BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

In Re: Zoning Commission Case No. 02-32 (Georgetown Performing Arts Center)

CITIZENS ASSOCIATION OF GEORGETOWN'S ANSWER IN OPPOSITION TO APPLICANT'S MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, FOR STAY

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INTRODUCTION

Pursuant to 11 DCMR § 3126.5, as incorporated by 11 DCMR § 3035.5, the Citizens Association of Georgetown ("CAG") files this answer in opposition to the motion filed by the President and Directors of Georgetown College ("Georgetown University"). The Georgetown University Campus Plan was approved with Conditions in Board of Zoning Adjustment Order No. 16566. Condition 2 of Order No. 16566 states that the University "shall not increase undergraduate enrollment above the cap of 5,627." CAG and other community groups opposed Georgetown University's request to increase the cap set in the 1990 Campus Plan by 500 students because of the disruption of the peace and quiet of the residential neighborhood surrounding Georgetown University by its students who are living off-campus. We pointed out that increasing enrollment and Georgetown University's failure to respond adequately to resident complaints of misbehavior by its students living off-campus (a situation that continues to this day) was having a significant adverse impact on the residential neighborhood surrounding Georgetown University. CAG was not aware that Georgetown University was using averaging to measure its compliance with the caps imposed in the 1990 or 2000 Campus Plan and would have opposed any such procedure. Condition 2 of Order No. 16566 by its terms does not permit an averaging procedure as this Commission has ruled. CAG agrees with the decision of the Commission and opposes reconsideration of Paragraph 26 of its Order. If Georgetown

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Exhibit 62

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University wants to enroll more students than is permitted by its approved Campus Plan it should seek permission to do so from this Commission not by resorting to a unilateral, unauthorized method of undercounting its student body or to extraordinary remedies from this Commission.

ARGUMENT

The BZA, when approving the Georgetown University Campus Plan in Order No. 16566, intentionally established the enrollment cap in Condition 2 as the maximum number of students permitted to be enrolled at any one time – not an average. Georgetown has concocted a post hoc interpretation of Condition 2 that permits averaging, allowing the University to breach the cap each fall. Indeed, Georgetown freely admits that their fall 2003 enrollment will be substantially above 5,627. (Mot. for Recon. at 2).

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." (emphasis added).

Condition 17 states: "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 . . .* " (emphasis added). Neither Condition 2 nor Condition 17 mentions averaging. Neither Condition 2 nor Condition 17 mentions an academic year. Indeed, Condition 17 specifically requires "*actual enrollment . . .* as of 30 days prior to the hearing date." The plain meaning of the enrollment cap in Condition 2 is not an average for the academic year but a number that may not be exceeded.

Georgetown fallaciously contends that "the record strongly indicates a widespread understanding and acceptance of the University's method of computing its capped enrollment" simply because the University submitted two documents in October 2000 – *after* the Campus

Plan hearings – that briefly mentioned averaging. (Mot. for Recon. at 7). Although Georgetown University claims there has been a "*long and public history* of the University's computation of its traditional full-time undergraduate enrollment by averaging fall and spring numbers," Georgetown has submitted no evidence to indicate that there was any mention of averaging at any point prior to the October 2000 submissions. (Mot. for Recon. at 1). We have found no reference to averaging in any materials submitted to the BZA in connection with the 1990 Campus Plan proceedings and Georgetown makes no such reference. In fact, the 1990 BZA Order conditions "any actual increase in undergraduate enrollment" on a correlating increase in beds on campus to accommodate that increase, meaning that for each additional undergraduate student enrolled, there must be an additional bed. (BZA Order No. 15302, Conclusions of Law and Opinion ¶5). Averaging simply does not work in this case as there is no way to average a bed.

It is clear that the BZA and all other parties to the 2000 Campus Plan proceedings believed Georgetown University's student body was well under the existing cap. At the September 5, 2000 BZA meeting, Commissioner Franklin, indicated his understanding that the 5,516 current student body number provided by Georgetown was a total number, not an average: "My understanding, Madam Chair, is that there are still 111 students that could be enrolled under the existing 1990 Campus Plan..." (BZA Tr., Sept. 5, 2000 at 38:14-17). Indeed Georgetown University had earlier reduced the 500 student increase in the cap it was seeking by 111 to reflect that fact. (BZA Order No. 16566, Preliminary Matters ¶¶ 2 and 31).

At the September 5, 2000 Campus Plan meeting, Board Member Renshaw requested Georgetown University to "submit an *up-to-date count* of undergraduate, graduate, nontraditional and foreign students of the University." (emphasis added). (BZA Tr., Sept. 5,

2000 at 48:25-49:5). On October 6, 2000, Georgetown responded to the BZA's September request in a point-by-point letter. Buried in this response is a reference to averaging and to an average enrollment that exceeded the cap. The University updated Appendix E to the campus plan by stating, "Fall and Spring enrollment are averaged to reflect the academic year." It noted that, historically, spring numbers range from 6 - 10% less than fall numbers. Fall 2000 "traditional full-time undergraduate enrollment" was listed at 5,840 – above the enrollment cap of 5,627.[1] (Georgetown Response to BZA's Request for Additional Information, Oct. 6, 2000, at 8, attached as Exhibit A). However, it was not clear whether this figure included part-time students and/or some students not requiring housing who were excluded from the cap. The 1990 Campus Plan used a full-time equivalent ("FTE") unit of measure for its cap. The FTE is calculated by dividing the total tuition charges for all undergraduate students by the total tuition charges for full-time students – thereby aggregating the part-time students into full-time equivalents. FTE numbers do not include non-traditional students such as women returning to school, English as a second language students, commuters, and other non-traditional students not requiring housing. (*See* BZA Order No. 15302, Findings of Fact ¶19).

Georgetown University's claim that "the University's averaging methodology was understood and accepted as appropriate, even by...CAG." is completely untrue. The evidence that the University cites, the October 22, 2000 community response, does not demonstrate acceptance of the averaging method, but rather frustration with the University for failure to provide consistent FTE figures as required by the 1990 Campus Plan: "Despite frequent requests, no FTE counts of undergraduate enrollment have been submitted." (Community

[1] Note that accepting the University's proposed methodology, if the spring enrollment did not decrease by more than 6% the University would still be in violation of the cap in the spring.

Response, Oct. 22, 2000, at 8, attached as Exhibit B). The community response also states, "The current reported enrollment, 5840 'traditional full-time undergraduates' is very high and may lead to a violation of the 5627 FTE cap for the year-even in terms of *this different unit of measurement*." (Id. at 1)(emphasis added). The community was thus expressing concern, that when the "traditional full-time undergraduate" number was converted to the FTE number required by the 1990 Campus Plan, the number *might* be above the cap.

Indeed comments filed by the community dated October 17, 2000 clearly articulate a concern that Georgetown University was engaged in a shell game: "Categories of students must be regularized, with equivalencies from full-time students, to full-time equivalents, to excluded students, all carefully charted over the passage of time to avoid 'apples and oranges' comparisons. Hard numbers, and not percentages, should be used to assess impact." (Advisory Neighborhood Commission 2E Letter, Aug. 17, 2000, attached as Exhibit C).

Despite the disclosures about using averaging to calculate enrollment under the 1990 Campus Plan, first clearly revealed in the University's October 27, 2000 submission, the BZA Order rejected the University's averaging concept. Significantly, the University's approach not only requires *averaging*, but also *projecting* spring enrollment to calculate enrollment for the academic year. Neither *averaging* nor *projecting* enrollment is mentioned in Conditions 2 or 17. Thus the BZA clearly rejected that approach by requiring the University in Condition 17 to report "actual enrollment" to obtain approval of applications under the Campus Plan. Georgetown's interpretation requires the unwarranted assumption that the BZA did not mean what it clearly stated in its Order and instead *silently* and *implicitly* intended to permit Georgetown to average enrollment figures for campus plan purposes, especially since averaging was not permitted in other recent campus plans. (*See* ZC Tr., April 14, 2003 at 144-151).

Lastly, the BZA's intent with respect to Condition 2 was "alleviating adverse impacts on surrounding neighborhoods associated with the number of students living off-campus." (BZA Order No. 16566, Conclusions of Law and Opinion, p. 10). Because off-campus housing becomes necessary once on-campus housing is depleted, a rise in enrollment can cause adverse impacts on surrounding neighborhoods. As Chairperson Mitten explained, a relationship exists "between the amount of housing that is provided on campus and the actual number of students." (ZC Tr., April 14, 2003 at 146). The current cap represents the BZA's carefully considered judgment as to the maximum number of undergraduate students which should be enrolled by the University. The BZA found that enrollment over that number would have an unacceptable adverse community impact. (BZA Order No. 16566, March 29, 2001, at p.10) If the University were permitted to average this number, each fall this carefully calibrated target will be exceeded. At the extreme, following the averaging method, Georgetown could enroll 11,254 traditional full-time undergraduate students in the fall semester, then close their doors for the spring semester and still maintain an average of 5,627 students. Clearly, in this extreme instance, the impact on the community would be severe. Averaging is thus not consistent with the purpose and intent of the cap provision.

In considering the cap, the BZA was very deliberate in crafting the new enrollment cap. They determined that the requested enrollment cap increase of 389 would burden the community and expressly set the cap at 5,627. The BZA also clarified the confusion surrounding the FTE calculations that arose from the 1990 plan and changed the unit of measure to "traditional full-time undergraduate students" who require housing. In doing so, the BZA granted the University an implicit increase in the enrollment cap because the traditional full-time undergraduate student number eliminates all part-time students who were included in the FTE calculation. The BZA

did not, however, see fit to grant Georgetown a further increase in their enrollment cap by allowing the University to average enrollment numbers.

Georgetown University's requests that paragraph 26 be stricken or alternatively that the Commission stay enforcement of Paragraph 26 subject to an Appeal to the District of Columbia Court of Appeals or subject to a new proceeding before the Commission to amend the Campus Plan Order are devoid of merit and should be denied.

The University's argues that Paragraph 26 must be stricken because it has the effect of "decreasing the existing cap on traditional full-time undergraduate enrollment." (Mot. for Recons. at 12). This is simply not true. The cap has not been changed by Paragraph 26. Georgetown can not ask for such relief simply because it desires to violate the existing cap. The immediate concern expressed by Georgetown University – that it must summarily dismiss hundreds of undergraduates in order to construct the Performing Arts Center – is unfounded. Paragraph 26 of the Commission's Order clearly states that the University must abide by the cap "[w]ith respect to *further* processing applications that may be filed *in the future.*" (emphasis added). The clarification of the method of calculating the housing cap by the Zoning Commission was applied prospectively and did not affect in any way the Performing Arts Center application. The University, however, rightfully acknowledges that continued non-compliance with Condition 19 of Order 16566 will subject it to the inability to obtain future permits and might subject it to fines and penalties pursuant to the Civil Enforcement Act, D.C. Code §§ 6-2701 to 6-2723.

A stay is also inappropriate. As Georgetown states, in considering a stay, the Commission must consider four factors: 1) whether the applicant is likely to prevail on the

merits; 2) whether irreparable injury will result if the stay is denied; 3) whether opposing parties will be harmed if the stay is granted; and 4) whether the public interest favors granting a stay. *Kuflom v. District of Columbia Bureau of Motor Vehicle Services*, 543 A.2d 340, 344 (D.C. 1988). For the reasons cited above, Georgetown is unlikely to prevail on the merits and there is no irreparable injury that will result if the stay is denied. Because Paragraph 26 is prospective Georgetown will still be able to build the Performing Arts Center. Unlike George Washington University, Georgetown will not have to take the drastic measure of rescinding offers of admission. Georgetown University has been given a "reasonable opportunity to come into compliance" with the cap. *See George Washington University v. District of Columbia Board of Zoning Adjustment*, 148 F. Supp. 2d 15, 17-18 (D.D.C. 2001). If Georgetown University needs to file an application for approval under its Campus Plan prior to the spring semester when it will presumably be under the cap it can file an application to increase the cap. There is thus no need for this Commission to take any action at this time to relieve Georgetown University from the obligation of following normal procedures – with adequate opportunity for community comment – prior to increasing the cap in the current Campus Plan. If a stay is granted, the community will be harmed by the continued presence of additional students in an already concentrated and overburdened area. The BZA made a careful evaluation of the evidence and determined that 5,627 was the number of students that could be tolerated in the community without substantial objectionable effects. At the fall 2002 level of 5,840 Georgetown's undergraduates comprised nearly one-third of the greater Georgetown community (including Burleith and Hillandale) of approximately 17,800 people. (*See* http://www.dcagenda.org/pages/nis/neighborhood/anc/nbr_prof_anc10.html) Graduate students and other excluded populations represent a substantial additional student population. If a stay is granted, the harm caused by Georgetown exceeding

the 5,627 cap will continue. The public also has an interest in the preservation of its neighborhoods in accordance with the goals of the D.C. Comprehensive Plan, the consistent violation of an enrollment cap materially implicates these interests. A stay is clearly unwarranted and contrary to the public interest.

CONCLUSION

The Citizens Association of Georgetown respectfully requests that the Zoning Commission deny in all respects Georgetown University's motion for reconsideration of Paragraph 26 of Order No. 02-32 or, in the alternative, for a stay.

Dated: September 30, 2003

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Citizens Association of Georgetown's Answer in Opposition to Applicant's Motion for Reconsideration or, in the Alternative, for Stay* were hand delivered or mailed, postage prepaid, on September 30, 2003 to the following:

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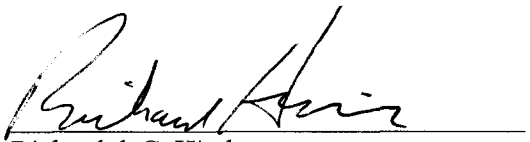
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GEORGETOWN UNIVERSITY CAMPUS PLAN
BZA APPLICATION NO. 16566

RESPONSE TO BZA'S REQUEST FOR ADDITIONAL INFORMATION

INFORMATION REQUESTED	UNIVERSITY'S RESPONSE
	As specifically requested by the Board, the University's off campus housing program is workable and comprehensive. Attached is a detailed description of the program and the University's Point by Point Response to each issue raised by the Board and the Community.
Develop and submit a workable off-campus housing program with specific attainable goals for undergraduate students. Identify the resources and staff that will be committed to achieving the program's goals.	• **The program is comprehensive.** All negative impacts from students are addressed – Noise Drinking Partying Parking Trash Disrespectful behavior. • **The program has attainable goals.** ➢ Reducing the number of repeat offenses (new and stronger sanctions). ➢ Proactive identification and intervention of potential problems (SNAP) ➢ Community-wide approach to long-term resolution of conflicts (ALL) • **All student conduct is included** – both on and off campus. Thus, even students walking to and from campus are subject to the Code of Conduct. • **The program is proactive in terms of new programs such as ALL & SNAP, educational and orientation materials (Exhibit A).** • **The program is responsive and decisive in terms of new and stronger sanctions (Exhibits A and B).** • **The program includes a new partnership with the community, city agencies, landlords, MPD, and students living off-campus (ALL).** • **The staff and resources have been committed:**

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Personnel:

- Three additional staffers have been assigned to the Hot-Line staff which increases the number of persons staffing that activity from 8 to 12.
- A new full-time staff position in the Off Campus Student Affairs Office has been funded, the position is being advertised, and the expected hire date is October/November 2000.
- A full-time staff person has been assigned to assist Jeanne Lord on an interim basis until the new permanent position is filled.
- A University Task Force was convened by the President to develop and implement the new program (Exhibit C).
    - ❖ Father Michael Garazini, Special Assistant to the President, has been assigned the responsibility for co-chairing the newly created Alliance for Local Living, one of the key community outreach components of the program. (Exhibit D)
    - ❖ Karen Frank, Executive Director of Facilities and Student Housing, has been placed in charge of the bulk trash collection component of the program
    - ❖ Linda Greenan, Brenda Willoughby and Alice Boyer have been tasked with the responsibility to develop the indices to begin tracking implementation.

➢ New Equipment:

- The University has leased a vehicle to conduct neighborhood patrols and to respond to Hot Line calls. That vehicle is staffed by a representative of the Off Campus Student Affairs office and the patrolling began in October.

➢ Monies Spent since the beginning of the fall semester in addition to personnel costs:

- The University has spent $2,500 on printing, mailing, and other costs associated with the changes to its Code of Conduct, mailings to students and community members, flyers within the community, posters and other announcements of its new program.
- The University has already spent $11,200 to hire a private contractor for bulk trash pickups during the first two weeks of the school semester. These pickups totaled nine trips and were in addition to the regular DPW pickups (Exhibit E).
- Lease terms for the car and insurance for the SNAP program are $4,000 annually.

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	Future Monies Committed: • The University has made clear that this program is a priority and that funding will be increased for off-campus affairs so that the University can implement and maintain its commitments. As evidenced by a letter from Dr. Dorothy Brown, University Provost (Exhibit F), the University will in fact be increasing funding for Off-Campus Student Affairs programs. • All of the resources needed to implement and enhance these programs will continue for the duration of the Campus Plan.
Develop a reporting system (indices) for tracking the number of citizen complaints, the type of the complaints and how they are resolved.	The University proposes to develop three indices to track the effectiveness of its Off-Campus student conduct program. The first is the Hotline information, the second is the DC Metropolitan Police reports (MPD) reports and the third is the University Department of Public Safety (DPS): • Hotline Data The University will track the number of hot line calls received, the nature of the call, the University's on-site response, and any follow up disciplinary action Hotline Summary from 8/24/00 through 9/24/00 • Total of 57 calls were placed for 48 events • Events Confirmed: 20 • Events Not Confirmed: 28 • GU Follow-Up: ➢ GU dispatched Hotline staff to premises – 46 times ➢ Total Number of Students Sanctioned – 38 ➢ Total Number of Houses Sanctioned – 9 The University will share all of this information at each meeting of the Alliance for Local Living. The University will distribute this information to all representatives of the quarterly meeting group at each meeting. (The quarterly meeting group mandated by the BZA in 1990 includes representatives of all 14 community organizations which border the University campus.) On an annual basis, the University will report this information to the Office of Planning. This information will serve as the basis for new, proactive measures by the University. For example, if it appears that a particular block or area of the community is the cause of a larger number of calls, that area will be targeted by the University for special action which may include one on one visits by

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the University, special patrols by SNAP, or other recommended action.

It should be noted that tracking sanctions is not the only measure of the program's success. The University works with both students and neighbors to bring both sides together to form new alliances and develop creative solutions to town-gown issues. In many instances, the resulting agreement is a more positive and long-term solution than the issuance of a sanction. Attached as Exhibit G is correspondence between a neighbor and the University concerning just such an agreement. In this instance, the neighbor also specifically requested that no sanctions be issued.

- DC Metropolitan Police Summary

Every Monday morning, the University receives from the MPD Second District a list of reports that occurred over the weekend that involved University students.

MPD Summary: The following reflects reports submitted by MPD to the University for 8/24/00 through 9/24/00

- 1 lost credit card
- 1 61 D Noise Violation (off campus student)
- 1 Disorderly Conduct (off campus student)
- 1 Urinating in Public
- 23 alcohol violations, of which:
  - 7 = Possession of Open Container of Alcohol (POCA): 5 were off campus students
  - 6 = POCA/Underage Drinking : 2 were off campus students
  - 1 = POCA/Disorderly Conduct: Not charged students released to DPS
  - 9 = Underage Drinking: 2 off campus students

University Sanctions for Off Campus Students as a result of MPD Reports: Of the 26 violations, 11 were for off campus students, 7 of whom have been sanctioned.

- University Department of Public Safety (DPS) Reports (Campus Police)

The Georgetown University Department of Public Safety issues an annual Crime Awareness and Campus Security Report which is made available to students, employees and the public thought its website (www.georgetown.edu/student-affairs/dps/Security_Reports.htm). This report provides statistics and

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	information on all forms of crimes investigated by DPS and includes information on crimes occurring on or near the Main Campus.
Develop a 'code of conduct' for undergraduate students. Identify how students will be informed of the 'code of conduct'. Identify the sanctions that will be imposed if students do not comply with the school's code of conduct. The sanctions should range from warnings to dismissal from the University.	• **The New Code of Conduct has been adopted with the changes described herein, students have been informed and the sanctions range from warnings to dismissal.** • The program includes the following sanctions for violations, especially stiff penalties for violations with regard to alcohol and drug use, which will help serve as a deterrent to inappropriate student behavior. (See Exhibits A and B). These include the following: ➢ **Social probation** that would include restrictions on future parties, fines, community work hours and mandatory participation in a workshop on responsibilities and obligations for community living. This applies to first time violators. ➢ **Disciplinary probation** which means that their parents are notified, their Academic Deans are notified, and the University will hold a conference with their parents and the Office of the Associate Dean of Students or Director of Student Conduct. ➢ **Co-curricular sanction** which means that they cannot represent the University in any activity. This applies to all athletes, student government representatives, students participating in joint programs with other universities, or students engaged in any university-sponsored activity. ➢ **Academic suspension** will be applied to any student found responsible for serious violations of the Code of Conduct. These students will be suspended for a semester or year and will be prohibited from taking any classes at the University. Students suspended will have to make their case for re-admittance to the University. ➢ **Dismissal:** Any student found responsible for repeated violations of the Code of Conduct or whose offense is of such a serious nature, will be expelled from the University. • **All students have received information on the new Code of Conduct** and the standards of behavior which the University expects of its students in order for them to be responsible and caring members of the community (Exhibit B). ➢ The President of the University has distributed his personal message to all students letting them know the University's expectations of them as community residents (Exhibit H). ➢ Off-campus students have registered their off-campus addresses. ➢ All students received the handbook, *Guide to Off-Campus Living*, with materials that provide the tools students need for off campus living – what are the noise limitations, when is trash picked up and the requirements for storing trash, etc. (Exhibit I). • **Parents have been and will continue to be notified** by the University that its Code of Conduct applies to off campus conduct and that the University will enforce its standards (Exhibit J).

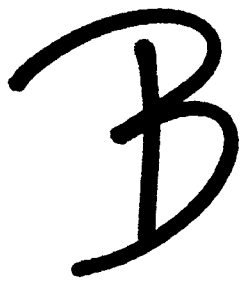
Develop mechanisms for coordination with the Metropolitan Police D[illegible] deterrence of inappropriate student behavior.	• The University has met with the new commander for the Second District (Inspector Newsham) to develop strategies for a new cooperative partnership. These include: – [illegible]has been instituted between the University and the 2nd District whereby the University/DPS receives MPD reports on activity involving university students each [illegible] – Orientation meetings with [illegible]hem know[illegible] DC laws [illegible] and what sanctions will be imposed. – [illegible]s education and communication [illegible] – Chief Newsham met [illegible] and [illegible] September 27, 2000 [illegible] [illegible]ers of ALL. They were in attendance in the first meeting of All on
The University needs to act as a responsible partner with the Community.	• The University [illegible] with community representatives [illegible]mes since [illegible]uly 18, 2000 BZA public hearing to discuss student conduct and community issues. [illegible]isting of those [illegible] and other community activities a[illegible] each undertaken by the University is attached as Exhibit K. • The University [illegible] program [illegible]ough the advice and [illegible] of the community at the BZA Quarterly Meeting held on Thursday, September
Identify how the University would cooperate with the departments of Public Works and Consumer and Regulatory Affairs to control the areas student vehicles coming to the site, and identify off-campus housing code violations.	• Partnership [illegible]which includes the following: – [illegible]ity contracted [illegible]rivate trash pickup of bulk items during [illegible]t two weeks of the semester and also worked with DPW to arrange for a special DPW pickup of trash [illegible] September [illegible] the University-contracted bulk trash pickup occurred on August 24, 25, 26, 28 and 31 and September 1, 2, 4 and 5. [illegible]ibit E.) Attached as Exhibit M are the [illegible]eets from the bulk trash community meetings as well as the comment forms. – DPW to arrange special trash pickups at peak times such as the beginning and end of the school year. • University patrols of off campus houses issue violations to students who do not follow trash regulations. • [illegible] which includes the following: – Joint efforts through the Alliance to promote enforcement of zoning and building code requirements with respect to group houses. The University will not list any property on the rental list unless the owner certifies that the property meets District of Columbia laws and regulations (Exhibit N).

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Develop a mechanism for registering vehicles that are associated with the University.	• The University has developed and distributed a flyer informing all students of the DC law requiring them to register their vehicles with the D.C. Department of Motor Vehicles (DMV). (Exhibit O). • At a program for all students who live off campus, facilitated by Dr. Juan Gonzalez, the University distributed notices of the D.C. law. • Additional copies of this notice will be delivered door-to-door to all off campus students and will be included in future correspondence to off campus students. • University SNAP patrols through the neighborhoods in areas where out-of-state cars may be parked. Copies of the flyers describing the DC registration requirement will be placed on these cars.
Develop a notification system for informing parents when students do not comply with the school's 'code of conduct.'	• **Parents have been notified of changes to the University's Code of Conduct and the University's expectation of its students so that the parents can reinforce the community standards and responsibilities expected of all students. (Exhibit J)** • Notification of parents occurs to the extent permissible by law, for any first time violation of University or District of Columbia laws in the case of alleged drug use. • Notification of parents occurs to the extent permissible by law, for any second violation of the University's alcohol code, regardless of whether any violation of District law is involved. • Notification of parents occurs to the extent permissible by law, for any second violation of the University's Code of Conduct with regard to off campus living, which includes a violation of the noise regulations. • In addition to notification, parents are included in a University-sponsored conference with the student and the Associate Dean of Students.
Identify the specific details for establishing a hotline that is manned 24 hours, daily.	• **24 hours a day/seven days a** week there will be a phone number for the community to call and speak with a person to report any problems or concerns. DPS staff will man their phones to record any complaints and to refer calls to MPD. A log will be maintained of these calls to determine whether the Hotline should be extended to the remaining week-days. • At all other times, the Hotline has been extended to run from Thursday night to Saturday night and at those times it will be answered by staff who will then either call the off-campus house or dispatch a university representative to investigate. On three-day weekends, the Hotline also runs on Sunday night. • Additionally, the Hotline has been and will continued to be extended for those nights when increased activity is anticipated, such as homecoming, St. Patrick's Day.

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TOTAL P.09

Identify how the school's Board of Review operates.	• As evidenced by the attached letter, the University's Board of Directors is behind this program 100 percent and is committed to providing the resources needed to ensure its successful implementation. (Exhibit P) • This commitment will survive any change in leadership and will ensure that the program continues as an obligation of the institution.
Provide an up-to-date count of traditional students, pr· fessional students, fo ·ign students, et· .	• The following updates the information already provided in Appendix E to the Campus Plan: ➢ The Fall enrollment number of traditional full-time undergraduate students is 5840. This compares with last year's Fall enrollment number of 5744. Fall and Spring enrollment are averaged to reflect the academic year. Historically, Spring numbers range from 6 – 10% less than Fall numbers due to students studying abroad, mid-year graduation, withdrawals, etc. When the projected Spring numbers are averaged with the Fall number, the projection is 5603 which is less than the projection of 5677 previously included in Appendix E to the plan. ➢ Excluded from traditional full-time student numbers are 188 non-traditional students, such as veterans, students over the age of 25, commuters. ➢ The graduate number is 2,467 FFTE which is less than last year's 2,589 in Appendix E of the Campus Plan.
Have the Student Council address how it ntends to reach out to tudents who have isciplinary problems.	• The Georgetown University Student Association (GUSA) will be separately filing its own response to the BZA. • Student representatives were included in the University Task Force, which developed this program. (Exhibit C) • Additionally, the new Vice President for Student Affairs – Dr. Juan Gonzalez – has met on several occasions with student representatives to review the changes and to obtain the student community's input.
dentify how helicopter lights will be nonitored to ensure hat they are used xclusively for medical mergencies.	• MedStar coordinates and monitors the helicopter transports and must have the discretion to provide for transport based on the health needs of the patients. • The helipad is used for trauma and transplant patients as well as other types of patients, primarily cardiac and neuro-patient transports. • In the Campus Plan case, it was estimated that usage would be approximately 12 trips per week. Since July 1, the total number of transports has been 23.



Community response to the applicant's 6 October 2000 submission
Georgetown University campus plan, BZA application number 16566
October 22, 2000

This document consists of three parts:

A. Response to the applicant's cover letter
B. Critique of the "point by point" chart that was entitled "Response to BZA's Request for Additional Information"
C. A summary of the community proposals for the campus plan that are relevant to the applicant's response.

In addition, the submission includes several appendices.

A. Response to cover letter

1. Regarding enrollment: We acknowledge that, as described in their recent filings, the University has implemented several measures intended to reduce the negative impact of off-campus students on surrounding neighborhoods. **We disagree strongly** that these measures "address the issue of impacts from its students off campus so as to enable the Board to approve the increase in enrollment."
   D. First, the new measures have not been shown to significantly reduce off-campus student impact. To the contrary, the impact this year appears to be worse than ever, despite the unilateral implementation by the University of most of the elements of its plan. Documentation of continuing negative impact is attached in Appendix A. Certain elements of the plan have been in existence for years, others for a few months. The plan has no record of effectiveness, and any modest benefits it does produce could be far outweighed by the negative effects of increasing enrollment.
   E. Second, the new measures affect only behavior of off-campus students. Other neighborhood impacts noted in testimony were not addressed. These include negative effects on parking, traffic and housing.
   F. We note that **the University still refuses to provide full-time equivalent enrollment figures,** as specified in the approved 1990 campus plan. As noted in our testimony, "full-time equivalent" enrollment seems to be higher than "traditional full-time undergraduate" enrollment. **The current reported enrollment, 5840 "traditional full-time undergraduates" is very high** and may lead to a violation of the 5627 FTE enrollment cap for the year–even in terms of this different unit of measurement.
   G. It appears that, in addition to unilaterally implementing its own behavior management plan, the University is also unilaterally increasing its own enrollment cap. The point by point response chart indicates that the University's target enrollment for the current year was 5677, in excess of the existing 5627 FTE cap.
2. Regarding on-campus student life: The community supports the projects in the campus plan that seek to "re-center student life on campus." We believe that these projects should be given priority over other elements of the plan. However, we have asked that non-student use that could burden the neighborhood be restricted for all of the projects named in the letter–the Performing Arts Center, McDonough Arena and Harbin Field.

   We applaud the decision of Dr. Juan Gonzalez this year to oppose holding the Student Charity Block Party on public space as in the past. We have long opposed this event as contributing to a student culture of drinking, and the University itself once effectively prohibited it. (Until recently, students in University housing were required to sign an agreement that they would not petition the city for a block party). However, the student

outcry resulting from the block party cancellation shows the great need for positive steps to build on-campus student life. This was the reason for our concern about the reports in September of a student affairs budget cut of $900,000. Our concerns have been only somewhat allayed by the letter in Exhibit F of the submission.

3. Regarding the University's claimed financial need: The University seeks to gain Board approval of a substantial enrollment increase by pleading poverty, saying that without the enrollment increase, it "simply cannot go forward with its plans" to improve on-campus student life. (Interestingly, when talking about the neighborhood impact, the enrollment increase is presented as "modest" but when discussing finances, it becomes a critical issue.) Such a linkage between the enrollment increase and specific projects has never been made before, either in testimony or in discussions. However, all testimony in this case has agreed that increased enrollment will mean an increased burden on the community, and that burden is already unacceptable. The University may simply have to accept limits to its growth.

   Regarding the argument of poverty, it is quite clear that the University possesses ample resources for implementing the projects in this plan. The University's published endowment is in excess of $625 million, and the University is in the midst of a very successful fundraising campaign with a goal of $1 billion. (According to the Sept. 25 edition of the University newspaper *Blue & Gray*, $600 million had been raised as of Aug. 31.) Audited financial statements, filed in connection with the transfer of Medical Center operations to MedStar Health, fail to support any claim of financial difficulty, **Audited consolidated financial statements show that Georgetown University's net assets rose from $668 million in the fiscal year ending June 30, 1994 to $1.05 billion in the fiscal year ending June 30, 1999.** This is a picture not of need but of prosperity. Thus, a decision not to proceed with certain projects in the plan would more reflect University priorities than financial hardship. We hope that the University will not hold student life hostage to other priorities.

4. Regarding a ten-year plan: The University argues that because it has made some provisions for reporting on the status of its off-campus housing program, that the Board would be able to approve the plan for a ten year term. We strongly disagree. This approach does not address the other community reasons for requesting a five-year term:
   - Impending change in University administration
   - Massive planned on-campus development prior to plan (Southwest Quadrangle, Canal Rd entrance)
   - Change in medical center type of use (MedStar purchase)
   - Nearby community development that affects traffic impact
   - Lack of quantitative information now about traffic and student impact

   The changes already underway will make the University in five years a very different institution. We plan to work together with the University and MedStar, as proposed here and in the University's submission, to obtain information on student conduct, traffic and other impacts. After five years, the plan should be revised and resubmitted for approval. A simple review based only on off-campus student housing would be completely inadequate.

5. Regarding plans for reporting to the community: The University's proposed means of reporting to the community are inadequate. We agree that the existing quarterly meeting procedure has been beneficial and should be retained. We also agree that the University should routinely report on progress with each new submission (see below). The University's letter does not specify what it means by "monthly reports to the community" or "annual reports to the community, the Office of Planning, and the Office of Zoning."

However, we do not support the University's group called "ALL" as a means of community involvement. ALL has no real structure, no procedures or bylaws, and its meetings are closed to the public and to the press. The present membership of ALL, which was selected exclusively by the University, consists largely of University-affiliated groups, and ALL proceedings will be managed by the University, so ALL cannot provide an independent assessment of University impact.

B. Response to applicant's point-by-point chart

Defects in the off-campus housing program	**The program contains nothing fundamentally new**, but is rather an expansion or extension of existing programs–programs that have decisively **failed to remedy the problems**. The Board rejected essentially this same program in September. More important than being "comprehensive" is being effective. However, **the new program is no more comprehensive** than the old programs from which it is composed. Among the negative impacts omitted are those involving housing (zoning and maintenance), which directly affect off-campus students' health and safety, as well as neighborhood quality of life. **The program's stated goals will not eliminate neighborhood impact.** ⇒ Reducing the number of repeat offenses will not reduce first offenses, which comprise a large portion of the problem. There are easily enough student houses to fill every weekend with noisy parties on first offenses alone. ⇒ The SNAP program might contribute to identification of potential problems, but SNAP personnel will not be equipped to effectively intervene. Contrary to its representation in the applicant's submissions, the ALL program is not community-wide but rather University-run. More detailed criticism of ALL is given below. **On-campus student conduct is not part of the program**, notwithstanding the applicant's statement, because the response and enforcement mechanisms don't apply to on-campus students, even when they are off campus. This is illustrated by hotline statistics reported in the chart, which are divided by whether the students lived on-campus or off-campus; no follow-up was done for on-campus residents. Yet disruptions by on-campus students are a serious problem off campus. **The program is reactive.** Response to problems is limited in time (Thursday, Friday and Saturday nights only) and in content (behavior problems only). At other times, residents can only leave a message and hope for follow-up, while for other problems there is no well-defined response mechanism. The primary response to problems at any time or of any nature is punitive, not preventative or curative. When imposed, sanctions are designed to discourage second offenses but not first offenses. **The program is primarily punitive.** It has no provisions–other than leaflets–for educating students on off-campus affairs and on their responsibilities and rights in the community. It has no provisions for advocacy by the University administration and faculty of civic responsibility

for students. Education and advocacy could be part of a dialogue in mandatory assemblies (like the former off-campus orientation), in the classroom, in student newspapers, or elsewhere. This has not been done. A purely punitive program cannot succeed at Georgetown.

A weak Code of Conduct has not been the problem, so a stronger Code won't be the solution. The Code of Conduct has always had strict sanctions but weak application of sanctions has historically undermined the effectiveness of enforcement. It will be difficult to monitor this in the future because of the University's refusal to disclose sanctions decisions.

The ALL program cannot be called a "partnership." This program has been grossly misrepresented in the University's submission.

⇒ It was established without community input, and membership and attendance are "by invitation only." As far as we know, there have been no commitments to participate by any city agencies or neighborhood organizations. Those from the community who have attended meetings have done so as individuals, not community representatives.

⇒ Participants have no defined authority to set procedure or call meetings.

⇒ ALL has no authority within the University to make decisions or implement actions.

⇒ To date, there have been only two ALL meetings, the first of which was primarily organizational, and no fixed goals or plan for future action has been established.

⇒ Contrary to the applicant's October 20 submission, ALL has not been "well received by the vast majority of the community." In the interest of cooperation, several community members have attended ALL meetings, but ALL has not been accepted by the community. (See Appendix B.)

⇒ The essential problem with ALL is its fallacious premise that student conduct problems are to be solved by changing the surrounding community rather than the University community.

⇒ In fact, a community-wide program should not be the primary approach to long-term resolution of conflicts; instead, the University must take steps to change its <u>own</u> culture. Problems and suggested solutions have been identified by past University task forces, notably the May 1999 *Report of the Campus Culture Task Force.* The recommendations have, in the main, not been implemented. (The Executive Summary and Recommendations of the task force are attached as Appendix C).

Resources devoted to programs that directly affect off-campus student impact are only slightly increased over previous years.

⇒ Citing the number of hotline staff persons is misleading because the staff works part-time.

⇒ Bulk trash collection is an ongoing program which has been allocated no new resources. The management and budget cited are basically unchanged.

⇒ Additional staff assignments outside the Off-Campus Student Affairs Office reflect no significant long-term increase in activity.

⇒ The monies spent in fall 2000 amount to about $5 per off-campus student, and are insignificant in the context of the annual student affairs budget.

Reporting indices for tracking complaints	**Defects in the University's information sharing:** ⇒ Information reported by the University has not been in writing. To date, almost all information we have received from the University has been oral, and so has been hard to retain and verify. ⇒ Information has not been given proper context. Statistics should be presented in full, but not without related information to give it meaning. At a minimum, incident reports (like hotline calls) should include figures from the previous year. Such data was omitted from the applicant's present submission. Hotline call reports should also include details like the address of the disturbance and the ultimate resolution of the problem. **The University's proposed indices are useful but incomplete.** They understate the seriousness of the problem, to an unpredictable degree: 1. The volume of hotline calls depends on community perceptions of the hotline's effectiveness. Community confidence in the hotline is now at a low level. If student disruptions increase, hotline calls could paradoxically drop as community confidence declines. 2. Metropolitan Police Department reports depend on the availability of officers and the nature of the disruptions. As relatively low police priorities, noise, drinking or public nuisance complaints are likely to be bypassed if there are other demands, and arrests are rare. Short-time or mobile disruptions (walking through the community, or moving parties) are hard for police to catch and are often not reported for that reason. No record is made by police of calls for service that result in no action. 3. The University Department of Public Safety is permitted to officially patrol only within the campus boundaries. Their reports will provide little information about off-campus problems. 4. All of these indices relate only to student conduct problems. They will not measure housing law violations, complaints about property maintenance, landlord-tenant issues, parking violations, or many other issues that cause problems for students in the community. **Even with their flaws, University statistics show a serious impact.** In a one-month period alone, there were many incidents–57 hotline calls and 26 alcohol or behavior arrests. And as we have argued, these probably significantly underreport the problem. **We urge that the Board consider the community's request for a full-time hotline** that would receive, follow up on, and log community complaints about any University-related problem. The request is detailed in the following section, "Community Proposals", as item #2. If such a hotline were credible to the community, it would provide a very useful record. We feel that at this time there is no objective index that reliably measures University impact on the neighborhoods. The Board must continue to acknowledge the importance of citizen input like that obtained in the campus plan approval process. It is unfortunate that, while the University reportedly tasked three individuals to develop these indices, no community input was solicited. Other

	community recommendations for indices are listed in the section, "Community Proposals", as item #3.
Code of Student Conduct	The changes in the Code appear to be improvements. The additional sanctions increase the possibility that some sanctions will be applied when needed. **However, the problem is not with the Code but with the way in which it is enforced.** ⇒ There is plenty of room for leniency in the new Code; for example, co-curricular sanctions include suspension from athletic performances, but the term of the suspension is set by the Dean and the coaches–it may be just a few games. ⇒ University refusal to disclose when sanctions are imposed greatly reduces the deterrent effect of the sanctions on others. **Information to students on University expectations is inadequate.** ⇒ The letter from the President of the University (Exhibit H) partly illustrates the problem. This letter was distributed not on letterhead, as found in the submission, but as email. Reading such a long and wide-ranging letter on email is not easy, and finding the specific information about the Code of Conduct is difficult even on paper. The President of the University has never made a clear, specific communication to the students on any topic related to neighborhood relations. ⇒ The letter of Exhibit H was sent on August 29; the following weekend (Labor Day) was one of the worst weekends for student noise in recent history. ⇒ Informational fliers to students have been distributed as leaflets throughout the neighborhoods. Many of these are ignored and blow away. ⇒ Evidently the University proposal to have all students sign a document committing them to responsible citizenship and the Code of Conduct has not been implemented. Even this is no guarantee of understanding or compliance.
Mechanisms for coordination with Metropolitan Police	**Evidently, no procedures were established for better prevention or improved response to inappropriate student behavior.** (For example, coordination between SNAP and MPD). ⇒ One new "mechanism" is reported: the procedure whereby a University officer retrieves weekly incident reports. ⇒ Student orientation meetings as described have been held for many years. ⇒ Assisting MPD in community outreach will hardly affect student behavior. ⇒ Cmdr. Newsham, Lt. Bray and Lt. Contee did not attend the second meeting of ALL; instead, they sent a representative.
Partnership with the Community	The 9 meetings detailed in Exhibit K of the submission include none (except the ALL meetings) specifically held to discuss student conduct and community issues. Most are community meetings that are usually attended by a University representative. There was one meeting (Oct. 11) to discuss underage drinking, which was organized by a University employee and co-sponsored by Mothers Against Drunk Driving. Amazingly, no advance notice of this meeting was provided to any community organization or to ANC 2E. The meeting was not

	advertised in or reported on in local media. Attendance from the community was very low (reportedly less than 20 individuals). Regarding the BZA Quarterly meeting on September 21: A single "feedback form" from that meeting is included in Exhibit M, signed by two individuals who were not present at the meeting (see the signup sheet in Exhibit L). None of us present at the meeting can remember any such "feedback form" being distributed there.
Partnership with DPW and DCRA	The measures described in the chart amount to very little. There is no partnership with either DPW or DCRA. <u>Partnership with DPW</u> DPW has assisted with the University's bulk trash pickup for many years. Such one-time assistance can hardly be called a "partnership". The community has worked closely with Tom Day, the DPW chief solid waste inspector. To our knowledge, the University has never met with Mr. Day to learn what is expected of group houses, what trash procedures are, and so on. The University's October 20 submission includes a form letter meant to notify off-campus students of trash violations. Factual errors in this letter are a good indication that it was not compiled with DPW cooperation. We have seen no evidence of University patrols to issue trash citations. Such a program has not been described in the University's plan, and no record of its accomplishments has been submitted. However, such a program should be implemented, and might serves as a basis from which to seek a partnership with DPW. <u>Partnership with DCRA</u> Evidently no partnership with DCRA exists, beyond a meeting with–or a telephone call from–ALL. The University's stated refusal to list illegal properties on the rental list is almost meaningless because it is based on the property owner's statement and not on a partnership with DCRA. The University should obtain information on compliance from DCRA and likewise inform DCRA if it learns–from student or neighbor report or its own investigation–of unsafe or illegal conditions in listed properties. The University should have a procedure to receive housing complaints and act on them. Furthermore, the University should make a good-faith effort to use information at its disposal to detect housing problems.
Registering student vehicles	The University evidently chose to disregard the Board's request for University registration of all off-campus cars. Neither SNAP nor any other University agent will cooperate in enforcing DC registration laws. Instead, the University has distributed fliers informing students of the law.
A "full-time hotline"	The University's hotline is grossly inadequate. It responds to problems for only certain times. Its scope is limited to disturbances from off campus–it can't even respond to noise complaints about University functions or from on-campus students. Even when functioning, it has not been supported by effective enforcement or follow-up.

	Because of its shortcomings, the hotline has low credibility in the community and is underutilized. What is required instead is the community proposal (above) of a full-time, broad-scope hotline.
Identify how the Board of Review operates	We're not sure if the response addresses the question the Board intended to ask. However, we can comment that probably the most crucial requirement of the plan is the support of the University President. The impending departure of the current President is an important reason to limit the term of any approved plan.
Provide an up-to-date count of students	This information is inadequate: ⇒ Despite frequent requests, no FTE counts of undergraduate enrollment have been submitted The information provided is nonetheless disturbing: ⇒ The current enrollment is very close to the cap and may well exceed it, depending on events in the spring. ⇒ More comments on enrollment are given above, in point #1 of the response to the cover letter.
Student Council response	We received the GUSA response only with the applicant's October 20 submission. The Board had asked how the student council would reach out to students with disciplinary problems. The response indicates ⇒ The Student Council does not support the University program ⇒ The Student Council has identified no steps to reach out to students with disciplinary problems; instead, it proposes a public relations program with "non-student residents."

X

C. Community proposals for the University's off-campus student program

1. Taking responsibility: The University must in principle and in fact take responsibility for actions of their students. Note that most GU undergraduates are young and from outside the DC area. The University, in enrolling them and inducing them to live in the community, has an obligation to ensure that they understand and comply with local laws and customs. Examples of areas where the University should bear ultimate responsibility are
   - Noise disturbances
   - Maintenance of housing and trash
   - Health and safety (housing codes and zoning violations)
   - Parking impact: ensuring that students park legally and register their vehicles as required by law.
   - Generally, compliance with all laws relevant to neighborhood impact.

   University responsibility in these areas should include establishing
   - Means to inform students of their obligations and of resources available to them;
   - Procedures to remedy problems arising from noncompliance (such as removing garbage and towing cars) and other problems (such as working to obtain housing inspections and to improve city services); and
   - Procedures to sanction students who cause problems. Sanctions could include means to reimburse the University for costs that it incurs in remedying student-caused problems.
2. Community hotline: The University should institute a hotline that is manned at all hours of the day, every day of the week, to take complaints or comments by community members

about all aspects of University operations. This hotline should not be limited to student disruptions, but should be able to address concerns about housing, zoning, traffic, malfunctioning equipment, and so on. All calls should be logged by tracking number, the operator should be empowered to take immediate action for urgent matters (including noise disturbances), and otherwise an initial response should be made within a reasonable time (by the next business day). The disposition of every complaint should be noted in the log. These logs should be part of the record for any BZA action.

3. Information sharing: The University should be required to share all relevant information with the community in writing, including:
   - Weekly reports of hotline calls (or similar communications) and relevant police reports
   - Off-campus addresses
   - Yearly counts of off-campus students by community within Zip code 20007
   - Sanctions imposed for misconduct off-campus
   - University actions in connection with the plan
   - Communications from the University to any city agency (including the BZA) regarding the plan. This includes any reports or minutes from meetings of public or private bodies charged with community affairs. (Such documents, if submitted to the BZA, should likewise be timely served on the parties to this hearing.)
4. Other proposals: Other community proposals which have not been implemented by the University include the following
   - The Office of Off-campus Student Affairs should be given funding one year in advance to ensure year-to-year consistency in its operations.
   - Off-campus residence should be considered a privilege requiring a record of good behavior. Students with past behavior problems should not be permitted to live off campus, and students living off campus who have proven not to be good citizens should be returned to campus for their senior year. This recommendation is supported by the ANC 2E position. (A similar procedure already applies for students in University-owned housing.)
   - Off-campus parties in non-university-owned housing should be registered in the same fashion as parties occurring in university-owned housing.
   - Varsity athletic teams should be required to live on campus, inasmuch as they represent a disproportionate share of the problem houses. The same rule should be applied to club teams. This provision could be a team-building benefit of participation in the sport, similar to the housing benefit we understand is now available to the basketball team.
   - The University should commit to working closely with city agencies like DCRA and DPW to ensure that the houses occupied by their students are safe and well maintained. (Programs described in University submissions are all short-term or poorly defined.)
5. Simple remedies that would greatly reduce negative impact were omitted from the applicant's submission, but follow directly from the evidence in this proceeding:
   - Provision of additional on-campus undergraduate student housing. All parties, including the University's expert, have agreed on the beneficial effect of this measure. In fact, the University already has facilities on campus not presently used for undergraduate student housing that would be suitable for that purpose now or in the near future. Furthermore, housing a greater fraction of undergraduates on campus is not as unusual or as great a burden as the University has implied. Most of the University's peer institutions house a greater percentage of undergraduates on campus than they do (see Appendix D).
   - Reduction in University enrollment. This would appear to be the Board's only recourse if the University proves unable to control negative impact in any other way.



Advisory Neighborhood Commission 2 E
Single Member District 04
1642 Thirty-fifth Street N.W.
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337-6505 (phone) • 337-6504 (fax)

August 17, 2000

Ms. Sheila Cross Reid, Chair
Board of Zoning Adjustment
One Judiciary Square
Washington, D. C. 20001

Madam Chair:

Re: Case No. 16566 - Georgetown University Campus Plan

In reviewing the transcript from the July 18 hearing, and after consultation with the Office of Zoning staff, it became clear that the Board had requested a recapitulation of the various recommendations made by community organizations, separate from any submission of findings of fact.

Attached is such a recapitulation, organized by subject area. If we have missed the intended date for submission, we would ask that the Board waive any noncompliance, inasmuch as none of this is new material, but simply a document intended to meet the Board's request for assistance.

If it should be necessary, I can provide an enumeration of the transcript page citations for each item.

Copies of this list have been shared with the applicant and other parties.

Sincerely,

Barbara Zartman
Commissioner 2E 04

Comprehensive Recapitulation of Recommendations from Community Organizations

BZA Case 16566 – Georgetown University Campus Plan

REGARDING THE CAMPUS PLANNING PROCESS

No plan for Georgetown University should be approved for more than five years.

> *The plan should be brought back to the BZA (or the Zoning Commission) after the southwest quadrangle is operational and its impacts can be measured. The changes proposed for the north campus, similarly, will need careful assessment as it engages in very different operations under MedStar leadership. A new President of Georgetown University will take the helm next year; there can be no projection of where he will wish to take the University. Further, a new Vice President for Student Affairs has just joined the administration; his understanding of and commitment to enhanced campus life, and protections for neighboring communities, will not be known for some time*

Categories of students must be regularized, with equivalencies from full-time students, to full-time equivalents, to excluded students, all carefully charted over the passage of time to avoid "apples and oranges" comparisons. Hard numbers, and not percentages, should be used to assess impact.

The categories of land use must be expanded to provide to the Board and the community adequate information to understand "all activities conducted, or to be conducted, on the campus, and of the capacity of all present and proposed campus development."

Objective measures should be adopted as part of the final BZA order.

> *We are committed to creating a series of indices (including summonses, police citations, arrests, documented violations, DPW citations, DCRA citations, and the like), in addition to traffic data, that can be used to measure impacts on the community of university operations. After our consultation with the university and the Office of Planning, we will ask the Board to include such recommended measures in its final order.*

Off-campus university facilities in the immediate vicinity should be identified, their utilization volumes recorded, and their impact assessed on student numbers, noise, traffic, and other objectionable conditions.

The university must make available to the community all the information required to verify FAR calculations for existing campus facilities, as well as those now proposed. This must include the basic underlying calculations required to evaluate the formulation provided by the university.

The new campus facilities planned for the main campus should be limited to use for student productions, games, and activities, and that they not be rented for public events, concerts, and the like.

The quarterly meeting process should be continued, with clarification about meetings being open to the press and the community.

REGARDING ENROLLMENT

Undergraduate student enrollment should be capped at its present level, 111 students above current enrollment. There should be no change in the terms of the present campus plan, under which no increase in enrollment is possible until new beds are available on campus for new heads.

> *In the interim, all parties can utilize the objective standards mentioned above to see whether the campus-life enhancements planned by Georgetown University are working to limit impacts of students*

on community residential life. We can learn how committed the new President and the new Vice President for student affairs are, and how the policies and programs they adopt are working.

Graduate enrollment should be limited to 200 additional students, a number that is consistent with the detailed plans proffered by the university.

Again, objective standards to assess the harmful impact on the community can be employed over the next five years, and judgments can be made about further increases based on the objective experience with this 8% increase over the next five years.

REGARDING STUDENT BEHAVIOR

The Office of Off-campus Student Affairs should be enhanced and made independent of year-to-year inconsistency through advance funding that affords adequate staffing.

Enhanced control of off-campus behavior should include the following:

(a) Off-campus parties in non-university-owned housing should be registered in the same fashion as parties occurring in university-owned housing.

(b) There should be parental notification when students are involved in an off-campus arrest or are issued a noise violation by the Metropolitan Police Department.

(c) Juniors who have proven not to be good citizens should be returned to campus for their senior year.

(d) Varsity athletic teams should be reuired to live on campus, inasmuch as they represent a disproportionate share of the problem houses.

(e) Students living off campus must register by a date certain with the Student Affairs Office and must maintain records of good conduct.

(f) The university must recognize that an alcohol problem exists in the campus community that is not adequately addressed by current efforts.

The hotline should be extended to Thursday nights, and there should be follow-up contact with those who call to advise what actions were taken.

REGARDING INTERIM OFF-CAMPUS HOUSING

Until all undergraduate students can be housed on campus, the following steps to decrease objectionable conditions in the community should be adopted:

(a) The university should take steps to assure that the housing in which their students live meets DCRA and other safety codes; no illegal apartments should be listed in the "off-campus housing" advice given to students or listed on the university website.

(b) The university should join with the community to promote city inspection of group homes.

(c) The university should take steps to minimize the twice-yearly impact of moving vans, trucks, and other vehicles attendant to student moves into and out of off-campus housing.

(d) The university should educate students effectively on city services, including trash, safety codes, etc.

REGARDING THE NORTH CAMPUS AND MEDSTAR

The zoning of the north campus does not allow for matter-of-right operation by MedStar; it must be dealt with in appropriate variance or other procedures.

That MedStar facilities on the north campus be limited to the new parking garage for approximately 500 vehicles (nearly all underground) on the site to the west of St. Mary's Hall, and the new physician's office building, with occupancy by 80 FTE physicians and 220 support staff (with no variance greater than 10%). The additional 200,000 square feet (planned for 2005-2010) should await plans with greater specificity than those included in the current application.

The proportion of transplant and trauma care offered at the MedStar facilities shall not increase.

No commercial, for-profit operations should be included in the intended north campus facilities.

The helicopter pad should be capped at the intended increased use of 12 flights per week, measured on a quarterly basis, and reported at quarterly meetings and all phase-two applications.

The massing and siting of facilities on Reservoir Road should be managed so as to minimize impact on the adjoining Cloisters townhomes and on the Reservoir Road streetscape.

REGARDING TRAFFIC AND TRANSPORTATION

DPW should be asked to carefully reassess the changes in parking allocation proposed in the new MedStar/Georgetown University division of the authorized 4080 spaces, in light of Georgetown University's acknowledgement of an 1100-space deficit for Georgetown University operations. The parking cap itself must be retained.

A careful and articulated program of assessment and mitigation should be adopted for both the north campus, the east campus, and the Canal Road entrance to measure the impact of traffic and parking before a final BZA order is issued, and that it include reports back to the BZA with each second-stage project that is brought forward for approval.

> *The major changes in vehicular traffic patterns anticipated in this application, coupled with construction already underway on university and other large projects, require objective assessment before further approvals are given.*

On-campus parking for employees' private vehicles should not be subsidized for daytime use, other than in carpooling.

The proposed realignment of 38th Street at Reservoir Road should be rejected until adjacent communities can be satisfied that cut-through traffic will not increase.