in other countries.

At the time the University submitted its Pre-Hearing compliance statement in this case, only fall enrollment numbers for 2002 were available. The University therefore projected for the spring semester the same percentage of decline (8 percent) that occurred in spring 2002. The result was an average enrollment for the academic year that was comfortably under the enrollment cap.

Since the hearing, the University Registrar has received all of the necessary information to compile the spring enrollment number of 5,166 for the current academic

year. The fall enrollment number is 5,754. When averaged these two numbers produce an average enrollment number for academic year 2002/2003 of 5,460, which is well below the cap of 5,627. The University is therefore in compliance with Condition 2.

Over the lengthy course of the campus plan process, the University met on a number of occasions with the community (including Mrs. Barbara Zartman) to review the enrollment numbers. Mr. John Pierce, the University's Registrar, explained exactly how the University computes the enrollment numbers for each academic year. The University has consistently used the averaging method in its campus plans for more than 12 years and would object to any change to the rules in this regard. The University is both surprised and disturbed that the method for computing enrollment, which was never raised in the campus plan proceedings, is only now being raised. CAG had ample opportunity to question how the University computes its enrollment numbers in the course of the campus plan proceedings, and they did not do so.

II. Student Vehicle Registration.

CAG and BCA have raised an issue regarding the University's compliance with Condition 14 of the Campus Plan Order. The language of Condition 14 is shown in bold below, broken down into five sections. Each section contains the University's response demonstrating that it fully complies with the requirements Condition 14.

A. ***To "maintain" through its Office of the Registrar "an accurate record of the license plate numbers of motor vehicles kept by all University students."***

The University Registrar asks students to provide his office with information about whether they keep a motor vehicle in the District of Columbia, and if so, to provide a license plate number and indicate the state of issuance. This information is collected at the beginning of each semester. In compliance with the condition, this information is maintained in the Office of the Registrar.

B. ***To "direct its students to register their vehicles in the District of Columbia, or obtain a reciprocity sticker if eligible to do so."***

The University conducts a vigorous and comprehensive educational campaign to inform students of their obligations to register motor vehicles. At the orientation program for off-campus students each August, the University informs students of this responsibility. Students are given copies of a "vehicle registration packet" which contains information about the registration process. This information is reinforced in a newsletter distributed to students, on a bulletin board prominently placed in the Student Center and in numerous other ways. In addition, each student who acknowledges having a car in the District receives a follow up letter reminding him of his registration obligation. Students residing in ANC 2E and 2A are not eligible for reciprocity stickers, but students are directed to obtain these stickers if they reside outside these boundaries.

C. ***To "consult with the D.C. Department of Motor Vehicles to determine whether such registration is completed or such stickers are obtained."***

University representatives have corresponded and met with officials of the Department of Motor Vehicles (DMV) to discuss the University's compliance with Condition 14, and have been informed that the steps the University has taken meet and exceed the expectations of the department. The University will continue to work with DMV on this issue.[1]

D. ***To "withhold parking privileges to students who do not comply with D.C. registration requirements."***

The University does not extend parking privileges to students except in instances of a disability that would require the student to have an automobile.

E. ***"Failure to abide by District law concerning registration of student vehicles shall constitute a violation of the Code of Student Conduct."***

The University's Code of Student Conduct makes failure to register a vehicle a violation under the provision requiring students to comply with local laws and ordinances.

The University fully complies with Condition 14. To the extent that CAG and BCA demand that the University monitor student's registration of vehicles, Condition 14 does not require the University to do so. CAG and BCA's arguments to the contrary reflect their desire to impose obligations broader than and in addition to those contained in Condition 14.

III. Reporting Information.

CAG claims that the University is not in compliance with the reporting requirements of Condition 9. That condition states:

> *The Applicant shall make publicly available data indicating the number and types of complaints received concerning student misconduct and the outcome of each complaint, including whether sanctions were imposed and whether any fines paid. The Applicant shall also report this information quarterly to the Office of Planning, the Zoning Administrator, ANC 2E and the Alliance for Local Living, and to other interested community organizations that may request the information.*

The University has fully complied with the BZA's requirement to make available to the public data regarding off-campus student conduct related issues. Reports are sent

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[1] In addition to these communications with the DMV, the University submits information to the Metropolitan Police Department ("MPD") that comes to its attention from the community about cars with out-of-state tags that allegedly belong to students. On November 6, 2002, the University sent MPD the list of cars with out-of-state tags that Ms. Hardy compiled and attached to BCA's submission. (See Exhibit C.)

quarterly to the Office of Planning, the Zoning Administrator, ANC 2E and the Alliance for Local Living. The Campus Plan Order does not require the University to submit monthly reports, but these are nonetheless provided at meetings of local citizens' associations in an effort to communicate fully with the community.

CAG identifies three areas of reporting which it claims are deficient. These are details regarding (1) helicopter use, (2) the outcome of student disciplinary action, and (3) complaints about students who live on-campus but misbehave off-campus.

With respect to helicopter use, the helipad on Georgetown's campus is used exclusively by MedStar, which now runs the University's hospital, for medical purposes. MedStar's Assistant Vice President for External Relations at the hospital has been meeting regularly for nearly two years with the BZA Quarterly group to provide interested persons with information about MedStar's use of the helipad. MedStar has also provided regular written summaries of helicopter use, including the numbers of helicopter transports by medical category (e.g., adult cardiac, adult surgical, neonatal and pediatric trauma). Illnesses related to each category have been discussed and explained in some of the earlier BZA Quarterly meetings. Until the CAG submission, there have been no complaints from the community about the frequency or the level of detailed information provided to the community. In fact, at the most recent BZA Quarterly meeting on January 23, 2003, the BZA Quarterly group confirmed that they would prefer to have the helicopter reports delivered quarterly as opposed to monthly, and had no concerns about the format or the level of specificity in the reports.

Regarding the outcome of student disciplinary action, as indicated above, the University provides quarterly updates on the number of reports received on its hotline, the response to those reports, the conduct violations arising from those reports, and the sanctions given as a result. This information is provided in aggregate form, clearly responsive to Condition 9's emphasis on number and types of complaints. Notwithstanding CAG's assertions, the condition simply does not require the reporting of specific information either by student or by reported incident. Nor could the University legally disclose personally identifiable information about students. The Family Educational Rights and Privacy Act ("FERPA") prohibits the nonconsensual disclosure of personally identifiable information from student education records. CAG simply wants more information than Condition 9 requires, and more information than the University can legally provide.[2]

CAG also wants detailed information about students who live on-campus in residence halls but misbehave off-campus. The BZA order does not support the assertion that the reporting obligations of Condition 9 apply to students living on-campus. To the contrary as the BZA Order makes abundantly clear, the neighbors' concerns and the

---

[2] Georgetown has appealed certain of the BZA conditions to the District of Columbia Court of Appeals. Since the University is complying with the BZA Order pending resolution of that case, most of the appellate issues are not implicated here. One of the challenges relates to the University's FERPA obligations and the extent to which they may conflict with certain of the BZA's conditions.

attention of the BZA was on the conduct of students living off-campus. On page 10 of the Campus Plan Order, the Board states:

> *The Board heard substantial, persuasive testimony describing adverse impacts on the surrounding neighborhoods resulting from the presence of undergraduate* ***students living in those neighborhoods****. Some students* ***living off-campus*** *- albeit a minority of students* ***living off-campus*** *and a small fraction of the University population - have created serious objectionable conditions in the communities surrounding the campus, particularly Burleith....*
>
> *The Board believes that the University must direct and guide the conduct of its students when they are* ***living off campus****. The policies established in the new Off-Campus Student Affairs program will allow the University to monitor off-campus student activity in a proactive manner to prevent adverse impacts that* ***off-campus student houses*** *or cars may otherwise have on the community.* [Emphasis added.]

Given the context in which the BZA imposed Condition 9, the University has appropriately read it to relate to the conduct of students living off-campus. The University has, therefore, not provided information on the misconduct of students living on-campus in residence halls, nor does it believe that the BZA intended for Condition 9 to require the dissemination of such information. CAG again reads more into this condition than is either there, or intended by the BZA.[3] Expanding the condition to reach the conduct of students living on-campus would be an extraordinary expansion of the BZA order and is simply not supported by the rationale articulated by the BZA.

The University would like to address in general the letters attached to CAG's submission. The December 2002 edition of the CAG newsletter, a publication that is distributed to more than 1,000 members, solicited letters from the community with the following announcement:

> ***Collecting Complaints About Student Behavior***
>
> *If you have experienced any problems with Georgetown University student behavior this fall semester, please email or mail your comments to the CAG office. We have heard many complaints from our constituents, and are endeavoring to quantify and qualify this data in the form of a working file.*

---

[3] In the BCA submission, an assertion was made about the University's compliance with Condition 3 of the Campus Plan Order relating to off-campus housing being a privilege that can be revoked due to student misconduct. The University does not fully understand BCA's assertion, but to the extent that the University's compliance with this condition is called into question, the University maintains that it does comply with this condition. The Student Handbook clearly states that the University can require a student to live on-campus if there is a violation of the University's Code of Student Conduct, and the University has, in fact, required students to move back on-campus for misconduct.

Even though the net cast was large, CAG only received 13 letters, 2 of which reported that conditions had improved or actions are being taken to effect improvement. So even though CAG made affirmative efforts to elicit complaints, the number of complaints received about student conduct over the past year was small. There is good reason for this small response. As the attached letter from Lieutenant Bray, the police service area lieutenant for the immediately surrounding area, attests, student behavior has "dramatically improved over the past four (4) years," and " the police, the community, and the ... University have been working hard to reduce the incidents of student misconduct in the Georgetown area." (See Exhibit D.) Moreover, even the Burleith Newsletters indicate a consensus that "student behavior has improved compared to previous years"... "with fewer incidents noted compared to previous years." (See Exhibit E.)

The University takes seriously every complaint it receives from a neighbor. Because the University had no notice of a majority of the incidents described in those letters CAG has submitted, we had no opportunity to address them and are not even certain that all incidents cited involved students. It should be evident that not all misconduct that occurs in Georgetown can be fairly attributed to Georgetown students. Since the establishment of the Off-Campus Student Life Office at the University more than ten years ago, the University has made great efforts to address the concerns of its neighbors. As clearly shown in the minutes of the Alliance for Local Living meetings, which were attached to the BCA submission, there has been a high level of effort involved in the BZA Quarterly and the Alliance for Local Living meetings by the University, the University's Department of Public Safety and the Metropolitan Police Department. There are regular communications with the community, as these minutes reflect, and the University is fully committed to continued dialogue and problem-solving with its neighbors.

IV. Running Track.

CAG's submission states that the University has removed a running track that the plan called for retaining on campus. The University's campus plan does not call for the retention of any track on campus. In fact, the campus plan makes no mention of any running track whatsoever, and there is no campus plan issue involved. The University has recently been required to remove the old track on the roof of the Yates Field House for structural reasons. The track was leaking water into the interior of Yates, causing substantial water and structural damage. The track could not be made to adhere properly to the roof to prevent water damage to the building and, unfortunately, had to be removed.

CONCLUSION

No one opposes the Performing Arts Center project. It is a beneficial project, supported by the community and the Office of Planning. It brings more evening activities for students to the heart of campus, away from the surrounding neighborhoods.

The University has substantially complied with the conditions of the BZA Order and should be allowed to proceed with the Performing Arts Center. Fairly viewed, CAG and BCA's opposition filings present their alternative approach to elements of three of the nineteen conditions. While they may prefer the alternate reading they advocate, the actions of the University respect and comply fully with the conditions imposed by the BZA.

For the reasons previously stated in our submissions, and as further described above, the University is in full compliance with the Campus Plan Order, and with each condition. The University more than meets the test of being in substantial compliance with the conditions of the Order, and respectfully requests that the Commission approve the proposed Performing Arts Center.

Respectfully submitted,

Cynthia A. Giordano

Nathan W. Gross, AICP

Attachments

cc: Office of Planning
The Citizens Association of Georgetown
The Burleith Citizens Association

Exhibit A: Compliance Statement

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November 21, 2002

Ms. Carol Mitten
Chairperson, District of Columbia Zoning Commission
Office of Zoning
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: Georgetown University; ZC Application No. 02-32

Dear Ms. Mitten:

Pursuant to Section 210.8 of the Zoning Regulations, on behalf of Georgetown University, I hereby certify that the construction of the proposed new Performing Arts Center, which is the subject of the above-referenced application, will not cause the floor area ratio (FAR) for the campus as a whole to exceed the 1.41 limit set forth in the recently approved campus plan.

Sincerely,

Cynthia A. Giordano

Georgetown University
Review and Certification of Compliance with Campus Plan Conditions
Board of Zoning Adjustment Order 16566-C
November 21, 2002

Condition No. 1

The Applicant's proposed campus plan is approved until December 31, 2010, subject to the following conditions intended to mitigate any adverse impacts potentially arising from the location of a university use in a residentially zoned district, or until such time prior to December 31, 2010 as the Zoning Commission determines that conditions warrant submission of an updated campus plan or grants a request to amend the plan.

Statement: The Applicant's campus plan was approved by the BZA through December 31, 2010, subject to the conditions listed in the Order. The University has not requested that the plan be amended.

Condition No. 2

The Applicant shall not increase undergraduate enrollment above the cap of 5,627. This cap shall apply to traditional full-time undergraduate students; that is, undergraduate students who require housing.

Statement: The Office of the University Registrar provides the following enrollment information as of November 20, 2002:

Enrollment Report Fall 2002

Source: Official Statistics Fall 2002 September 24, 2002
Official Statistics Fall 2001 September 25, 2001

	Fall 2002	**Fall 2001**
Total University headcount	12,856	12,688
Undergraduate headcount	6,331	6,422
Undergraduate part-time headcount	215	231
Undergraduate full-time headcount	6,116	6,191
Undergraduate full-time non-degree	145	183
Undergraduate full-time degree	5,971	6,008
Non-traditional headcount	217	261
Traditional Headcount	5,754	5,747****

The Cap applies to an average of the Fall and Spring enrollments. The University expects the usual drop between fall and spring, so that the final average traditional headcount is fully expected to be well under the cap. Last year the University was 129

under the cap, with a count of 5,747 in fall 2001 and a count of 5,248 in spring 2002, for an average of 5,498. The 5,754 enrolled this fall is only 7 students more than in fall 2001, and the University expects a comparable drop in enrollment for the spring term as occurred last academic year.

Report Definitions:

1. Undergraduate full-time degree: Undergraduate headcount in the five undergraduate schools (does not include students studying abroad) less part-time headcount less full time non-degree undergraduate headcount less non-traditional headcount.
2. Non-traditional headcount: Full time degree candidates who are nurses returning to school for a BSN; anyone over 25 years of age as of the last day of the term; commuters (students living in Maryland or Virginia).
3. Average traditional headcount: the average of the total for the fall and spring semesters.

Condition No. 3

The Off Campus Student Affairs Program implemented and enforced by the Applicant shall specify that off-campus housing is a privilege that can be revoked due to student misconduct, whether a violation occurs on or off-campus.

A. The Applicant shall ensure that the Off-Campus Student Affairs Program is fully funded and staffed, and shall obtain the endorsement of the University's Board of Directors for the Program and its implementation.

B. The Off-Campus Student Affairs Program shall specify the measures that University personnel shall undertake, immediately upon receiving a complaint regarding student misconduct, to resolve any objectionable behavior pending the University's investigation of a complaint.

C. The Off-Campus Student affairs Program shall conduct at least annually a community education workshop that is mandatory for all students living off-campus.

Statement: The University has implemented and enforces an Off Campus Student Life Program. As a condition of enrollment in the University, all students agree to be bound by certain rules and responsibilities. Failure to comply with such rules, on or off campus, may result in discipline, including, for example, and in appropriate cases, removal from University housing or required on-campus residency as a condition of continued enrollment. The question whether a student's ability to live in off campus neighborhoods near the University can be described as a "privilege" consistent with the District of Columbia Human Rights Act is currently under appeal to the District of Columbia Court of Appeals.

A. The Office of Off Campus Student Life (OCSL) is fully funded and staffed. It is directed by Jeanne Lord, Associate Dean of Students. There is also a full-time Coordinator of OCSL, Julie Fultz. In addition, OCSL employs twelve part-time employees to staff the Student Neighborhood Assistance Program (SNAP). The Off Campus Student Life Program, as described in the Campus Plan, has been endorsed by the University's Board of Directors.

B. Upon receiving a complaint, the OCSL Coordinator:

- Calls the complainant, asks for a summary of the incident, and documents information in a log.
- Meets with the student(s) involved in the incident and documents information provided by the student(s).
- Assesses information collected about the incident (including complainant's information, student information, SNAP report, hotline report, MPD report and any other applicable information), renders a decision about the incident, if it is within her authority to do so, and, if appropriate, sanctions the student(s) involved in the incident.
- Refers the incident to the Associate Dean of Students or to the Office of Student Conduct, if the disposition of the incident exceeds the authority of the OCSL Coordinator. The incident is then handled in a manner consistent with the procedures set forth in the Code of Student Conduct, including, if appropriate, referral to a hearing board.
- Documents all findings and maintains records.

C. Four mandatory Community Education Programs were held for all undergraduate students living off campus on Tuesday, August 27, 2002. These students live in communities surrounding the University, throughout the District of Columbia, as well as in Maryland and Virginia. To accommodate all students, several make-up sessions were also held. As of this date, nine (9) of these students have not yet attended the orientation and have, as a result, had a block placed on their registration pending their meeting this requirement. This is a serious step because it means that until the block is lifted, these students cannot register for classes at the University for spring semester.

Condition No. 4

The Off-Campus Student Affairs Program shall adopt and enforce a Code of Student Conduct.

A. The Code of Student Conduct shall clearly describe appropriate standards of behavior, delineate misconduct that constitutes a violation of the Code, and specify the sanction that will be imposed for violations, particularly with respect to the consequences of repeated violations.

B. The Applicant shall distribute copies of the Code of Student Conduct to students at least annually, and shall require students to certify in writing that they agree to adhere to the Code.

Statement: Georgetown University has implemented and enforces a Code of Conduct for all students.

A. The Code of Student Conduct is clearly described in the Student Handbook on pages 155 – 200. The Code is publicly available on the University's web site. It sets forth appropriate standards of behavior, delineates misconduct that constitutes a violation of the Code, and describes the sanctions that may be imposed for violations, including sanctions for repeated violations.

B. The Student Handbook, which includes the Code of Student Conduct, is distributed to first year students. All upper class students are reminded of the Handbook's availability on the Georgetown web page and by CD rom. All off campus undergraduate students certified in writing at the Community Education Programs their commitment to adhere to the Code of Student Conduct.

Condition No. 5

The Code of Student Conduct shall provide that, once a complaint is received concerning a student's off-campus conduct, a University officer (e.g. the Vice President for Student Affairs or Assistant Dean for Off-Campus Student Affairs) shall determine whether probable cause exists to bring the complaint before a Hearing Board, thereby relieving the original complainant of the obligation to pursue the matter.

Statement: As described above under Condition No. 3, the Office of Off Campus Student Life and the Office of Student Conduct process complaints in a manner consistent with this condition.

Condition No. 6

The Applicant shall maintain a telephone hotline to receive complaints regarding student misconduct. The hotline shall be staffed 24 hours per day, seven days per week, by University personnel who shall keep a detailed record of each complaint received and shall forward each complaint to the appropriate authorities for immediate response.

Statement: The University hotline is staffed by the Department of Public Safety 24 hours a day, 7 days per week. Each call is recorded and the log is turned over to the Office of Off Campus Student Life every morning for review and appropriate action. The Department of Public Safety also forwards certain reports regarding alleged violations of District of Columbia law to the Metropolitan Police Department and to other

government agencies for law enforcement purposes. (See the University's responses to Conditions Nos. 7, 14.)

In addition, the Student Neighborhood Assistance Program (SNAP) operates Thursday – Saturday and other designated dates from 9 pm – 3 am. The purpose of SNAP is to immediately respond to student houses, which have been reported to the Georgetown University Hotline.

Condition No. 7

When the Applicant, upon investigation of a complaint or by any other means, receives evidence of a violation of sanitation or housing regulations involving or affecting students living in an off-campus residence, the Applicant shall report the violation to the housing provider, the Department of Consumer and Regulatory Affairs, Department of Public Works, or other agency as appropriate. The Applicant shall monitor enforcement of the reported violations to determine whether necessary inspections have occurred and whether fines have been issued and paid, and shall keep detailed records of reports complaints and responses.

Statement: When OCSL receives sanitation and housing complaints, the complaints are investigated and the disposition is handled in a manner consistent with the Code of Student Conduct.

Sanitation and housing complaints that are received by the Department of Public Safety are logged, and a letter with reported information is forwarded to the appropriate District of Columbia agency for law enforcement purposes. The agency is asked to inform Georgetown University of the outcome in each matter.

Condition No. 8

The Applicant shall ensure that complaints are heard by a Hearing Board comprising of two students and two faculty members, reflecting the University's recognition of the seriousness of complaints about student misconduct.

Statement: Pursuant to the procedures of the Office of Student Conduct, which administers the student disciplinary system, Hearing Boards consist of a minimum of two students and two faculty/administrators. (See also the University's response to Condition No. 3.)

Condition No. 9

The Applicant shall make publicly available data indicating the number and types of complaints received concerning student misconduct, and the outcome of each complaint, including whether sanctions were imposed and whether any fines paid. The Applicant shall also report this information quarterly to the Office of Planning, the Zoning

Administrator, ANC 2E, and the Alliance for Local Living, and to other interested community organizations that may request the information.

Statement: The Office of Off Campus Student Life maintains records of off-campus student
conduct-related issues and sends reports quarterly to The Office of Planning, the Zoning Administrator, ANC 2E and the Alliance for Local Living. The reports contain summary information regarding the number of Hotline complaints and confirmed incidents. The reports also contain aggregated information disclosing the number and nature of off campus students' violations of the Code of Student Conduct and sanctions imposed, including fines.

Condition No. 10

The Applicant shall report a violation of the Code of Conduct to the parents or guardians of the violator to the extent permitted by law.

Statement: To the extent permitted by law, Georgetown University contacts parents or guardians of students who are in violation of the Code of Conduct.

Condition No. 11

The Applicant shall avoid scheduling events that attract large numbers of visitors to the campus during the peak traffic times of 7 a.m. to 9 a.m. and 4 p.m. to 7 p.m. The Applicant shall employ campus personnel as necessary to direct visitors to the campus parking areas and to ensure smooth flow of traffic into and out of the campus.

a) All weekday evening performances at the Performing Arts Center expected to draw more than 100 visitors shall begin no earlier than 7:00 p.m.

b) Athletic events at Harbin Field expected to draw over 100 visitors shall begin before 4:00 p.m. or after 7:00 p.m.

Statement: The University has avoided scheduling events that attract large numbers of visitors during peak traffic times. While neither the Performing Arts Center nor the Harbin Field projects have been constructed yet, the University agrees to abide by this condition when they are built.

Condition No. 12

The Performing Arts Center, Harbin Field, and McDonough Arena shall be used for purposes related to the University or the community, and not for non-University events whose primary purpose is revenue generation.

Statement: The University will abide by this condition when these projects are constructed.

Condition No. 13

The helipad shall be used only for medically necessary purposes. The Applicant shall provide monthly reports regarding use of the helipad, including credible evidence of medical necessity associated with its use, to ANC 2E, the Alliance for Local Living, and other community organizations that request information.

Statement: The helipad is only used for medically necessary purposes. Reports of the use of the helipad are presented to the BZA Quarterly group, which is comprised of members of ANC 2E, the Alliance for Local Living, and various other community groups.

Condition No. 14

The Applicant, through its Office of the Registrar, shall maintain an accurate record of the license plate numbers of motor vehicles kept by all University students. The Applicant shall direct the students to register their vehicles in the District of Columbia or obtain a reciprocity sticker and shall consult with the D.C. Department of Motor Vehicles to determine whether such registration is completed or such stickers are obtained. The Applicant shall withhold parking privileges to students who do not comply with D.C. registration requirements. Failure to register student vehicles in the District or to obtain reciprocity stickers shall constitute a violation of the Code of Student Conduct.

Statement: The University through its Registrar, has informed all undergraduate students living off-campus of their obligations to comply with the District of Columbia law regarding car registration. The Registrar has of these students to disclose whether they are keeping a car in the District, and if so, to provide the license plate number. In addition, Office of Off Campus Student Life provided thorough education for off campus students regarding their obligation to register vehicles at the OCSL Community Education Program. To facilitate car registration, the OCSL also used that opportunity to provide students at the OCSL Community Education Program with a District of Columbia vehicle registration packet. To complement the Registrar's collection efforts, the OCSL collected vehicle registration information at the OCSL Community Education Program and forwarded it to the University Registrar. Students who informed the University that they were keeping a motor vehicle in the District that was registered elsewhere, received a follow-up letter from OCSL reminding them of their responsibility to comply with local vehicle registration requirements, and that failure to comply with District of Columbia law is also a violation of the Student Code of Conduct.

Our Department of Public Safety also informs the Metropolitan Police Department when reports of an alleged violation of the District of Columbia vehicle registration requirements are received. The University's Department of Public Safety logs the report and sends a letter to the Commander of the Metropolitan Police Department's 2nd District with the reported information. The letter asks that Georgetown University be informed of the outcome of the investigation.

In compliance with this Condition, OCSL has written a letter to the director of the District of Columbia Department of Motor Vehicles ("DMV") offering to consult with the DMV to determine if Georgetown University students who keep motor vehicles have registered those motor vehicles in the District of Columbia or obtained reciprocity stickers, if appropriate. No response has been received from the DMV.

Finally, the University grants parking privileges to students only in extraordinary circumstances, i.e., only to students who have documented medical conditions that require such parking. As noted above, the Code of Student Conduct makes clear that a violation of local law also constitutes a violation of the Code of Student Conduct.

Condition No. 15

The Applicant shall maintain a parking inventory of 4,080 off-street parking spaces within the campus boundary, and shall ensure that not more than one percent of the parking inventory is taken out of service at any one time.

Statement: The University maintains 4,080 parking spaces on the campus proper through a combination of striped and valet spaces. The number of valet spaces has been temporarily increased (in Lot T) during construction of the Southwest Quadrangle to maintain the full complement of spaces. Spaces were calculated by visually counting.

Condition No. 16

The Applicant shall enhance its Transportation Management Program:

> *a) to promote greater transit usage, including increased ridership of the GUTS bus service;*
>
> *b) to provide additional parking in satellite locations linked to the campus by shuttle bus;*
>
> *c) to work with the community, MedStar, and the Department of Public Works as part of a cooperative team effort to look at mitigation strategies for Reservoir Road.*

Statement: The University's responses are indicated by paragraph numbers, as follows:

(a) The fleet of GUTS buses was doubled in size last year to accommodate the ridership which has increased each year. The University is operating the buses on an increased frequency during rush hours to respond to an increase in University commuters coming from Dupont and Rosslyn Metro stations and from Arlington, Virginia. Buses run from 5 a.m. until 11 p.m. weekdays. A commuter bus offers a morning and evening run between Montgomery Mall and the campus each weekday. Buses run on University holidays to

accommodate MedStar and University employees who are required to work in essential positions on holidays.

b) Satellite parking has been increased to two garages in Rosslyn and two garages have been added on Wisconsin Avenue. Currently 370 faculty and staff whose offices are on the main or medical campus park in one of our satellite garages and campus throughout the day. The University has provided financial incentives to faculty and staff to volunteer to use satellite parking.

c) The University has met with the community, MedStar and the Department of Public Works regarding mitigation strategies for Reservoir Road.

Condition No. 17

The Applicant shall include, in all future applications for further processing of the campus plan, the following information:

A. Actual enrollment of traditional undergraduate students as of 30 days prior to the hearing date, including documentation and an explanation of the methods and assumptions used in the calculation;

B. Whether the Southwest Quadrangle project has been completed, and, if so, the date it began use as an undergraduate dormitory;

C. A progress report on the implementation and operation of the Off-Campus Student Affairs Program, including information on number of complaints received concerning student misconduct, reported violations, and outcomes, including what sanctions were imposed ad the fines paid, if any;

D. The number of off-street parking spaces within the campus boundaries, as of 30 days prior to the hearing date, including documentation and an explanation of the methods and assumptions used in the calculation; and

E. A status report on the Transportation Management Program.

Statement: Responses are as follows, by item number:

A. See response to Condition No. 2.

B. The Southwest Quadrangle project is under construction and is projected for completion for the fall semester 2003.

C. Please refer to the University's responses to Conditions Nos. 3, 4, 5, 6, 7, 8, 9, 10 and 14. The University has also submitted regular reports on this

matter to the Director, Office of Zoning. These submissions are dated April 18, June 28 and October 10, all 2002.

D. See response to Condition No. 15.

E. See response to Condition No. 16. In addition, the number of carpools has increased approximately 54% because of the University's offering of free parking guaranteed on campus. The number of employees volunteering to move to satellite parking facilities and GUTS ridership continue to increase as well.

Condition No. 18

The Applicant shall prepare a revised campus plan that is consistent with this Order, accompanied by table of changes that lists each page on which a change appears and describes each change. The Applicant shall submit an original and 10 copies of the revised plan to the Board no later than 90 days from the effective date of this Order, and shall, on the same day, serve a copy of the revised plan and table of changes on each party to this proceeding. Each party shall have 30 days in which to submit to the Board, and to serve on all other parties, its comments on the Applicant's proposed changes. Comments on the revisions shall be strictly limited to whether the revisions correctly and clearly reflect the Order. After review of the Applicant's proposed revised plan and the parties' comments, the Board shall determine whether further proceedings are warranted or shall certify the revised plan as the approved campus plan. The revised plan shall be deemed approved 60 days after submission, absent action by the Board before that date. Copies of the approved plan shall be maintained in the Office of Zoning and the Office of the Zoning Administrator.

Statement: The Applicant complies. The BZA certified the University's Campus Plan on March 5, 2002, by Order No. 16566-C, dated May 22, 2002.

Exhibit B: January 13, 2003 Submission

ARNOLD & PORTER

Nathan W. Gross, AICP
Zoning and Land Use Specialist
Nathan_Gross@aporter.com

202.942.5956
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

Not Engaged in the Practice of Law.

January 13, 2003

Ms. Carol Mitten, Chair
Zoning Commission for the
District of Columbia
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: Zoning Commission Case No. 02-32
Georgetown University Performing Arts Center
Response to Letter from Citizens Association of Georgetown

Dear Ms. Mitten and Members of the Commission:

Georgetown University submits this letter in response to the letter dated January 2, 2003, filed by the Citizens Association of Georgetown ("CAG"). Attached to the January 2nd letter is a second letter from CAG dated November 25, 2002, which the University had no knowledge of prior to receiving the January 2nd letter and which apparently was not submitted to the Zoning Commission prior to January 2. Neither letter was sent to the University by CAG. The University offers this letter as a pre-hearing, summary response to the issues raised in CAG's November 25th letter.

CAG requests postponement of the case claiming that the University has not complied with the recently adopted Board of Zoning Adjustment Order approving the University's campus plan (Order No. 16566-C). The University sees no basis for a postponement, and would strongly object to a further delay of the hearing. The University's Pre-Hearing Submission dated November 21, 2002 included a detailed statement showing that the University fully complies with the conditions set forth in the campus plan Order. In this statement (a copy of which is attached for the Commission's convenience), the University has exhaustively set forth its compliance with each of the conditions in the Order. Appropriate University representatives will be present at the hearing to address any questions that the Commission may have.

CAG claims that the University has violated the enrollment cap. The University disagrees. As set forth in the University's response to Condition No. 2 (see pages 1 and 2 of the attached compliance statement), the University is in full compliance with the enrollment cap. While the spring enrollment numbers for 2003 are not yet available, the University fully expects that the enrollment number for the 2002/2003 academic year will be well below the cap. As explained in the compliance statement, the University averages the fall and spring numbers to arrive at its enrollment number for the academic year, which is a practice it has been using for over 12 years. The University's enrollment numbers for traditional full-time undergraduates historically are higher in the fall than in the spring due primarily to students leaving campus in the spring to attend Georgetown programs in other countries.

Second, CAG claims that the University has refused to monitor the registration of student vehicles. The University describes in great detail how it complies with Condition No. 14 of the Order (see pages 7 and 8 of the attached statement). University representatives will be prepared at the public hearing to respond to any questions the Zoning Commission may have about how this process works.

Third, CAG claims that the University is not providing monthly reports about the outcome of individual community complaints about student conduct. The University, as stated in its response to Condition No. 9 (see pages 5 and 6 of the attached statement), has fully complied with the Board's requirement to make public available data regarding off-campus student conduct related issues. The University sends these reports quarterly to the Office of Planning, the Zoning Administrator, ANC 2E and the Alliance for Local Living. The Order does not require the University to submit monthly reports. As to the allegation in one of the letters that disorderly conduct citations of students are at a four-year high, please see the attached letter from Lieutenant Brian S. Bray of the Second District Police Precinct.

Fourth, CAG states that the University has removed a running track that the plan called for retaining on campus. The University's campus plan does not call for the retention of any track on campus, in fact, the campus plan makes no mention of any running track whatsoever. The University has recently been required to remove the old track on the roof of the Yates Field House for structural reasons. The track was leaking water into the interior of Yates, causing substantial water and structural damage. The track could not be made to adhere properly to the roof to prevent water damage to the building and, unfortunately, had to be removed.

Finally, CAG mentions that it never received a response to a letter it wrote to the President of Georgetown University. The University did indeed respond, and a copy of its response is attached for the Commission's information

Thank you for providing the University an opportunity to respond to the issues raised by CAG. The University will be prepared to address any questions that the Commission may have at the hearing on January 16th.

Sincerely,

Cynthia A. Giordano

Nathan W. Gross, AICP

Attachment

cc: Office of Planning
Raymond J. Kukulski, CAG

GEORGETOWN UNIVERSITY

Associate Dean of Students

Ray Kukulski
President
Citizens Association of Georgetown
3222 N Street, NW
Washington, DC 20007

Dear Ray:

As the University official directly responsible for the issues raised in your letter of November 13th to Dr. DeGioia, I have been asked by him to respond.

Since the creation of the Off Campus Student Life (OCSL) office more than ten years ago, Georgetown University has taken numerous steps to address the concerns of our neighbors. The establishment of a Community Hotline, a mandatory community education program for students, University representation at local civic groups and the periodic publication of an off campus newsletter: all of these reflect the University's commitment to educating our students to be responsible members of this community.

In addition, in compliance with the BZA Order in connection with our 2000 Campus Plan, in just the past two years we have added a full-time Student Affairs professional to our staff, expanded Hotline coverage to 24 hours a day, 7 days a week, established the Student Neighborhood Assistance Program (SNAP) which works as an on-site response effort in conjunction with the weekend Hotline, formed the Alliance for Local Living which, in cooperation with the Jesuit Community, meets monthly with numerous members of the community thus providing an opportunity for open dialogue and follow-up by the University on matters of concern to the community. In addition, we also strengthened sanctions for violations of the Code of Conduct and implemented a vigorous educational effort to inform our students about their responsibilities as citizens of the District, with particular emphasis on their obligation to register their motor vehicles.

I take strong exception to your statement that "relations are at a four-year low." In fact, many of the issues you raise, are concerns discussed and addressed at the monthly ALL meetings. For example, in response to concerns raised at ALL meetings about LXR, our Public Safety officers are now detailed at LXR every Thursday, Friday and Saturday night from 10PM-3AM. In addition, the University does canvas the communities of West Georgetown and Burleith on a weekly basis and issues warnings to student houses,

530 Leavey Center
Washington DC 20057-1090
202-687-4056 FAX 202-687-6255

giving them 24 hours to clean up any trash violations. I would be happy to discuss this program further at the next ALL meeting. In addition, this semester alone, my office has sponsored two community clean-ups, one in Burleith and the other in West Georgetown. In each instance, we worked closely with the relevant neighborhood association, including CAG and your executive director Elizabeth Miller. In addition, several student groups have joined together to participate in the District's Adopt-A-Block program, committing to periodic maintenance of two blocks in West Georgetown.

With respect to late night noise on Prospect Street, our Public Safety officers have worked closely with MPD and the community on this matter. In fact, the University has provided cell phones for MPD officers so that neighbors can call them directly rather than go through the routine MPD 911 dispatch system.

Regarding the reciprocity issue, as you know from the ALL meetings, in conjunction with the OCSL Community Education Program, we informed all undergraduate students living off campus of their obligation to comply with the District law regarding car registration. At that time, we provided students with a DC vehicle registration packet. Students who indicated they were keeping a motor vehicle in the District that was registered elsewhere have been sent a follow-up letter reminding them of their responsibility to comply with local vehicle registration requirements and that failure to comply with District law is also a violation of the Student Code of Conduct. In addition, our Department of Public Safety informs MPD of reports received by the community of alleged violations. I have also written a letter to the director of the Department of Motor Vehicles offering to consult with her on this matter, as required by the BZA Order.

Perhaps most importantly, there is a new awareness among our students of their responsibility to be thoughtful and responsible citizens both within and beyond Healy Gates. As an educational institution, Georgetown University is committed to educating our students to engage their minds in the classroom and to be good citizens in the community. It is important to realize that we do this in full cooperation with our community partners who have specific jurisdictional responsibilities such as MPD, DMV, and DPW. I am proud of the efforts of so many of our students who offer their services to the community and the city as well as to partner with agencies and civic leaders who want to work with us productively to address concerns that arise.

Finally, with University projects about to come on line or in the process of development, we are making every effort to make the campus one that has a variety of on-campus student activities. The SW Quadrangle due to come on line in Fall 2003 will add nearly 800 new beds on campus and bring the total number of available beds on campus to nearly 90% of our traditional undergraduates. The Performing Arts Center, which will be before the Zoning Commission later this week, will provide an on-campus venue for students to write, direct, and produce performances that will be offered on- campus as well as to neighboring communities.

While I acknowledge that work remains to be done, I strongly believe that the University works extremely hard to address the concerns of our neighbors and, as a result, tremendous progress has been made through the work we have done together. Continued progress rests on the cooperation and good will of all of us. I trust you know how deeply committed Georgetown is and will remain to this.

Sincerely,

Jeanne Lord

Exhibit C: Vehicle Registration Information

GEORGETOWN UNIVERSITY

Director of Public Safety

Lt. Brain Bray
Second Police Department
Metropolitan Police Department

November 6, 2002

Dear Lt. Bray:

In response to complaints from members of the Alliance for Local Living (ALL) concerning vehicles parked in the Georgetown community without D.C. tags, the Department of Public Safety at Georgetown University has developed a new program. Whenever any person calls DPS to complain about a vehicle not having D.C. tags, the officers receiving the call obtain the following information:

1. Caller Identification
   a. Name
   b. Telephone Number
   c. Address
2. Description of Vehicle
   a. Tag Number
   b. State of Registration
   c. Color
   d. Make/Model of Vehicle
3. Location of Parked Vehicle

Recently, DPS received the attached list from ALL indicating that the recorded vehicles are being parked in violation of D.C. law and should be investigated. In this regard, the attached information is being forwarded to you for appropriate action.

Sincerely,

William L. Tucker
Department of Public Safety
Georgetown University

OUT OF STATE CARS IN BURLEITH THAT ARE BELIEVEDTO BELONG TO GEORGETOWN UNIVERSITY OFF-CAMPUS ADDRESSES. REPORTED AT THE ALL MEETING ON OCTOBER 8, 2002 BY BONNIE HARDY, 3724 T ST.NW. TELEPHONE 338-6470. TOTAL NUMBER OF CARS IS 123 CARS ON THE WEST SIDE OF BURLEITH INCLUDING THE WEST SIDE OF 37TH ST.

3700 Block of R Street:

3734 R St.:
1. Mass. 6311 FF Saab (also seen in garage at 3728)
2. NJ MUU96A VW
3. VA XZJ 4375 Range Rover
4. Mass. 319 VYL ?

3724 R St.
5. Md. HHH 124 Honda
6. ? 3A7897L Saturn

3722 R St.
7. NY BVC 1937 Volvo
8. NJ 23 MD-K SUV

3720 R St:
9. Md. ABR 44L SUV Bravada
10. NJ WG 879J Audi ?
11. Conn. 548NPY Honda

3716 R St:
12. Ohio AM 72ZB Mercedes
13. NY AGG 2551 Toyota
14. ? Volvo

3715 R St.:
15. Mass. 9312VI Saturn

3717 R St:
16. NY ACB 8550 Explorer

3719 R St:
17. NJ LCK 36Y Explorer

3727 R St:
18. NJ VB 728L Ford

3735 R St:
19. Fla. K47 16G Pathfinder
20. Wash. 396 HYO Jeep Cherokee

3704 R St:
21. PA. MW HRI Olds.
22. NY BHG 7076 Chevy
23. VA YVL 8886 Volvo

3706 R St:
24. Tenn. LXJ 091 Infiniti
25. Md. HVD 680 Toyota

3710 R St:
26. Tenn. ACN 030 Accord
27. Del. 55267 ?

3714 R St:
three cars with covers

3718 R St:
28. Ohio 362SRD Volvo.

3730 R St:
29. NJ MUV... (in garage)

3731 R St:
30. Md ACW 09F Explorer
31. Md. 807 ABY BMW

3733 R St:
32. Ill. C59 1388 Saturn
33. NY BTH 8704 Buick

Page 2 Burleith out of state cars

3700 Block of S Street:

3706 S St:
1. Md. M875734 SUV Mercedes
2. Va. ZHP 6299 Honda

3708 S St:
3. Mass. 1284 RN VW Jetta

3716 S St:
4. Md. GRR707 Toyota

3718 S St:
5. Va. YHZ 3596 Honda
6. NY BMM 9322 Ford

3720 S St:
7. Cal. 4DY J618 Honda
8. Col. E03029 Impreza

3722 S St:
9. NY V53 6EC Jeep

3726 S St:
10. Md. M6 40919 Jeep
11. Va. JAS 2224

3705 S St:
12. NY M58 9PH Jeep

3707 S St:
13. Texas L46 HJW BMW
14. NJ VA 132H Volvo

3713 S St:
15. Pa. ETD 0883 VW
16. NJ JDB 63V Saturn

3721 S St:
17. Kansas Tea 193 VW
18. VA GSTRDR Saab

3700 S St:
19. Va. YRC 9662 Jeep
20. NJ KEB 66H

3701 S St:
21. Md. GRT 886 VW

3700 Block of T Street:

3712 T S St:
1. Conn. 442 RWM BMW
2. Maine 8354 GW Chevy

3714 T St:
3. Pa. ESE 7487 Olds.
4. NJ YA 420T Toyota

3732 T St:
5. NJ MPC 59T Infiniti

3734 T St:
6. Conn. 875 NVM Jeep
7. Conn. 613 DWT Saab

3725 T St:
8. Md. DWC 896 Nissan
9. Md. 633667M GMC SUV

3735 T St:
10. VA. YUJ 4334 Ford
11. Del. 829692 Explorer

page 4 - Burleith out of state cars

3800 Block of T Street:

3826 T St:
1. Calif. 4FWP849 VW
2. NY BRZ 5980 Jeep

3824 T St:
3.. Mass. 6928 NT

3810 T St:
4. Md. GAF 555 Honda

3808 T St:
5. Georgia 135 RJZ BMW
6.. NJ KWU 14Z Nissan

3806 T St:
7. Va. WJW 5735 Volvo
8. Ga. 55937 Explorer

3800 T St:
9. Texas 4FG F26 Ford
10. NY BCL 4591 Nissan
11. NJ LNY 89Y Mercury

Page 5 - Burleith out of state cars

3800 Block of S Street

3829 S St:
1. N. Carolina M-RYDER-L Chevy Blazer

3823 S St:
2. Md. KJB 937 Mazda

3821 S St:
3. Mass. 6263 Mo Jeep
4. Va. YVK 5010 Honda

3815 S St:
5. Va. YBL 9574 Mazda

3817 S St:
6. Ill. C414240
7. Mass. 7524DK

Page 6 - Burleith out of state cars

1600 37th St:
1. Ky. 3518-HV Toyota

3700 Block of Reservoir Rd:

3703 Reservoir Rd:
2. MPF 21G BMW

3707 Reservoir Rd:
3. Wis. TDJ 604

3713 Reservoir Rd:
4. NJ YC 729G Honda

3715 Reservior Rd:
5. NY BUD 1732 Toyota

3717 Reservoir Rd:
6. Mass. 9143 MY Saab

3719 Reservoir Rd:
7. Mass. 9623WS Land Rover

3721(or 9) Reservoir Rd:
8. NY AZB 7856 SUV

1601 38th St:
9. VA YPL 1841 Honda

37th Street:

1918 37th St:
1. Va. YYD 1325 Explorer
2. Cal. 4NUX397 Toyota

1916-14 37th St:
3. Md. EFH 128 Mazda
4. NJ LFZ 62M Honda

1928-30 37th St:
5. Va. LTSFISH Explorer
6. NJ PZ 7335Y Toyota
7. BVG-9507 Toyota

1932-1936 37th St:
8. Ohio CAS 7625 Volvo
9. Md. KBR 366 Toyota
10. Md. DYR 173 Toyota

1710 37th St:
11. Pa. ETK 6832 Chevy
12. NY DADSACA

Page 7 Burleith out of state cars

1712 37th St:
13. covered up
14. NY ART 4738 Buick

1704 37th St:
15. MRE 46Y Chevy

1706 37th St:
16. VA ZTM 8543 Jeep

1707 37th St:
17. covered up
18 VA JAT 6982 Mitsbushi

38th Street::

1921 38th St:
1. Cal. 4VGC335 VW

1923 38th St:
2. Md. DYD 027

1929 38th St:
3. Texas 4FG F26 Ford
4. Va. ZUT 5335 XTerra

1935 38th St:
5. Cal. 3NVA918

Page 8 - out of state cars

1937 38th St:
6. Ohio BN47VK Nissan

1922 38th St:
7. Conn. 917 NDV Accord

1924 38th St:
8. Missouri 837RTR VW

1928 38th St:
9. NJ GUV 57H Toyota

1938 38th St:
10 Texas P79 LBB Nissan

1917 38th St:
11. Md. 376 AXS Honda
12. Md. WTE 582 Volvo
13. Md. 86J 436 Dodge Ram

Exhibit D: Letter from Lieutenant Bray



Second Police District

3320 Idaho Avenue, Washington D.C., 20016 (202) 282-0042 FAX (202) 282-0196

December 4th, 2002

Office of Planning
District of Columbia

Honorable Members of the Board,

It has been brought to my attention that the members of the Office of Planning may have been misinformed about the current situation involving incidents of disorderly conduct around the Georgetown University. Specifically, I have been advised that the board was informed that incidents of disorderly conduct involving Georgetown University students are at a four (4) year high.

I am writing this letter to assure you that this in not the case. I am the Police Service Area Lieutenant for Police Service Area (P.S.A.) 205. P.S.A. 205 encompasses the Georgetown University, a section of Georgetown, Burleith, Glover Park, Massachusetts Heights, and Cathedral Heights. I have been serving as the P.S.A. Lieutenant in Georgetown for the past two (2) years. In this time, I believe that great strides have been made to reduce disorderly behavior in the west Georgetown and Burleith neighborhoods. Through a cooperative effort involving the police, the community, and the Georgetown University, we created an action plan to address disorderly conduct issues. This action plan was implemented in the year 2001. At the end of the year, a statistical analysis was conducted. This analysis showed that the action plan was a success. Due to the combined efforts of all concerned stakeholders, calls for service involving disorderly conduct (in the Georgetown & Burleith areas) were reduced 15% in the year 2001 as compared with the year 2000.

A further comparison showed that calls for service involving disorderly conduct were 22% lower in the year 2001 as compared with the year 1999. Year to date for 2002, disorderly calls for service are slightly higher (approximately 3%) than last year. However, calls for service are still 12% lower than they were in the year 2000.

I believe that it is the perception of several community members that this year has been a "bad" year for disorderly behavior and student misconduct. I attribute this perception to the fact that my officers have been more vigilant and less tolerant about disorderly behavior than last they were last year. I have directed my officers to adopt a "zero tolerance" approach to quality of life offenses and noise violations. This approach has resulted in a considerable increase in enforcement activities (arrests, criminal citations, fines) in the year 2002. Due to the fact that I report all enforcement actions taken against Georgetown students to the Georgetown University and to several community groups, I believe these groups have taken the increased enforcement numbers to equate to increased student misbehavior. As I have previously stated, I do not believe that this is the case.

I have polled my officers and sergeants about this issue. The consensus is that Georgetown University student behavior has dramatically improved over the past four (4) years. The majority of my officers feel that student behavior has been better this year than it was last year, even with the 3% increase in calls for service in the area. The remainder of my officers indicated that student behavior seems no better or no worse than last year. Almost all of my officers agree that student conduct is much better than it was four (4) or five (5) years ago. Since many of these officers have been dealing with these issues on a continual basis for several years, I will put my trust in their experience and judgment.

In closing, I would like the Board to know that the police, the community, and the Georgetown University have been working hard to reduce incidents of student misconduct in the Georgetown area. I know these efforts have not been futile. I am confident that the mechanisms we have put in place will continue to have a positive impact on this issue. Should you have any questions or concerns, please contact me at (202) 996-6568 (pager) or (202) 282-0032 (office). I appreciate your consideration of this letter.

Sincerely,

Brian S. Bray
Lieutenant
Second District

Exhibit E: Excerpts, Burleith Newsletters

BURLEITH
CITIZENS ASSOCIATION NEWSLETTER
WASHINGTON, D.C. 20007

Vol. 1
in

Burleith Newsletter March, 2002

President's Message

Representatives from the Burleith Citizens Association, the Citizens Association of Georgetown, and MedStar Health met this past week to develop the framework of a Community Emergency Preparedness Plan. A MedStar representative presented an overview of the hospital plan. Coordinating the resources of the hospital with the surrounding communities was given high priority. The hospital will set up a dedicated telephone number for emergency preparedness information, and the community web sites will have a link with the hospital.

Although the city is developing a comprehensive emergency plan, each community in the District has been strongly encouraged to develop their own plan. BCA meetings will feature a regular status report on the progress of the Burleith plan.

As one step, the BCA will compile a list of all households in the community with an email address. In an emergency, this link will provide critical information specifically for our community. Block captains will contact those homeowners who do not own a computer. If you wish to be added to this list, contact any board member or email a message to me (dctuxedo@aol.com). You do not have to be a BCA member to be on the list.

Parking in Burleith is still a serious problem. Near 35th Street, try finding a parking space after 7:00 in the evening. Good luck! At least with Hexagon at Duke Ellington our parking problems last for only one month. With Corcoran students using our streets as a parking lot, it is now year-round, and it will only get worse. If the Hardy School enrollment increases to over 600, you will need to reserve your parking space early. For my fellow residents west of 37th Street. I do not want you to feel left out. Have you noticed the building undergoing renovation on Reservoir Road in the Medical Center complex? You are right, these are new doctor's offices, which means more patients looking for places to park.

Parking is just one issue among many that constantly affect our community. On such issues, your citizens association represents everyone in the community. Members and non-members of the BCA all benefit from our board members' hard work. Please join your association and give a fair contribution to these efforts.

Our April meeting speaker will be Councilmember Jack Evans, Chair of the Finance and Revenue Committee. Does anyone want to talk about property taxes? A large turnout at this meeting would indicate Burleith's concern about such issues. You do not have to be a member to attend a BCA meeting;

Reciprocity parking enforcement. Bonnie Hardy has been canvassing neighborhood for out-of-state license plates. Guy and Charles volunteered to go with Lt. Bray.

Café Divan ABC license proposal. ANC 2E has voted against issuing a liquor license, but the owner is seeking further negotiations. In discussion, the board was divided for and against. A motion was made and passed (8 for, 1 against) to take no position.

WIS Liaison Committee. A motion was made and unanimously passed for the President to reconfigure the committee to include an alternate and to encourage a long-serving member to be replaced by a board member, Maggie, who will serve as alternate for now.

WIS traffic. The marshal hired by school appears to be helping with traffic, but parents parking and walking their children to school remains a problem.

Corcoran School Parking is still a problem; a Liaison Committee was formed with the following board members appointed: Charles, Guy, Marilyn and Maggie. Peter will add to ANC's April agenda.

Winter Picnic Recap. "Food gets better each year" but only 34 came; $74 earned from raffle; total cost was $324.54 (cheap!). Leaflets and posters will be used next year.

Hardy/Fillmore School. A public meeting will be held March 12 at the school. The BID is considering proposing an underground parking facility at the renovated school; there was debate about whether this would be desirable. Ed and Peter reviewed the proposed designs. There is a need to meet with School Board to negotiate student body size and inclusion of Fillmore; Ed will speak to Julie Mikuta.

Emergency Preparedness Status. A meeting will be held by Georgetown University Medical Center on March 5.

University student impact. The consensus was that relations are better, with fewer incidents noted compared to previous years.

37th Street Construction is ahead of schedule because of warm weather; could be completed by end of April.

Wisconsin Avenue Construction for Georgetown Project will start in mid to end of March. Plans are make Wisconsin Avenue one-way northbound at night (9:30 pm-7:30 am). All traffic, including buses, will go south on 34th St. Special treatment will be given to Q Street. The project will last 30 months.

New Doctors Building At Georgetown University Medical Center. There was a brief discussion of the possible parking impact on neighborhood.

A nominating committee was appointed for the 2002-2003 Board (see elsewhere in this newsletter).

Summer Picnic. Preparations need to start soon. A committee will be named at the March board meeting.

Hillandale/Burleith 10 Year Working Plan. Ed pointed out that for the next 10 years Hillandale and Burleith will be in the same ANC district, and we need to start working together. Hillandale is looking for support for a reconfiguration of their entrance to allow left turns into Burleith; this must be approved by the city. A motion passed to expand the present task force to include Jim, Ed, Sorrell, Charles, Peter,

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President's Message

Since this is the final issue of our Burleith newsletter for the 2001–2002 year, I felt it would be appropriate to summarize the BCA activities of the past year and lay out the issues facing our community for 2002–2003.

Membership. The BCA showed an increase this year over last year. Although it was not dramatic, we had good representation from all areas of our community. However, we can do better. Your participation and input at our monthly meetings is extremely important. Why read about an issue in the *Current* if you can hear all the details at the BCA meeting and affect the outcome? I know you are busy (aren't we all!), but I do believe you could make at least one or two meetings per year. There needs to be input from an true cross section of our community prior to a final decision on an issue that will affect the quality of our lives. Charles Mallet has done an outstanding job as chair of the Membership Committee. Georgetown University. Most of our neighbors are extremely concerned about student behavior in our community. I have asked our community at numerous BCA meetings, and there is a consensus that student behavior has improved compared to previous years. I know, I know, there was a rowdy party next to your home which kept you up all night; you called the police and no one came. As we found out this year, there are faults with the system. We are attempting to fix them. Your BCA representatives will be meeting with school officials this summer to evaluate the past year and attempt to build a closer working relationship for the coming year.

Parking. In response to parking complaints, your BCA representatives have met with school officials from the International School, Duke Ellington, The Corcoran School of Art, Hardy Middle School, Georgetown University and MedStar Health. Whew! This remains a work in progress. The doctors' office building planned for Georgetown Hospital will further impact the west side of Burleith. Those of us who live on the east side already know about the parking impact from the schools cited above. This is a real quality-of-life issue. How can we manage it? Some have extending resident permit parking to end at 9pm, with stricter enforcement. We will have debates on this issue at the Fall BCA Meetings.

Hardy Middle School Expansion, Fillmore School for the Arts. As I have said before, Fillmore's location is still being debated. The expansion of Hardy, with the increase in enrollment to over 600 students, is moving forward. The enrollment increase will have a direct impact on our community, with added traffic and parking needs. We will continue to monitor the situation and strongly voice the concerns of the community.

were young, independently living, and in a degree program).

Following is the total number of undergraduate students by neighborhood:

Location	Spring 1996	Spring 2000	Spring 2002
Georgetown Waterfront & Park	41	47	16
East Georgetown	29	24	22
West Georgetown	622	533	610
Burleith	536	538	522
Foxhall	35	38	23
Cloisters	51	41	29
Hillandale	8	7	5
Georgetown Res.	13	9	11
Glover Park	88	90	57
Palisades	4	15	0
TOTALS	1427	1342	1295

The figures don't include graduate students, who live in much larger proportion in Glover Park and in Foxhall.

While the consensus seems to be that student conduct is better this year than in the past, and while we have seen some student rental housing changing over to owner occupants, the above numbers show that there hasn't been much change yet in the demographics. It may be that such change will come only (if at all) after the opening of the new dormitory at the Southwest Quadrangle in 2003.

Next BCA Meeting

No more meetings are scheduled during the summer. See you in September!

Repairs start at Holy Rood Cemetery

Georgetown University will be starting work to repair the wall at Holy Rood cemetery sometime in early June. Plans had been made for some time to renovate the deteriorating wall, located along the west side of Wisconsin Avenue at 35th Street; when several stones fell out of the wall, the University decided to start the work.

The project is expected to take about 6 months. For the duration, the sidewalk and the metered lane on the cemetery side of the street will be closed at all times. Work will begin at 7 am and conclude around 4 pm, and will be conducted weekdays and, when needed, on Saturdays. During rush hour, two southbound