

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL MEETING

+ + + + +

THURSDAY

FEBRUARY 9, 2012

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The Special Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:30 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
KONRAD W. SCHLATER, Vice Chairman
MARCIE COHEN, Commissioner
MICHAEL G. TURNBULL, FAIA,
Commissioner (OAC)
PETER G. MAY, Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

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Board of Zoning Adjustment
District of Columbia
CASE NO. Transcript
EXHIBIT NO. null

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic
Preservation

JOEL LAWSON

STEPHEN MORDFIN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.

The transcript constitutes the
minutes from the Special meeting held on
February 9th, 2012.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Final ActionZ.C. Case No. 10-32

Georgetown University - 2011 Campus Plan .. 9

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P-R-O-C-E-E-D-I-N-G-S

6:32 p.m.

CHAIRPERSON HOOD: Okay. This meeting will please come to order.

Good evening, ladies and gentlemen. This is the February 9th, 2012 public meeting of the Zoning Commission.

My name is Anthony Hood. Joining me are Vice-Chairman Schlater, Commissioner Cohen, Commissioner May and Commissioner Turnbull. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin; Office of Attorney General, Mr. Bergstein; and the Office of Planning, Ms. Steingasser, Mr. Lawson and Mr. Mordfin.

Tonight's meeting is convened to decide on Zoning Commission Case No. 10-32. This the Georgetown University's 10-year campus plan and further processing.

Copies of today's meeting's agenda are available to you and are located in the bin near the door.

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We do not take any public testimony at our meetings unless the Commission requests someone to come forward.

Please be advised that these proceedings are being recorded by a court reporter and is also Web cast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room. Please turn off all beepers and cell phones at this time.

Does the staff have any preliminary matters?

MS. SCHELLIN: None for this case, but I know you have another announcement to make.

CHAIRPERSON HOOD: Yes, I'd like to do that at this time. I do have a preliminary matter, which is pertaining to the Zoning Commission's closed meeting roll call vote.

As Chairman of the Zoning Commission for the District of Columbia and in

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accordance with 405 and 406 of the District of Columbia Administrative Procedures Act, I move that the Zoning Commission hold a closed meeting on Monday, February 13th, 2012 for the purpose of seeking legal advice from our counsel and deliberating upon all contested cases listed on our regular public meeting agenda for February 13th, 2012. Per D.C. Official Code 2-575(b)(4) and (13).

Is there a second?

COMMISSIONER TURNBULL: Second.

CHAIRPERSON HOOD: Okay. It's been moved and seconded.

Will the secretary please take a roll call vote on the motion before us now that has been seconded?

MS. SCHELLIN: Chairman Hood?

CHAIRPERSON HOOD: Yes.

MS. SCHELLIN: Vice-Chair Schlater?

VICE-CHAIRMAN SCHLATER: Yes.

MS. SCHELLIN: Commissioner Cohen?

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COMMISSIONER COHEN: Yes.

MS. SCHELLIN: Commissioner May?

COMMISSIONER MAY: Yes.

MS. SCHELLIN: Commissioner
Turnbull?

COMMISSIONER TURNBULL: Yes.

CHAIRPERSON HOOD: As it appears
that the motion has passed, I hereby give
notice that the Zoning Commission will hold a
closed meeting on Monday, February 13th, 2012
at 5:45 p.m. in the Office of Zoning
conference room pursuant to the District of
Columbia Administrative Procedures Act. A
written copy of this notice will be posted in
the Office of Zoning at this time.

Okay. Is there anything else we
need to do?

(No audible response.)

CHAIRPERSON HOOD: Okay. Let's
get right into our case for the night.

Ms. Schellin, we didn't have any
preliminary matters for tonight, right?

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MS. SCHELLIN: No, sir. You have the additional documents that the record was left open for and we'd just ask the Commission to consider action.

CHAIRPERSON HOOD: Okay, Commissioners. As customary, would anybody like to make any opening statements?

(No audible response.)

CHAIRPERSON HOOD: Let me also mention that Commissioner Cohen is not actually participating in this case, but she is sitting observing tonight.

And let me just let everyone know we have a very voluminous and large record. We're going to take our time and go through this. It may take us awhile, so I'll ask everyone -- we will ask for your patience.

So with that, Commissioners, anyone like to open up and say anything?

COMMISSIONER MAY: Mr. Chairman, if you plan to make some remarks, I would make some remarks, but I don't want to be the only

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one making remarks at this moment. Happy to go through the -- march through all of the issues.

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: Rather than do opening remarks. It's up to you.

CHAIRPERSON HOOD: Okay. I actually was not going to -- I've learned from the past. I'm not going to make any remarks, not in this case. What I'm going to do is just get started, but I wanted to open it up to my colleagues just in case.

Okay. Let me start right off. Did anyone?

(No audible response.)

CHAIRPERSON HOOD: Okay. Let's look at -- as Ms. Schellin's already stated, we have a number of exhibits, a number of submissions that were given. And I'm looking at the -- I wanted to start with this in my reading at the -- this is Exhibit 370. This is the proposed findings of facts and

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conclusions of law that was submitted by ANC 2E, the Citizens Association of Georgetown and the Burleith Citizens Association.

At the end -- and I just wanted to put this out there at the beginning, does anyone -- on page 41 it starts off with "Revised Campus Plan." Does any Commissioner feel moved to go in this direction as recommended in there? I went right to what they're asking for. Does anyone feel moved to do this?

COMMISSIONER MAY: Mr. Chairman?

CHAIRPERSON HOOD: Yes?

COMMISSIONER MAY: I'm not moved to --

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: -- adopt that order and immediately move to that.

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: But --

CHAIRPERSON HOOD: Would save us a lot of time. I was just wondering, so --

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COMMISSIONER MAY: But who knows, we may wind up there? Never know.

CHAIRPERSON HOOD: All right. Thank you.

Okay. Let's go in this order: Let's look at the -- again, we have a term which is being proposed to us. I think the term is to end December 31st, 2020. And I think I would -- as we have done in other campus plans, I think that that discussion we can hold in abeyance. I don't think we need to start off with that discussion of the term. Does anybody agree or disagree?

COMMISSIONER TURNBULL: I would agree. I think we have some other issues, too, that we should deal with first before we get into the term.

CHAIRPERSON HOOD: Okay. Any comments or any issues with some of the new developments that are -- that is being proposed?

COMMISSIONER MAY: In terms of the

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specific new developments that are contemplated within the overall plan, I don't think those are the big issues that we -- that's the big issue that we need to address here. It's sort of secondary to the major issues that became the topic of so much discussion in the hearings. So there's nothing in particular that I would want to comment on about new developments at this time.

CHAIRPERSON HOOD: Okay. Anybody else?

VICE-CHAIRMAN SCHLATER: I would just say that it is a pretty modest plan in terms of what's being proposed in new development, and I don't see the expansion of the campus creating objectionable impacts. So I think it's important to note in all of our discussions that any of the impacts that we're talking about, and it's not coming from, you know, a growing campus. And it's important to note that the plan itself is fairly modest in

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terms of the changes from 2000 to 2010.

CHAIRPERSON HOOD: Okay. Anybody else?

COMMISSIONER TURNBULL: Oh, yes, I would agree with the Vice-Chair. I think that the growth that we're looking at is fairly de minimis right now.

CHAIRPERSON HOOD: Okay. Employment. I don't recall a lot of discussion about issues with employment, and that's even from the ANC or some of the parties in opposition. I didn't hear a whole lot of discussion about anyone being against the university hiring practices. I just do not recall.

Does anyone have any discussion on that? Vice-Chairman?

VICE-CHAIRMAN SCHLATER: Mr. Chairman, the only thing I would note here is I think there was some evidence in the record, and it just bears repeating that Georgetown is the largest private employer in the District.

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And, you know, in these times when unemployment is high, this is an important consideration as we review all the other items, that the economic impact from this university is very high. So when we're talking about the expansion of, you know, the professional schools and the graduate students, along with that comes jobs. And that's something at least I want to make sure that we keep in mind and certainly something that I would like to promote.

CHAIRPERSON HOOD: Okay. Anyone else?

(No audible response.)

CHAIRPERSON HOOD: Okay. Let's do this: What about the enrollment on the main campus? I know in previous other campus plans that that was another thing that we came back to and we held in abeyance. I'm not sure if we're ready to discuss that now. I would like for us to move on ahead and come back to that a little bit later, if that's okay with my

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colleagues.

COMMISSIONER MAY: Well, the next item that we would discuss would be student housing, and it seems to me that enrollment and student housing are linked. They certainly have been linked by much of the testimony, and certainly in the recommendations the Office of Planning they're linked. So I think maybe it's --

CHAIRPERSON HOOD: Are we ready to move forward with those two now?

COMMISSIONER MAY: Well, I mean, those are the big issues of this case, so --

CHAIRPERSON HOOD: So again, let's put those two in abeyance and let's come back to those two. And thank you for bringing up student housing.

Let's go into boundaries. Georgetown University is saying that they would -- or is requesting to maintain the boundaries set by the BZA in the 2000 plan. Boundaries were adopted by NCPC and the BZA in

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1966, and all the property now that's currently in the plan and has been included in all 10 -- from what's been noted, the past, I guess, 10 or so campus plans.

Does anyone have an issue? And I know there are some issues that were raised about some other things that we had mentioned that we would look at further in the ZRR, but what's -- the rules that are in front of us now are the rules in which we're operating on.

Anybody have any questions or comments about the boundaries?

(No audible response.)

CHAIRPERSON HOOD: Okay. Now let's move to the Georgetown University-owned off-campus housing. I believe that we've had a lot of discussion, and I think the parties in opposition, and I'd like to say the parties in opposition for the most part and the ANCs have talked about off-campus housing and regulating it. There have been different requests how we should try to get a handle on

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it or encourage the university to get a handle.

Let me just start a discussion at this point. I think that the university needs to come up with a better solution for off-campus housing. Now I'm not going to sit and try to give them solutions. I don't think that's my jurisdiction. But I think that for me we need to come up with a better solution on off-campus housing so we can lessen some of the impacts on the surrounding area. There are some issues, and I know that some of the stuff that's being mentioned, some of the folks who are doing some of the things are not students. Some of them live there. So, you know, you have to be able to distinguish. But I think the university has a responsibility to come up with a better solution on how to handle and grapple with the Office of Student Housing.

I would also encourage the university, as I did in another plan, to model

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after -- and I'm sure Mr. Bergstein will cut me off, but to model after the Howard University plan. I know the issues may be different. And when I say the plan, of how they deal with their students that live off campus. I think their plan works and that showed -- that was very evident by the community that came down and how they were all together. And I would implore or kind of encourage Georgetown University to look at Howard University to manage and tailor it so it will work for this university.

But at that point, let me open it up. Any comments? Vice-Chairman Schlater?

VICE-CHAIRMAN SCHLATER: Well, the question, Mr. Chairman, are we just talking about Georgetown University-owned off-campus housing? I think your comments were more broadly towards the issue of off-campus housing.

CHAIRPERSON HOOD: Yes, I --

VICE-CHAIRMAN SCHLATER: I think

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we can address the Georgetown University off-campus housing more narrowly.

CHAIRPERSON HOOD: Yes, I'm talking about Georgetown University, yes, off-campus housing.

VICE-CHAIRMAN SCHLATER: So the housing that they own off campus?

CHAIRPERSON HOOD: Anything that pertains to Georgetown University, off of their campus, yes.

VICE-CHAIRMAN SCHLATER: Okay.

CHAIRPERSON HOOD: Now, if I understand you correctly, we have no jurisdiction -- actually I don't know how much jurisdiction we have. But anybody who lives off campus, no, I'm not going there. No. I'm just talking about the university.

VICE-CHAIRMAN SCHLATER: Well, I think, you know, the Office of Planning recommended that any Georgetown University-provided student housing in the R Zone should require approval as a special exception and an

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amendment to the campus plan. And I guess the question at hand is whether we should be -- and I think we got similar recommendations from ANC 2D, 2E and 3D, as well as the parties in opposition as it specifically relates to Georgetown University-owned housing.

Now, you know, my feeling on this is similar to the issue that gets raised from time to time about university uses in commercial zones. University use in a commercial zone is a matter of right. Residential use in residential zone is a matter of right. So I have a hard time understanding how this Commission would regulate Georgetown University-owned housing in the residential districts.

COMMISSIONER MAY: Mr. Co-Chairman, Vice-Chairman, I'm not sure I agree with you that a dormitory in a residential neighborhood is a matter of right use. The provisions say that use of a college or university, including a dormitory, shall be

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permitted as a special exception. I don't think there's anything magical about -- if you have a dorm in a campus plan and you want to have a dorm right outside the campus plan, then you need to amend the campus plan. I believe that's the case with Howard, where they have an adjacent dormitory.

So I wasn't aware -- and we can look -- do more research into that, but I didn't read 210.1 to say, well, first you create the campus boundary and then anything in it that's a university use is special exception. Anything outside of it is not. I think it's just the reverse. You have a university use in a resident zone. It's subject to special exception and you need a campus plan.

VICE-CHAIRMAN SCHLATER: Going to the specific issue that we're talking about here, we're talking about these clusters of town houses. And each individual town house does not constitute a dormitory, but it's a

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university use within a residential area and therefore subject to the same rules as the campus plan, right?

MR. BERGSTEIN: Well, except the BZA has recently ruled that a one-family dwelling that's occupied by students and that is owned by a school is a dormitory.

COMMISSIONER MAY: Okay.

MR. BERGSTEIN: That was a case where -- I think it was National Ballet School, where they wanted to have something like seven kids and two basically parent -- two counselors in a one-family dwelling, and they were told to apply for a use variance because that was more than six unrelated people in a single one-family dwelling. And the BZA agreed with the applicant that in that case it could be seen as a dormitory and therefore they did it as a special exception under the school.

COMMISSIONER MAY: But in any case it would need special exception approval.

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MR. BERGSTEIN: Well, and what the university is saying, as I understand their pleadings, that these particular uses were approved under a prior campus plan. They make an argument that any row dwelling with four unrelated persons or fewer is a matter of right, but I don't necessarily even need to go there. I mean, if in fact these are lawful dwellings that were permitted under campus plan, then they continue. They've been granted a special exception. If they should have had a special exception, then it's really an enforcement issue. I'm not sure of the relevance of this whole issue to what you're doing today.

COMMISSIONER MAY: So --

VICE-CHAIRMAN SCHLATER: The relevance is whether it should be in the plan or not.

MR. BERGSTEIN: Well, but they're saying -- in their findings of fact they actually allege that these were approved in a

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former campus plan. They say in finding of fact 82 that the university has owned many of these properties for decades, began to use them as undergraduate housing per BZA's approval of the 1989 campus plan, Order 15302.

So if that's the case, then they're already covered in a campus plan. So I actually don't understand why this issue is germane.

COMMISSIONER MAY: But if the campus plan expires --

MR. BERGSTEIN: Well, if the campus plan expires, all present university uses in the -- one of -- I think the last Georgetown University order -- as long as a university applies for a campus plan before the expiration and the plan expires, as it has in this case, the university can continue its operations. It just can't ask for further processing. So it doesn't shrink. It doesn't stop operations.

COMMISSIONER MAY: In order for

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them to continue operating in this fashion though do we have to affirmatively say that that was previously approved and we continue that approval, or do we simply have to note that it was previously approved?

MR. BERGSTEIN: I would think that's like any other special exception. Well, I think you have to say that it's continued to be approved under this campus plan.

COMMISSIONER MAY: Right. So if it has to be affirmatively approved, then it means that we are making that decision that this continues to be okay.

MR. BERGSTEIN: Right, and you have to --

COMMISSIONER MAY: We could make a decision that it is no longer okay?

MR. BERSTEIN: That's right. You know, you would have to indicate why something has changed so that something that was once acceptable under the campus plan is no longer

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acceptable.

CHAIRPERSON HOOD: You know, I think my comments -- I'm probably putting everything right together and I probably shouldn't be doing it, because I'm probably talking more of students living off campus. So let me back this up. Again, we still have to look at whether or not the merits or the testimony talked about adverse impacts and GW-owned off-campus housing.

I still think; and I didn't see any evidence in the record, and I stand to be corrected -- again, the Howard University model is what I'm looking at. It works. And I would implore again the university to look at how all that -- whether it's the owned property from the university off campus as well as off-campus student. And maybe I'm putting all that together in one and that should not be. I should be distinguishing the two. But to me, it all runs together.

COMMISSIONER TURNBULL: So, Mr.

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Chair, are you looking for the Applicant to give some kind of a policy issue as to whether they intend to pursue future campus-owned off-site housing, or some direction what their intent is so that the neighborhood -- I don't think they've indicated that in their plan, that they intend to pursue that, but we -- I mean, it's something that's out there. Whether they intend to pursue it, I don't know.

CHAIRPERSON HOOD: I mean, that may be something we ask for. I'm looking for -- well, we all are. I'm looking for solutions.

COMMISSIONER TURNBULL: Right.

CHAIRPERSON HOOD: And that's what I'm trying to get to. I'm not saying -- you know, I'm trying to find a -- strike the balance here where we've got a university and have residents who live in the area, and they need to live together.

COMMISSIONER TURNBULL: Yes.

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CHAIRPERSON HOOD: And I'm trying to find -- are we going to find it up here? No. But I'm looking for the university and the community to propose some solutions that actually work. Because what was done 10 years ago, even though some things were implemented maybe two or three months ago, which again is noted, has not proven to -- we don't know whether they work or not because, as I said, on a number of occasions, it was just instituted. We don't have any track record. We don't know if these things are working.

And I know I'm getting off on a tangent, but maybe I'm mixing these together, the off-campus structures or housing, university-owned housing versus off-campus student living. To me, it all runs together. And I'm looking for the university to give me some --

COMMISSIONER MAY: Mr. Chairman, I mean, if what we're trying to do is sort of knock off some of the easier issues, I think

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we need to come back to the issue of off-campus housing entirely.

CHAIRPERSON HOOD: Okay. Let's come back.

COMMISSIONER MAY: Let's come back to this one along with enrollment and housing, student housing in general.

CHAIRPERSON HOOD: Okay. Let's see. Well, the boundaries, we're find with boundaries. We're going to come back to Georgetown University off-campus housing. We're going to come back to -- what about the next issue, approval of the campus acquisitions or property off -- the university has, Georgetown University has stated to us -- and I have a note, does not agree with Office of Planning's recommendation that the Zoning Commission approval of the Georgetown University-provided housing not permitted under Zoning Regulations.

COMMISSIONER MAY: Well, here I think the regulations are fairly clear that

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certain zones -- that university use is allowed as a matter of right. So if they were to buy property in one of those zones, it would not require any action by the Zoning Commission. But if it's in a residential zone or a CR and SP, it would require amendment of the campus plan.

CHAIRPERSON HOOD: And I guess that's what makes this job so hard for me, because I disagree with that. And I know the legal folks would tell me that that's already in place, but I disagree with that. In the zoning rewrite, I'm going to be looking and I think that we've already been on notice that we need to change -- that needs to be dealt with. But how do you deal with that now? I don't know. But I disagree with --

COMMISSIONER MAY: Right. But, I mean, the other thing, the other aspect of this, I mean, at the moment is the university, I mean, as I recall, is not planning to make major purchases of other properties in other

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zones. I mean, that was not discussed in the case either -- I mean, by the university or by others who testified, that I recall. Maybe I don't recall correctly. It's been awhile since we had the actual hearings.

Mr. Chairman, we have discussed this before and I think that we all agree that commercial zones and such -- university purchases in those zones in the rewrite of the regulations should be addressed in some fashion.

CHAIRPERSON HOOD: So, Commissioner May, and I think in what you recall there was no discussion about advancing or purchasing anymore -- the university purchasing anymore property within those zones. That's what we heard. So I guess my question is will the university be willing; and it may be written here somewhere, but we have a lot of stuff to read -- but will the university -- or that we have read -- will the university be willing to -- and I don't know

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if it's in the proposal -- be willing to say for the next 10 years that will not be done? And I'm not sure if that question was asked at the hearing.

I'm just throwing it out there and they can respond, because I don't think we're -- I don't believe we're going to make a decision tonight. I don't think.

COMMISSIONER MAY: Well, I mean, I'd be fine with that. I'd be fine with that if the university wants to makes some sort of statement about what their intentions are in terms of off-campus property. But, you know, I think what decisions we make might affect their position in those -- in that regard.

CHAIRPERSON HOOD: And that's why I'm just asking would they be willing?

VICE-CHAIRMAN SCHLATER: All I know is I read in I think it was one of these latest filings that the university is not willing to place that restriction on itself. There was some discussion of George Washington

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University and in one of its prior campus plans having placed that restriction on themselves, but they're not volunteering it and their contention is the Commission doesn't have the authority to require it.

MR. BERGSTEIN: I just might add that they made that promise in the context of a PUD, part of their campus plan. It was considered a public benefit by their agreeing voluntarily not to acquire property. That would be a yes.

CHAIRPERSON HOOD: Okay. So again, I still oppose that. And as the Vice-Chairman stated, it's already here. It was here. Just put a line and tell me exactly where it is and what's being proposed. I do recall that, but I'm putting it out there.

Okay. Anything else on this? Anybody else like to add or disagree with me or take away?

COMMISSIONER TURNBULL: Well, but basically you're asking them to as a matter of

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good faith in the community to let everybody know what may or may not be happening with regarding outside properties in the area.

CHAIRPERSON HOOD: Right, because there's nothing now out there that says they can or cannot.

COMMISSIONER TURNBULL: Right.

CHAIRPERSON HOOD: And right now it's not -- so I'm asking them what is their position.

COMMISSIONER TURNBULL: What is their -- yes.

CHAIRPERSON HOOD: Would they be willing not to do it. I know that might be asking a lot, but are they willing not to do anything for two years.

COMMISSIONER TURNBULL: Right.

CHAIRPERSON HOOD: I'm just asking.

COMMISSIONER TURNBULL: Okay.

CHAIRPERSON HOOD: We don't need but a one-pager, unless somebody thinks there

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needs to be more than one page.

VICE-CHAIRMAN SCHLATER: I guess we can pose it to them. I guess all I'm saying is we've got -- it's Exhibit No. 360, page 17. And it goes -- that's at the end of 17 and goes into page 18.

CHAIRPERSON HOOD: Okay. I still stand. Let's -- I mean, I'm where I am. I appreciate them submitting that, but I'm where I am. Because at the end of the day for me, you know, it's about being a good neighbor.

Okay. Anybody else?

(No audible response.)

CHAIRPERSON HOOD: And I see it plain -- all you have to do is say no, what we have on page whatever page you found stands.

At some point we're going to have to hit these issues; off-campus behavior, Student Neighborhood Assistance Program, noise, students, reimbursable details. Let's try to get to the -- let's go to traffic.

Does anybody -- did I miss some of

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the ones that we -- I think we went all the way with what we have. Traffic. Because the rest of them I think are going to take a lot of discussion.

Again, what's been represented to us by the university is Georgetown University traffic report shows no adverse impacts, will result in -- GU will find recommended mitigation measures at intersections potentially affected. And DDoT's -- let's see what DDoT -- traffic has created objectionable conditions in neighboring residential properties by reducing on-street parking. DDoT -- that's what the Office of Planning -- DDoT says no objections to Georgetown University's revised transportation impact study. But it still says but campus plan will result in adverse traffic impacts that must be mitigated. And I think we have a number of letters from DDoT which explain how they would like to see the university proceed.

COMMISSIONER MAY: Mr. Chairman, I

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mean, as much as we'd like to try to knock off some of the less complicated issues, I see all of them sort of flowing back to the basic issues of enrollment, student housing, off-campus behavior, and I think we should just jump in and start discussing those issues.

CHAIRPERSON HOOD: All right.

COMMISSIONER MAY: The rest of them will perhaps fall into place.

CHAIRPERSON HOOD: Okay. Thank you for that suggestion. I'm just trying to lead this discussion. I was trying to make it easy, but when I get to traffic, seems like I'm right back in the same place.

COMMISSIONER MAY: Yes.

CHAIRPERSON HOOD: Okay. So let's go back to -- where did we stop? Enrollment. Let's go back. Everybody shuffle your papers around. Let's go back to enrollment.

COMMISSIONER MAY: Well, I would suggest that we undertake enrollment, housing and off-campus behavior more or less at the

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same time because they're all related particularly by OP's recommendations about how to address them.

CHAIRPERSON HOOD: So we're looking at enrollment, off-student housing. What was the other one?

COMMISSIONER MAY: Enrollment, student housing, off-campus housing, and off-campus behavior.

CHAIRPERSON HOOD: Okay. Somebody like to start us off?

COMMISSIONER TURNBULL: Well, Mr. Chair, let me start off with I guess what I'm -- we have from the university and from OP -- now, I think we need to reconcile where they're going. As the baseline number, the university in Exhibit 359 -- and they're saying that the main campus head count with OP adjustments is 13,387. I think OP has 12,959. And I'm not sure how to reconcile that.

MR. BERGSTEIN: I'm sorry to step in on this, but I did discuss this with OP

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this afternoon. And Ms. Steingasser can jump in. But as I understand Ms. Steingasser's position, it doesn't matter from her perspective necessarily where you start. It's the amount of students you end up adding to -- graduate students adding. The university is indicating that it's not intending to increase its traditional undergrad students, that they plan to keep it at that -- under the new methodology at 6,675.

COMMISSIONER TURNBULL: Right.

MR. BERGSTEIN: All right? So what they're proposing to do is to add 967 students. They've actually added -- that baseline figure is based upon 2010.

COMMISSIONER TURNBULL: Okay.

MR. BERGSTEIN: In 2011 they added 66 to bring it up to a total enrollment of 13,453. They propose in 2013 to add another 100 and they propose in -- I'm sorry 2012 to add another 100 and to propose in 2013 to add another 801, which brings the entire increase

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over the baseline to 967. And those would be graduate students. And from my understanding OP doesn't disagree with that increase.

COMMISSIONER TURNBULL: Okay. I was just curious. The numbers when you look at it first off don't seem to match up, but if OP is concurring that they agree with that, that's fine.

Ms. Steingasser, are you okay with those numbers?

MS. STEINGASSER: We are. Our emphasis was more on the impacts than the actual numbers.

COMMISSIONER TURNBULL: Okay. So you're okay with the final head count number?

MS. STEINGASSER: We are.

COMMISSIONER TURNBULL: Okay. Thank you.

CHAIRPERSON HOOD: Does anybody have -- I'm just trying to recall what some of the community organizations said about that.

COMMISSIONER MAY: I guess I would

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want to seek clarification from the Office of Planning. That still means though that you would want to use the enrollment limitation as a tool, if you will, to move the university toward 100 percent housing for their students.

MS. STEINGASSER: That's correct.

COMMISSIONER MAY: So even though they're saying 967 is okay, the number would actually -- the undergraduate number would have to start coming down in order to comply?

MS. STEINGASSER: That's correct.

CHAIRPERSON HOOD: Okay. Taking into consideration Office of Planning, but also wanted to make sure we take in consideration the recommendations that came from the community as well, that's why I'm trying to see where they were on this issue.

COMMISSIONER MAY: Well, the Citizens Association of Georgetown recommended grad student enrollment should be capped at the current level because there's no housing provided. And ANC's, I'm not sure which one,

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recommended enrollment caps based on the categories of students rather than the overall cap the way it is. But in effect what we have, I think, is a cap on undergraduate and then a cap on everything without all of those subcategories.

I mean, I think I'm comfortable with that in principle, but I think, you know, as a means of doing it, the undergraduate cap and then an overall cap, whether there should be an increase I think is -- you know, again, I think what we have to tackle is the housing and student behavior issues.

VICE-CHAIRMAN SCHLATER: Maybe we can address the graduate students first.

COMMISSIONER MAY: Well, but I mean I think that's part of the calculation. It certainly is from the perspective of some of the parties. I mean, I guess I just wouldn't be comfortable saying, okay, we're okay with these caps the way they've been proposed because the Office of Planning is

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okay with the way they're proposed, because I think we need to address the question of whether we see the caps as a tool for addressing the student housing issue and the impacts of students living in the neighborhood.

CHAIRPERSON HOOD: Let me do this:

Let me ask if my colleagues would join me on page 38 of the proposed -- that was proposed by the community, page 38 in their proposed findings of facts and conclusions of law. And also I'm aware of the projections and how the Office of Planning has wrote it out for us in their recommendation.

But is anyone -- you know, compared to what discussion -- do you see what the community is recommending or asking us to look at? And I don't see -- unless I'm not understanding, I don't see where it's too far off to what Office of Planning has -- because you look at the maximum total enrollment, you look at No. 3.

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Okay. So let me ask, is anyone -- because we have Georgetown University, we have the Office of Planning, which was just clarified, and we also have the recommendation -- and I'm talking about total cap. Are we ready to move in that direction, or do we want to do as Commissioner May mentioned and discuss everything else? Because I can agree with your logic, Commissioner May, that -- you know, but I'm trying to figure out impacts.

I think the other thing is we're looking at solutions. I don't think -- I don't necessarily know if we're looking at percentiles or numbers and the other things. We're looking -- at least for me, I'm looking at more of a solution that makes sure solutions work. Some of them may be working.

Some of them we may need more evidence that it's working. So that's the way I look at it.

VICE-CHAIRMAN SCHLATER: If I can offer something up. I think the enrollment caps, I think the restrictions on off-campus

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student housing, and I think the programming, the SNAP patrols, you know, the security detail and all that stuff, those are the tools that are being proposed to manage the impacts.

So maybe it's best to talk about the impacts and then we can talk about what we think is the best way to manage those impacts.

CHAIRPERSON HOOD: Okay. Are we going to talk -- let me just ask: I'm trying to make sure how far we go because I'm -- one thing about this Applicant, Georgetown has told us definitely what's in our jurisdiction and what's not. I'm aware of that. So I think the way I see it is that we need to be asking them to provide solutions. And I don't think -- at least from the materials I read, I don't think that we're in the position to give the solutions. I think we need to discuss what we think works, what merits in the record that didn't work, what evidence shows that this is clearly an adverse impact, what's not an adverse -- and I think that's kind of how

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we probably need to get at discussion.

VICE-CHAIRMAN SCHLATER: I think we need to weigh in on the various proposals for restrictions on off-campus housing. OP has put forward a proposal. I think we need to say whether we think that's going in the direction. The parties and the ANCs have put forward their own proposals. So I think we do need to weigh in on those items.

CHAIRPERSON HOOD: Okay. And we're probably saying the same thing. I'm not going to belabor it.

So somebody want to get us started? So I think the cap issue -- Commissioner May, if I understand you correctly, you think we probably need to hold that in abeyance and come back and deal with that after we have a discussion on some of the other issues, or put it all together. I'm just trying to --

COMMISSIONER MAY: No, I think we can come back to the enrollment cap, because,

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I mean, I don't know if it's a viable tool for anything here, but I just don't -- I still don't see that as the biggest issue that we're trying to wrestle with here.

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: And I'm happy to start talking about the big issue.

CHAIRPERSON HOOD: Let's do that.

But I will ask everyone, just indulge us as we try to grapple with our framework and try to move this thing forward. Sometimes we don't have as much time as the community and the university to -- think you all had, what, 10 years to work on this, and we get a couple of weeks. So we're doing -- or a year, so however long we've been working on it. And we have other things in front of us. So I would ask everybody -- it might sound like it's jumbled, because it sure sounds that way to me, but give us an opportunity.

Okay. Commissioner May, you want to start off?

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COMMISSIONER MAY: Okay. We spent a lot of time in the hearings here and we heard a lot of testimony and we received a lot of documentation from the university and also from the neighbors. And it seems to me that already -- I mean, what we've seen in the record is there is substantial evidence that objectionable conditions may exist right now. And so that we're not talking about approving a plan with the intention of avoiding objectionable conditions, or mitigating them, or making some sort of reasonable accommodation that balances the university's needs against the impacts on the community.

I think that there is substantial evidence that these objectionable conditions may exist now. And whether it was the result of the last plan, or whether it was the result of some failure on the part of the university, or whether it's due to market conditions or, you know, the drinking age or any of these other factors that play into it, I don't think

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really is as important at this moment.

I think the issue is that right now there are significant problems in the neighborhood and I don't believe that the university's efforts -- however well-intentioned or well-executed they may be, I don't believe that they're getting a handle on it.

And there are some new efforts that have been introduced in the last few months. You know, the increased MPD patrols, the trash collection, the M Street Shuttle or the frequency of that shuttle, whatever it has been expanded, all of those things have the potential of making the situation better, but we don't have very much evidence about it. In fact, we received in the submittals that we got this fall information indicating that those are not doing the trick. At least there are still objectionable conditions that individuals are experiencing at this point. It's hard to know overall what the situation

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is.

And we're not just talking about occasional anecdotal bad behavior. I think we have -- I mean, I have this stack of letters all documenting individual problems that have occurred. I mean, this is more than just a few cases and I think that even if some of them are not Georgetown students and some of them are, you know, are not attributable to things the university can truly control, it's still enough information that it makes me very uncomfortable at this point simply saying, yes, everything is fine and we should move forward.

I mean, do you want me to -- I flagged a few of the anecdotes. You want me to read some of them at this point, or did we all hear enough of that?

CHAIRPERSON HOOD: We wanted to refresh or memory.

COMMISSIONER TURNBULL: Okay.

CHAIRPERSON HOOD: Just one or

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two. That's all.

COMMISSIONER TURNBULL: And I didn't go through and find the worst. I'm just -- you know, just at the top of my stack.

"Over the years I've witnessed college students urinating in public, staggering around drunk, using foul language in front of my children. These students do not know how to be good neighbors. They behave in a privileged fashion, especially when their parents buy houses for them and stuff them with other kids. They discard household goods on the curbs rather than the alley. One house across the street recently left a large recliner out front which got soaked in the rain."

Another one. "Two in the morning, loud and powerful pounding on my door. After a few minutes the individuals began trying to break down the door by hurtling his whole body into it."

This is about SNAP itself. "SNAP

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produces at best a few minutes of quiet with the noise resuming after SNAP volunteers leave." This is something -- this is a recurring theme with that particular issue with SNAP.

Noise. "I resent the fact that I often have to wear earplugs in my own home in order to get to sleep and I'm embarrassed by the fact that I have to advise my house guests to do the same. As warm weather approaches, the outdoor parties start up. I find myself hoping for cold wet weather to continue to minimize the number of parties and the accompanying noise factor."

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: It just goes on and on like that.

CHAIRPERSON HOOD: And I think the record is clear. I think that the adverse impacts are there. I mean, we've heard it. I think the record reflects that there are some issues. What I guess for me is -- and that's

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what I was trying to allude to. I don't -- you know, I'm trying to -- I would like to single it all out, and I think some of this all runs together for me.

I just think that the things that were proposed by the university, which I think are great -- but some of these things, like we talk about SNAP. One group says SNAP works, other groups say it doesn't work. But then I now from another university what they had in place worked, and it was because of the push that both combined groups or whatever -- all the parties involved made it work. And that's why I want us to look at those.

I'm not saying go to Howard University and come back with exactly what Howard -- what I'm saying is look at what Howard is doing and make it work in Georgetown. That's what I'm saying. I don't want to get off on a tangent or anything.

COMMISSIONER MAY: Well, and I think that the universe of potential solutions

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is not exhausted by simply looking at Howard or looking at the other universities that have been cited in the various information that's been submitted. I mean, we know from our experience that there are some things that are happening in other campuses, not just Howard, that can be quite beneficial to address some of these negative impacts.

You know, to say that these problems exist is not to say that I believe the university is not making the effort. I believe the university is making an effort and I believe the university is making -- is spending a lot of money making that effort, however, the result isn't there yet. And I don't know how else to get it there.

The Office of Planning I think felt the same frustration and their recommendation is that the only way to fix this to at least deal with the neighborhood -- you know, the parties that happen in some of these houses and the loud noises late at night

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is to insist that all students live on campus.

Frankly, that's an extreme measure and I'm not sure that we can insist upon that.

I would rather find some way -- I would rather the university find some way to address these issues in a more proactive way.

I don't know what it is. I just know that it's not happened yet.

COMMISSIONER TURNBULL: Mr. Chair?

CHAIRPERSON HOOD: Commissioner Turnbull.

COMMISSIONER TURNBULL: I wonder if I could comment. What we're really talking about are items 6 and 7 in the draft findings of fact from the Applicant, which is --

CHAIRPERSON HOOD: What page are you on?

COMMISSIONER TURNBULL: Seventy-four, seventy-five and seventy-six. Item 6 deals with off-campus student life. There's three -- there's A, B, C. And under C are what you talked about are the mitigation

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measures, or what they've tried to -- and then No. 7 is what you talked about before, referring to as the community dialogue. And I think what you were referring to is that a certain university has a senior member of the administration, whether it's an executive vice-president or whatever, involved in with the community organization.

We haven't seen that proffered here, but maybe that's something that Georgetown needs to think about or at least look at how Howard does it and look at the machinations of what that organization might look like for them that can better deal with the community. But that -- they need to come back and they need to look at that and see how they can organization it.

But I think we need to look at their seven -- what we're basically saying is that although the seven initiatives here on the surface would appear to address the issues, some of these have been in place

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before. And the question is are these seven initiatives really going to be effective, and does the university really need to take a harder look at all of the conversations that we've had and all the comments by the neighborhood? I don't know.

And, well, like you say, it's not for us to implement more, but is this sufficient? Is this going to really do the job for the neighborhood, for the communities around it? And I think you're right. It's not for us to -- we can't impose additional regulations. It has to come from within the university.

CHAIRPERSON HOOD: Right, and I'm sure that the university would tell us what's in our jurisdiction, because we get that quite a bit.

Vice-Chairman, did you want to add something?

VICE-CHAIRMAN SCHLATER: Mr. Chairman, it's more of a question for my

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fellow Commissioners on this one. I too have heard loud and clear all of the testimony and read all of the letters on the record demonstrating the impacts from university students living off campus. I think they are undeniable. The parties, the kids walking through the neighborhood late at night, disrespectful behavior, you know, the problem of large group houses, it's there. I think the -- I don't think there's any ambiguity there.

I read something in the findings of facts from -- it's cited in the ANC 2E submission. And it said the objectionable impacts from so many GU undergraduates forced to live off campus go far beyond what even the most rigorous off-campus policies and enforcement can control. And I come down on the side that the university is making a good faith effort to manage these impacts. They're doing a lot and investing a lot of resources, as Commissioner May noted, to control their

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students off campus.

I just wonder whether it's the university's sole responsibility to do the controlling. I mean, I think we have evidence in the record that other jurisdictions do look towards, you know, local law enforcement to enforce noise codes, to enforce drinking age restrictions. They look to, you know, the equivalent of DPW to manage trash violations and they look to agencies like DDoT to manage parking issues. And at some level I think we need to acknowledge that the university can only do so much about students who are living off campus.

These are -- these students are going to do what they do off campus. And I think the program that has been outlined, I couldn't in good conscience look through this list of items of things and suggest, you know, what other measures could be taken, because I actually think that it's an extraordinarily broad program. I don't know what to suggest.

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So I don't know that that helps, but that's where I'm at.

CHAIRPERSON HOOD: I just think that the testimony that we heard on this -- in this particular campus plan residents was that all these things in place, yes, SNAP, make a phone call. May call you back, may not call you back. And then -- and see, we've had the opportunity now to hear three other campus plans. Well, maybe more. I don't know how many it's been. But anyway, one of them I did not hear that. What I heard was people say that when they call for some relief to the college -- and they go by the same thing. They depend on DDoT, DPW.

But in that particular case -- and I know things need to be tailored to Georgetown, and I'm not saying that -- you know, I'm not sitting up here saying that Howard University is perfect, because I know they're not. But I just know that some of the remedies they had, those citizens came down in

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front of us, they were all rallying behind that and they basically vouched that it worked. All I'm saying is show us some solutions in Georgetown to deal with some of those horrifying issues that we've heard. I'm not saying Georgetown is -- I'm not saying that Georgetown is bad. Georgetown -- I've been a fan of the Georgetown Hoyas for years. I mean, years.

But anyway, what I'm saying -- but we have a job to do and trying to mitigate up here and trying to make it work, for me, ain't been -- it's not easy. Is it -- are we going to have a win/win 100 percent? And I'm sure all those other 10 campus plans tried to achieve that, too. But at some point when are we going to say, okay, show us something.

Yes, it was nice for those things that now have been put in place over the past few months, but do we have any track record that these things are actually starting to see -- I'm not going to say it's going to be a

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perfect situation, but it started try to shift things in a different direction for that whole community and area over there.

That's kind of where I am. And I don't really at this point really even know where to start. I really don't. I mean, you know, we talked about off-student housings and the cap. We done went all the way around. The only thing we -- I think we got clear is the boundaries. And we've only been talking now for -- oh, it's only been an hour.

COMMISSIONER MAY: We got plenty of time.

CHAIRPERSON HOOD: We got plenty of time.

COMMISSIONER MAY: You know -- I'm sorry, Mr. Turnbull, do you want --

COMMISSIONER TURNBULL: Yes, I -- well, I just -- you know, I agree with the Vice-Chair, but I also don't what the university to have a feeling or be able to say, well, we can't get in -- we can't control

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our students off campus to us. You know, we can do so much, but after that they're on their own. You know, it's life. You know, they need to be out. But there is another community out there. And I -- and as much as they've got these -- and you're right, these plans -- I don't know, maybe they'll be totally effective. And some of them, they've been around before. I don't know.

But -- and I'll just play -- let me play a wild card here and say that we need to be able to -- as we review what they've done, maybe the term of the campus plan should be shorter. I know that's not going to be -- sound pleasant to the university, but maybe it's only a five-year plan so that we can review the impact. I mean, we don't want to talk about term, but at the same time we're talking about looking, reviewing, seeing what happens with this proffered plan and whether or not it's going to work. I'm just throwing that out because we don't know where to go. I

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mean, this is a very difficult question.

CHAIRPERSON HOOD: And I think that's a good point that we need to hold in the parking lot, if it's not too crowded. But I think that's a good point because at some point in time the evidence needs to be there and then we need to fashion it to where we don't have a -- I'm just talking out loud and that, but where we don't have a long hearing, because we've had a lot of other things. We just basically -- we will at some point, if we go in that direction, revisit what has been proposed. How is this working?

You know, at some point we need to revisit that and we need to revisit it before 10 years, because I think Commissioner Lewis -- and I heard him say this and hopefully I'm not putting the wrong -- I think it was him who said that the community has been on Promised Land, and now it's time to deliver. I'm putting that part in, but I think they've been on Promised Land. And again, Georgetown

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-- I'm not saying Georgetown's a bad university. It's not. They employ a lot of residents, upstanding university. But we got to find that balance, and I just don't know.

So how we going to proceed, Commissioners? I know that it's the Chairman's job to move things along, so let's --

COMMISSIONER MAY: Well, can I say, Mr. Chairman, I would agree that we need to -- we can't simply sign off on a plan that's going to run 10 years without having some check-in. Now, whether that means that we just have a five-year plan or we have some other, you know, intermediate approvals that are required or something like that, you know, something -- because we can't simply, you know, sign off and go away and in 10 years I'll be here and you guys won't.

CHAIRPERSON HOOD: I said that 10 years ago.

COMMISSIONER MAY: Yes. Well,

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anyway, the -- but I -- you know, I know that there are some limits on what the university can do and I know that there are some objectionable conditions that are outside the realm of what they can control. I mean, the fact that investors have come in and bought town houses and fill them with students -- and so that you have a few of those blocks that are really very high percentage student housing. I mean, you know, I'm putting aside all of the conflicting statistical analysis that we saw from the university and Burleith Citizens Association. I mean, the bare fact of it is that there are a number of blocks that have just way too many group houses on them to avoid having a problem.

As soon as you -- I mean, you know, I know how difficult it is in Washington when you live on a tight block and you've got one group house in that block. It only takes one group house with regular late night parties to be a problem for everybody else on

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that block because you can all hear it in the alley. So, you know, the idea that you have 3, 4, 5, 10, 15 houses within a block that are group houses like this is clearly problematic.

Again, not something the university can really control short of insisting that every student lives on campus.

I mean, I -- when you think about it, you know, I understand now -- I didn't understand in the beginning, but I understand now why OP was proposing that as the solution.

Because it's not going to eliminate every drunk student walking down the street, but it's going to take away a lot of the problems with party houses and it's going to take away a lot of the inebriated students heading up into Burleith and Glover Park and that area.

You know, West Georgetown, you're -- there's such proximity to bars, there are always going to be student coming back from those bars to the university, or other inebriated people. But the housing thing is

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the tool that the Office of Planning seems to have been left with. You know, frankly, it's just very hard for me to get all the way to that, but I understand now why they recommended that.

I think that -- but I do -- I would say in particular that I don't believe the university has exhausted everything that they could be doing. I think there are some things that are being done on other campuses in the city or around the country that they could implement. I mean, I'm not sure how this could be implemented, but it was suggested somewhere that living off campus should be a privilege, not a right and that the university has to somehow qualify students who would be able to live off campus in this city. I don't know how they can do that, whether that's possible, but particularly given, you know, other legal requirements they have.

But seems to me that that's

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something that makes a lot more sense for the same reason that people would be more comfortable with only graduate students, although graduate students are not without their issues, too, but graduate students tend to be older and more responsible.

And so, anyway, I think there is more to be done. It's not up to us to figure out what those things are, but I think that the university maybe needs to take another pass at this and see if they can, you know, come up with some more creative solutions. Because, I mean, otherwise our only option is to go with what OP suggests.

CHAIRPERSON HOOD: I keep hearing us say that the university can only do so much with students who want to live off campus, and I go back -- and unless I misheard this in another campus plan that we heard, there was some very stringent things in place exactly for that. And again, I don't know why this university can't look at that.

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Now, I'm not saying it worked over there, but at least it was in place and obviously from the support it obviously worked. Now I know it's too different -- we're talking about two different neighborhoods, two different areas, different types of issues. I understand all that. But that could be a template. And it's not -- I'm not saying it's 100 percent and that's the best thing going, because it's probably not. But at least it's more of an attempt than what I see here. And it goes back to your comments, Commissioner May, about showing us more of a solution or trying to make some type of move in that direction.

And here's another thing: I want -- I don't want anyone to mistaken -- be mistaken, at least from my standpoint, everybody that walks down over in that area that's drunk ain't a student, and we understand that. I mean, we live here. It's not like we fly in from Missouri and then we

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-- you know, we live here in this city. We live here. Because I hear people say, well, this isn't your -- I live in D.C. So the thing is we understand that, but what we're trying to do is put these solutions in place.

Now, let me try to bring it back, even though I'm probably the one going off the most. Students living off campus. Do we want to see more of a solution? Do we want to couple that with the cap and everything else?

What do we want to do? How do we want to proceed? Or do we want to just take that line item and ask the university to show us a little more evidence, or come back with something other than what you have here saying that this is what we're -- show us more of a commitment of how you're going to try to lessen the impacts on the surrounding neighborhood.

As Mr. Turnbull said, the college is in the neighborhood and there's also another neighborhood around the college. So

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do we want them to show us how to -- or at least show us something how they can lessen impacts. And it may be here, but I just don't see it as they do, because first of all, it doesn't have a track record. That's my issue.

It doesn't have a track record. I keep repeating myself because that's what we're faced with. We're faced with the university bringing something down here that's been three or four months and there's no proof to it, or the community has had not had a chance and the test of time has not worked. I mean, you know, it has not had time to run its course.

Okay. So let's do this: Let's try to move it along. So do we want to see more information, or work something out, or try to get the university to give us more to revisit the students living off campus issue? Is that what we want?

COMMISSIONER MAY: I would like to see something -- some further proposals from the university about how they would address

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this issue above and beyond -- I mean, I don't need more attempts to prove that it doesn't exist or that it's not as bad as we say. I think that we -- I mean, I'm convinced from the evidence that I've seen that it's still a problem regardless of what they can tell us about statistics of the reduced numbers of students living off campus and so on. I think something enhanced from the university would be appropriate.

I also think, frankly, that I'd like to see something from the Office of Planning because I'm not -- it's very hard for me to get to 100 percent of students on campus and the kind of scheme that they're proposing for pushing the university into achieving that goal. So I would be happy to entertain a new proposal from the Office of Planning about how to address this. And ideally, you know, if they -- the university and the Office of Planning could be together on a proposal, that would make even -- make me even happier.

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CHAIRPERSON HOOD: University, Office of Planning and what about the parties?

COMMISSIONER MAY: Well, you know --

CHAIRPERSON HOOD: I don't want us to --

COMMISSIONER MAY: -- I like to dream big, but I'm not sure how big I can dream in that regard. No, but I'm -- yes, I would be hopeful that we could make some progress. I mean, basically many in the community seem to be aligned with the Office of Planning's proposal. So if the Office of Planning were to come up with something new, perhaps they could bring along some of the other neighbors as well.

CHAIRPERSON HOOD: And they can work with the Office of Planning, which -- okay. I like that.

COMMISSIONER MAY: I don't know. I just --

CHAIRPERSON HOOD: We'll see.

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We'll see.

Okay. So that's the student living off campus. What about -- any comments on the off-campus behavior? Is that the same?

COMMISSIONER MAY: I think the two are tied together.

VICE-CHAIRMAN SCHLATER: Mr. Chairman, I'd just like to associate myself with some of Commissioner May's comments. I will say that I would like to see the university come back with an enhanced -- you know, looking at enhanced measures to control off-campus student behavior.

And I also want to say that I'm very uncomfortable with the idea that we would put in place a complete exclusion of Georgetown students from the neighborhoods surrounding the university. I don't think that's supported by the Comp Plan and I don't think it's someplace I'd feel comfortable going.

CHAIRPERSON HOOD: I don't even

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think -- can we do it? I don't even think we can do that. But anyway --

VICE-CHAIRMAN SCHLATER: It's effectively what's being proposed by OP.

COMMISSIONER TURNBULL: And I think 100 percent is something that's out of the question.

CHAIRPERSON HOOD: Was it 100 percent?

COMMISSIONER MAY: Yes, I should clarify. I keep saying OP proposing 100 percent on campus. It's provided 100 percent university housing, not that 100 percent of the students be housed on this main campus.

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: But regardless, requiring the university to house 100 percent of its undergraduates is a very high requirement in my book, and I'm not sure that that's really reasonable or achievable.

VICE-CHAIRMAN SCHLATER: You know, and to be clear what OP's proposal is, is it's

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either on campus or it's outside of zip code 20007. So it is an exclusion from living within a certain area.

COMMISSIONER MAY: It's one of the aspects of it that make it impractical I think.

CHAIRPERSON HOOD: Okay. So off-campus behavior, we're asking for some more -- let's devil into it a little more. Off-campus behavior. Off-campus student life.

What about the SNAP program? One side of the room said the SNAP program was working great. The other side of the room for the most part said it wasn't. ANCs, which we give great weight, SNAP is not effective. Georgetown University I know has implemented some things that may be able to change some of that to that statement. Two cars on weekend nights, I think from 10:00 to 3:00, deter student noise, and respond to hotline calls also during the summer. And the Office of Planning said that doubling the size of the

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program, or the cars, or whatnot, may not increase the effectiveness. SNAP cannot address or control effectively so many students -- any students living off campus.

So again, is that one of the ones we would like to -- and again, what was done elsewhere seemed to have gotten consent for the most part. Does it work 100 percent? I'm not sure. But at least it was a start, and I think that's where we need to be even with the SNAP program when the university says it's so great. But the record and the testimony received says that it's basically not working.

COMMISSIONER MAY: See, you know, I do find the SNAP program to be an impressive effort. There's a lot going on there, a lot of -- it's -- I think it's very proactive and I think the university is making an earnest effort. The issue is that it does not seem to be fully addressing the problem. If this is an area in which the university wants to propose further changes in order to address

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the problem of off-campus behavior, then you know, that's fine.

I will say that what I read is that there have been enhancements to the university's response as a follow up on SNAP calls and that that was only recently put into place. And so we haven't seen the results from that. I forget the particulars of it, but it was detailed in one of the more recent submissions. So, you know, that may -- I just wanted to acknowledge that further improvement based on the SNAP program.

CHAIRPERSON HOOD: So do we want to ask for some refinements on the SNAP or --

VICE-CHAIRMAN SCHLATER: Mr. Chairman, one thing I might suggest, and that's piggybacking off an idea that's already been put out there; I just want to endorse it, which is I think we need a mechanism for checking in on the plan. So I don't think we want to wait until 2020 to see whether the SNAP improvements have improved. I think what

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I would suggest is not necessarily to have a five-year campus plan, because I don't think we need to go through the full breadth of hearings that we've gone through here this year, but I would suggest a limited scope hearing to address the specific issues of off-campus student behavior perhaps five years down the road.

CHAIRPERSON HOOD: Okay.

COMMISSIONER TURNBULL: Well, and again, I'm not sure how we would do this. I mean, I would look to Mr. Bernstein, but it could be a 10-year plan with a caveat that after five years we need to review the mitigation measures.

MR. BERGSTEIN: I think maybe we should not work out the details at the moment. I think there's a way of doing it.

COMMISSIONER TURNBULL: There is? Okay.

MR. BERGSTEIN: And, but I think you need to first either decide whether or not

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-- if you're going to ask more information from the university, you should see what the university provides you. Maybe there will be enough to not have that review. I think that you should first get the information you need and then decide what confidence level that ultimately gives you.

COMMISSIONER TURNBULL: But there's nothing restricting our purview of calling back and restricting --

MR. BERGSTEIN: No, because the Zoning Commission can ask for a new campus plan at any time. We put that in every campus plan.

COMMISSIONER TURNBULL: Okay.

MR. BERGSTEIN: And this would be backing one up from that by saying it's a 10-year plan. But in essence after five years it could terminate unless there's finding that the characteristics that the Commission has identified have been ameliorated in that five-year period.

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COMMISSIONER TURNBULL: Okay.

Thank you.

CHAIRPERSON HOOD: Okay. Let's --

COMMISSIONER MAY: If I could just add, you know, if we're going to do a check-in, I mean, if it's going to be a 10-year plan with a check-in, I wouldn't want to five years for the check-in. If we're just going to limit it to a five-year plan, I think that's an alternative we could consider. But I think I'd want to be doing a check-in a lot faster than five years. I mean, I'm thinking now we'd want to check in, you know, every year, something like that.

CHAIRPERSON HOOD: Okay. Let's talk about the noise of the campus development. And I think the university -- I think this may be -- might be an easy one. What I think is being proposed for the most part is I think geared towards the center of the campus, and I don't think that's a major issue, unless someone sees a major issue. Any

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major issues?

(No audible response.)

CHAIRPERSON HOOD: Okay. Now, the issue for me is the noise about the students.

We had a number of comments. One of them even said the noise -- if you hear beyond the property line, then it's too -- the activity is too loud. I think everybody in the District of Columbia would be in violation, especially in my neighborhood, including myself. So, I mean, you know, that -- I mean, let's be realistic. At the end of the day let's be serious.

But the noise of the students has created objectionable conditions. I guess, some of the testimony that we heard was some of the activities that take place 3:00 and 4:00 in the morning. And one person -- I think this was the case where they sent the pizza to somebody's house. Pizza. Not making light of it, but let me get my --

COMMISSIONER MAY: I think that

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was a different case.

CHAIRPERSON HOOD: Was that a different case? Okay.

COMMISSIONER MAY: Yes.

CHAIRPERSON HOOD: Okay. Different case. I'm sorry. They all run together sometimes for me.

But anyway, noise of the students. Again, it goes back to the SNAP. As the Office of Planning says, noise has created objectionable conditions in neighboring residential properties. But again, everybody falls back on the SNAP program. Increase in percentage of students living on campus would decrease noise problems. That's one of the things that was proposed by the Office of Planning in their proposal.

I'm not sure. I think this goes right along with some of the other issues we just talked about previously, but let me open it up. Any comments?

(No audible response.)

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CHAIRPERSON HOOD: Okay. So we will put that in the -- along with some of the things that we're looking to hear more of a solution, or how the university would better address that issue.

Reimbursable details by Metropolitan Police Department. The testimony from Georgetown University, they have seven off-duty Metropolitan Police Departments Thursdays through Saturday nights and two Metropolitan Police Department officers on Sunday and Wednesday evenings. Also some during some --

COMMISSIONER MAY: You know, I think this is something that was beefed up in the fall and we don't know the full results of that yet. At least that's what I have noted in my records. Maybe I had that wrong. Yes, according to one of the more recent submissions, that was something that was expanded relatively recently. So we don't know the full results of that yet.

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CHAIRPERSON HOOD: Okay. Again, that's one of the other things that we will be looking to hear more of a track record sooner than later. Okay.

VICE-CHAIRMAN SCHLATER: One thing I would say is, that in looking at the proposed finding and facts and conclusion of law provided by the Applicant, there is mention of provision of safety and noise patrols. It's not particularly specific as to how those --

CHAIRPERSON HOOD: Can you tell us where --

VICE-CHAIRMAN SCHLATER: It's page 75. It's at the bottom of page 75. It just says that there will be patrols and the effective presence of such patrols in such neighborhoods shall be maintained during the campus plan period. I mean, I think it's fair to ask for a commitment of a certain staffing level on those patrols, because I don't think the order right now gets to that.

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CHAIRPERSON HOOD: Okay. That's all we have that on that?

(No audible response.)

CHAIRPERSON HOOD: Let's go to trash. And again, looking at the -- I was trying also to see what the other findings of facts that we had said about that. But anyway, the university says trash -- the university shall continue to provide daily trash and litter patrols in the West Georgetown and Burleith neighborhoods during the academic year except when the university is closed such as holidays.

Okay. Any other comments? Any problems with that?

(No audible response.)

CHAIRPERSON HOOD: Okay. And this goes -- I also want to go back to the community dialogue. The university shall hold regular meetings with the community representatives for the purpose of fostering consistent communications between the

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university and proximate neighborhoods to discuss some issues of mutual interest and proposing solutions to provide the -- or arise in implementing the approved campus plan. The meetings shall take place no fewer than four times per year, shall be open to the public, and the university shall keep minutes of each meeting and make such minutes publicly available.

And I think we had some samples and then some of the recent submissions of some minutes, some plans that went back to 2001, 2005, 2008. And here we are still -- even with the group that was working, still talking about some of the same issues and still, from my standpoint, in the same place.

Vice-Chairman?

VICE-CHAIRMAN SCHLATER: Just one issue related to the trash pickups. I think Georgetown University has a fairly robust trash pickup program. I think the record supports the fact that the trash situation has

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improved since that program was put in place.

One thing I'd like to see more of is not necessarily that Georgetown beefs up that particular program, but one thing I'm not seeing generally as part of all the mitigation members -- mitigation measures is good coordination with District agencies. I don't -- I'd like to see as part of these -- I'm not sure what the mechanism is, but I'd like to see better coordination with DDoT as it pertains to parking enforcement.

And in particular, on trash I'd like to see better coordination with DPW to make sure they are an active participant in these discussions because they do bear some of the responsibility for making sure -- when you have a house that's leaving trash in front of the house there should be tickets written. I mean, that is the responsibility of the District government. And it is also the responsibility of Georgetown University to coordinate those activities and make sure that

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the District is looped in on these problems.

So if Georgetown sees chronic houses that are creating problems, I would like to see them calling DPW to -- and I'm not dictating exactly what they should be doing. I'm just throwing out of ideas. I think it's important that there's a higher level of coordination.

CHAIRPERSON HOOD: Well, for those of us who have fought for the SWEEP program know that they can call DPW all you want right now, but the mayor's just instituted -- back to SWEEP inspectors, which we heard testimony what a great job they were doing, they were cut. So we understand there are some other factors that come into play. We're just not going to say Georgetown's going to do it, because I can guarantee you right now if you call the SWEEP inspector you're not going to get a whole lot of results. But once -- the line item has been restored, and hopefully that will get up and running soon so that

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accountability can be there. So I wanted to make that note.

Anything else from trash?

(No audible response.)

CHAIRPERSON HOOD: Let's go to --

COMMISSIONER TURNBULL: Mr. Chair, let me just go back. You had -- and I would agree wholeheartedly with the Vice-Chair with where he's trying to go with this. But getting back to your comment, we started talking again about community dialogue and we talked about -- and I had mentioned the senior rep. We had talked about this before. And I think the key to that is that the university needs to recognize that not middle management -- that when they meet with the community that they need somebody who can represent the university and say we're going to do that, not I'm going to have to go back and get with people. I think they need a very senior -- the neighborhood needs to know that the person in the university they're dealing with is a

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very senior individual and can give them some reasonable assurances that what is being discussed is going to be addressed.

CHAIRPERSON HOOD: As we say, somebody who can make a decision.

COMMISSIONER TURNBULL: Right.

CHAIRPERSON HOOD: Even if they can't make a decision, when they come back -- sometimes even the senior vice-presidents, we know, may have to go back --

COMMISSIONER TURNBULL: Right.

CHAIRPERSON HOOD: -- and think it through. But you know that he's a high enough level that if he says yea, nay or whatever, that counts. That's where the rubber meets the road. And I agree with you. Somebody who can make a decision. We're not saying that it has to be that way. We're asking. Again, we've seen it work in other areas.

MS. SCHELLIN: He or she.

CHAIRPERSON HOOD: Did I say he or she?

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MS. SCHELLIN: No.

COMMISSIONER MAY: Yes, he -- the administrator could be a he or a she.

CHAIRPERSON HOOD: So I won't get in trouble, let me just say she. I'm not worried about -- so, she -- no, he or she, whoever the person is that holds that position.

Okay. So the community dialogue, we're looking to hear some more of a solution to that and how that process is going to work.

Because if you look at page 76, as Mr. Turnbull has already mentioned, the university shall hold regular monthly meetings. And goes on, the meetings shall take place no fewer than four times per year, shall be open to the public and the university. And as I was stating, I don't know what was provided to us previously about the minutes and it looks like we was just stalling. You know, you see a gerbil running around the track and he always is in the same place. And it just seems like

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that's what we're doing.

But anyway, that's food for thought. Hopefully the solution that comes back will be a little more predictable and a little more where the rubber meets the road and something gets done.

Okay. Transportation. Somebody else like to start off on transportation?

VICE-CHAIRMAN SCHLATER: I think we can knock one item off the list on transportation, which is the GUTS bus turnaround, which is good. I think there was a robust dialogue there and it's good to see that the university heeded the request of the neighbors and created that turnaround. And I think we ended up in a good place.

CHAIRPERSON HOOD: I'm sorry, I'm actually -- I'm probably mixing everything up what I'm looking at. I'm looking at different documents and I should be explaining what I'm looking at.

But, Vice-Chairman, I'm sorry, I

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did -- I was -- had a side bar going explaining where we were. Would you like to repeat that, or could you repeat that for me?

VICE-CHAIRMAN SCHLATER: Are we going to stick with transportation?

CHAIRPERSON HOOD: Yes, let's stay on transportation. There's two or three that I missed, but we'll go back.

VICE-CHAIRMAN SCHLATER: I was just noting that there's one issue, and that has to do with the GUTS bus turnaround that we made a lot of progress on from our first hearing to our fifth hearing.

COMMISSIONER MAY: I would agree with that. I mean, I'm pleased that a solution has been found that allows the buses to turn around on campus that does not require the loop road along the park.

CHAIRPERSON HOOD: Looks like once the campus plan is approved, it's saying that we might need refine that depending upon which direction we go. After two years some things

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will be finalized with the turnaround. And that's in the findings of fact and conclusions of law of the Applicant.

Then you look at what the opponents have asked. And if anyone is moved by this -- the university shall install tracking technology on all GUTS buses to monitor compliance with approved bus routes by December 31st, 2012 and shall make information ensuring compliance with bus routes. I don't think the university had agreed to that. I don't believe. I may be wrong. But does that move anyone to try to ask them to look at that? Is anybody moved by that?

(No audible response.)

CHAIRPERSON HOOD: I am not, not in that case. Anything else from transportation?

COMMISSIONER MAY: No, I mean, I would just say that I think the university does have a reasonable transportation demand management program. You know, I think that

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one of the things about programs like this is that monitoring is good, but monitoring needs to be followed by action if the monitoring shows that it's not being effective. And so, I think that the only thing I would add is that the transportation performance monitoring which is proposed be actually tied -- and maybe it is in the order, but that it be tied to actions that would occur if in fact they're not -- the TDM Program is not pushing down the transportation impacts the way they hope.

CHAIRPERSON HOOD: And there were some recommendations, a number that were made by Office of Planning and DDoT dealing with traffic, TDM measures. I guess we would all want to pretty much adopt some of those measures. For example, the guaranteed ride home option to all employees. They're basically saying publicize free guaranteed ride options, give transportation information and marketing for special events held on campus. I'm trying to see. Those are some of

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the things I think that we may want to institute in this plan.

COMMISSIONER MAY: I mean, a number of those suggestions seem to be relatively easy to do, so I would -- I don't see why the university wouldn't want to adopt them anyway.

CHAIRPERSON HOOD: Okay. Anything else on TDM measures and traffic?

(No audible response.)

CHAIRPERSON HOOD: If you look at page 40 of the -- and I think the Vice-Chairman already talked about this, but this is dealing with the transportation and parking. Look at page 40 of the proposed findings of fact and conclusions of law of the parties in opposition.

Is anyone moved by No. 17 on page 40? The university shall also prohibit undergraduates and graduates living off campus in zip code 20007 from driving privately owned vehicles to or from the main campus or parking

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such vehicles on the streets within the zip code of 20007.

VICE-CHAIRMAN SCHLATER: No, but I will comment on it.

CHAIRPERSON HOOD: Okay.

VICE-CHAIRMAN SCHLATER: I would say that if you've got a student who's living in area code 20007, I would not feel comfortable limiting their ability to drive an automobile. I don't think that's something that I'd really want to get involved with.

To the extent that the university could improve its programs in relation to, you know, graduate students or people who work at the hospital who are driving from outside the neighborhood and parking in the neighborhood, I think there is sufficient evidence on the record that parking is tighter in times when -- you know, when school is in session. So I think there is a sufficient evidence on the record to indicate that the university could do more with respect to this.

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Now what exactly that is as an enforcement program, I don't know if that is going around and ticketing cars or paying for a DDoT ticket person. I can't dictate exactly what that is, but I think you could do more to attempt to limit people who are coming to the university parking in the neighborhood.

COMMISSIONER MAY: Mr. Chairman, I would just add that, you know, what we see here in terms of addressing those sorts of parking issues, this is not the best example that we've seen among campus plans and that there are other examples of what's happening, much more aggressive in dealing with students or anyone actually affiliated with the university parking within the immediate neighborhood. And so I think that adopting some of those measures might be appropriate.

CHAIRPERSON HOOD: Okay. Anybody else?

(No audible response.)

CHAIRPERSON HOOD: All right.

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What about the late night shuttle? Did they call it -- it's not called the drunk bus, is it?

COMMISSIONER TURNBULL: Well, it sometimes is.

CHAIRPERSON HOOD: Okay. But anyway, the late night shuttle.

While I know that some of the opposing party groups thought that that was not necessarily -- is working or the best fix, but I think it's at least something. That's showing a good faith effort on the university, I believe, in trying to curtail -- because if the bus was -- if the shuttle was excluded, then that would really increase some of the objectionable conditions, I believe. But I think the drunk bus, or whatever they call it, the light -- the shuttle, late night shuttle, it may be an issue of where the stops are. I don't know. I don't know how that works. But I think that's something that works. And also DDoT supports the continuation, at least for

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that shuttle on M Street, not on the neighborhood streets.

Commissioner May?

COMMISSIONER MAY: You know, again my recollection is that this is something that was beefed up this fall, and as a result there's been a dramatic increase in the number of rides. I saw somewhere 800 to 900 fewer students on the streets on a Saturday night, which is significant. I mean, that's one of the things where, you know, it would be nice to know more about how the most recent improvements are -- the extent to which they're having a beneficial effect in the neighborhood.

But if that works, maybe there's more the university can do. I think they only know what to do by, you know, testing some of these things out, seeing how it works. I think that this is a good thing. The commitment shouldn't end necessarily with simply saying this is what it's going to be.

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If there's more demand earlier or later, other nights, whatever, I think it helps the university to do that.

CHAIRPERSON HOOD: Okay. Any other comments?

(No audible response.)

CHAIRPERSON HOOD: I think we talked about the GUTS bus, Canal Road. It looks like -- I think that, as was already stated, that whole issue has been worked out.

It looks like, I think, those who started off in opposition are now on board as stated.

Any other comments?

COMMISSIONER TURNBULL: I guess my only one comment is in their draft order, "The university shall evaluate the effectiveness of such measures and from time to time, as appropriate, may modify the control mechanism or other operational measures limiting left turns to GUTS vehicles during the a.m. peak."

I'm wondering who is reviewing all this? Is it just the university or is it with

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DDoT? It doesn't really say. It doesn't spell out DDoT in here.

CHAIRPERSON HOOD: Which page?

COMMISSIONER TURNBULL: I'm on page 77.

CHAIRPERSON HOOD: Seventy-seven? Okay.

COMMISSIONER TURNBULL: Under item 1.

CHAIRPERSON HOOD: One? Okay.

COMMISSIONER TURNBULL: Well, it does -- I have -- I'm assuming it's going to be with DDoT because they're going to be the ones that are going to be allowing any changes to the --

CHAIRPERSON HOOD: Yes, I guess we need to --

COMMISSIONER TURNBULL: I would just clarify that.

CHAIRPERSON HOOD: Yes, we need to clarify and tighten that up some. I would agree.

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Okay. Some issues with 38th Street and Reservoir Road. Intersection realignment proposal. That was withdrawn. GW will design and construct improvements to create left-turn lane from traffic at the campus at gate 1. Within one year GW -- I'm sorry, GU, Georgetown University, will design, seek approval and construct improvements to create left-turn lane for west traffic on Reservoir Road into gate 1 for three years of use of left-turn lane.

COMMISSIONER MAY: I think all those changes make sense. I think there's a concern about the -- 38th Street becoming a cut-through, but hopefully that's something that gets addressed in design, and maybe we should note that concern and that it be something that is designed for.

CHAIRPERSON HOOD: Okay. Anybody else?

(No audible response.)

CHAIRPERSON HOOD: Okay. Gate 3 I

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think is similar, pretty much the same. Georgetown will fund, design and installation of new traffic signals at gate 3. And evaluation through signal 1 analysis. Provide results to DDoT.

Okay. Parking and loading. University shall -- if you -- I'm looking -- I'm reading more detail from the proposed findings of fact on page 7. The university shall continue -- and you can read it. No. 9.

You say A. And then we see B. Any problems?

(No audible response.)

CHAIRPERSON HOOD: The parties in opposition are saying Georgetown should prohibit students from parking in neighborhoods, give tickets with fines. Too many cars. More than 4,400 from Georgetown University and Georgetown University Hospital park in neighborhoods. Students compete for scarce on-street parking spaces. Many students living off campus have found ways to obtain improper stickers. Okay.

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VICE-CHAIRMAN SCHLATER: Mr. Chairman, I think I spoke on this, but I'm sympathetic with the parties in opposition on this one. I'd like to see a little bit of a more robust program controlling street parking just outside of the campus.

COMMISSIONER TURNBULL: And I think you asked for that earlier, I would agree.

CHAIRPERSON HOOD: Okay. Anybody else?

(No audible response.)

CHAIRPERSON HOOD: All right.

COMMISSIONER MAY: With regard to the overall number of on-campus spaces, I mean, I don't have any anxiety about keeping that number the same. I think we ought to at least confirm that.

CHAIRPERSON HOOD: You say the 4,080?

COMMISSIONER MAY: Yes. Yes.

CHAIRPERSON HOOD: What are you

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looking at reducing or --

COMMISSIONER MAY: No. I just wanted to mention this.

CHAIRPERSON HOOD: Oh, okay.

COMMISSIONER MAY: That number.

CHAIRPERSON HOOD: What's the nearest subway station to Georgetown University?

PARTICIPANT: Foggy Bottom.

(Laughter.)

CHAIRPERSON HOOD: I just asked a question. I should --

COMMISSIONER MAY: Foggy Bottom, Dupont Circle and Rosslyn --

CHAIRPERSON HOOD: That far?

COMMISSIONER MAY: -- are frequently used.

CHAIRPERSON HOOD: Okay.

COMMISSIONER MAY: But none of them are particularly close.

CHAIRPERSON HOOD: Okay. All right. Anyway, anything else on parking on

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loading, Commissioners?

(No audible response.)

CHAIRPERSON HOOD: Okay. Future projections. Renovation and form a new south dining hall into the student center.

COMMISSIONER MAY: Mr. --

CHAIRPERSON HOOD: The university -- I'm sorry.

COMMISSIONER MAY: No, I was going to suggest that -- I mean, three of the future projects I don't think are particularly worth any -- I mean, specific discussion. I mean, the student center, the -- I'm sorry, new -- converting new south dining hall into the student center, the addition to the lounge, library and the Rice Science Building renovation and expansion, I think those are fairly straightforward and we will deal with any issues associated with them in further processing.

CHAIRPERSON HOOD: Okay. Anybody else? Vice-Chairman?

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VICE-CHAIRMAN SCHLATER: Yes, and I think with respect to the medical center, pretty early on Georgetown pulled that proposal and said they would come back with a campus plan amendment to address a new hospital on the site.

COMMISSIONER MAY: I think that makes sense.

CHAIRPERSON HOOD: Okay. So I guess next we the field, Kehoe Field. And if you look at page 78, actually we have a recommendation from the parties in opposition as well as what the university -- the university agrees to restrict the use.

VICE-CHAIRMAN SCHLATER: Mr. Chairman, I would -- with respect to the Kehoe Field, I don't think anybody is objecting to the project itself. I think it's really the implementation of the new field, and I think it's something that can be best addressed during further processing.

COMMISSIONER MAY: I would agree

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with that.

CHAIRPERSON HOOD: Okay. I just don't want to lose sight. We do have the university who commented on it, and we also have the parties who also commented in their findings of fact.

COMMISSIONER MAY: Well, and the university noted the further processing application will include view shed analysis, but it should also include addressing concerns of the neighbors with regard to use and so on. And I'm sure that the neighbors will be present at the further processings to make sure we're aware of any issues they might have.

CHAIRPERSON HOOD: Okay. Do we need to -- I guess we need to figure out -- are there any -- anything else outstanding?

COMMISSIONER MAY: There were a few things that we had skipped over, I thought.

CHAIRPERSON HOOD: Okay.

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COMMISSIONER MAY: Sorry, things we had skipped over.

CHAIRPERSON HOOD: Okay. You probably can help me go back to them better than --

COMMISSIONER MAY: Well, we didn't say anything specifically about the landlord initiative. We did talk a little bit about quality of life improvements.

CHAIRPERSON HOOD: Okay. And I purposely did not go right into the Comp Plan yet.

COMMISSIONER MAY: Right.

CHAIRPERSON HOOD: Let's go back to some of those things that we missed.

COMMISSIONER MAY: I mean, you know, the university again I think is doing something significant by reaching out to landlords and trying to address the issues with the students who are living in those properties. I mean, I think whatever happens here gets folded into anything else the

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university might propose as a way of getting a handle on the adverse impacts of students living off campus.

So, I mean, I don't have anything in particular to say about the landlord initiative. I think it's a good idea and they should pursue and pursue it aggressively. And the only reason it would be -- I mean, it might become moot if they have to house 100 percent of their students, but we'll cross that bridge when we come to it.

CHAIRPERSON HOOD: Okay. Any other comments on that? Anybody else?

(No audible response.)

CHAIRPERSON HOOD: Okay. What else, Commissioner May, did we miss?

COMMISSIONER MAY: We did have another category of topics that we had here; quality of life improvements in the surrounding neighborhoods, but I think those were addressed.

CHAIRPERSON HOOD: I think all --

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COMMISSIONER MAY: And some of the issues --

CHAIRPERSON HOOD: I think all that kind of went in with --

COMMISSIONER MAY: Went in with others.

CHAIRPERSON HOOD: -- that we were grappling with and making all that -- kind of one tied into the other. I think that all went in together.

Is there anything else?

(No audible response.)

CHAIRPERSON HOOD: Let's go back to the --

VICE-CHAIRMAN SCHLATER: Yes, I guess you would go back to the beginning?

VICE-CHAIRMAN SCHLATER: Well, let's talk about the Comp Plan.

VICE-CHAIRMAN SCHLATER: All right.

COMMISSIONER MAY: The university made some -- has argued, I think, that the

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Office of Planning did not take into consideration certain policies, but -- and also misinterpreted things. I mean, for example, the whole discussion of neighborhood conservation areas. The university argues that, well, almost everything is a neighborhood conservation area. Oh, well. Okay. That doesn't mean that they shouldn't -- that the policies with regard to neighborhood conservations areas shouldn't be applied simply because they're common. I think that the philosophy of conservation and enhancing neighborhoods is something that should be respected and addressed.

I also think some of the other concerns that they had about policies that may not have been addressed I frankly didn't find particularly persuasive. I think that, you know, just because they didn't hit on every single policy that may be relevant doesn't mean that they didn't consider whether in fact the plan or their recommendations with regard

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to the plan are consistent with the Comprehensive Plan.

So, I mean, I think that between what the university has done in their analysis and what the Office of Planning has done in their analysis -- I think it's -- overall I think what's been discussed, I think, fully fleshes out Comprehensive Plan issues. I think the real question we're dealing with is how to address the impacts to the university.

And their -- you know, the students living off campus essentially is what it boils down to.

CHAIRPERSON HOOD: Okay. Anybody else?

(No audible response.)

CHAIRPERSON HOOD: Okay. And I would agree with your comments, Commissioner May. I think it goes back -- it seems like every time we try to deviate and go somewhere else, we always end up pretty much getting back to some of those same core issues and

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things that we have to grapple with and try to get some more oomph in them, if you will, to make them -- as Commissioner Lewis and maybe others have said, to make them not try to continue to be on Promised Land.

So I guess, Commissioners, we are pretty much, from my standpoint, have given a lot of -- well, some people might not think so, but I think so, a lot of direction of where we -- how we like to see and some of the responses we would like to get. But I guess we have a discussion on right now what's the next step? And we decided, the four of us --

VICE-CHAIRMAN SCHLATER: Mr. Chairman, there is one issue I'd like to discuss. I agree that at some level all of these issues, particularly the off-campus student impacts issues may color our view on the enrollment caps, but from my perspective I think there are two separate issues. One is the undergraduates on campus, and the other is the number of graduate students on campus.

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And when I looked at this plan and the proposed increase in the number of graduate students on campus, I'm not finding reason to believe that the increase in the number of graduate students on campus will create, you know, objectionable impacts. I think there's a lot of evidence on the record that graduate students tend to live further away from campus, they're less likely to live in group homes, they're older and more responsible. And so I just want to weigh in on that particular issue, that I don't see a problem in this campus plan with the expansion proposed for graduate students.

CHAIRPERSON HOOD: Okay. And I think we clarified that. What is it, 962?

COMMISSIONER MAY: Nine hundred sixty-seven.

CHAIRPERSON HOOD: Sixty -- oh, what did I say? I don't want to cut -- 67. Okay. Does anyone else --

COMMISSIONER MAY: Well, I think

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that you're right in many respects, that the impacts of graduate students are typically not as great, at least in terms of the really onerous impacts that we had a lot of testimony about. There are potentially much other -- a number of other impacts, such as more cars coming to campus and parking.

And, you know, I think that -- I mean, to some extent that's parking in the neighborhood, but it's even just cars parking in the garage, you know, in the afternoon rush for evening classes and what have you. Those can add impacts. So I wouldn't say they're without impacts. I don't think that that really is the core issue that we're dealing with.

I think frankly the expansion of the graduate student numbers has just -- has already occurred, the really big expansion. And the campus has absorbed them and the neighborhood has dealt with it. It's hard for me to understand how that might relate to the

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issues with the undergraduate population and the off-campus behavior. I'm not sure that they do connect directly.

So I just say that I'm not as concerned about the sheer number of graduate students. I do know, as you said, they're generally more responsible, although my son's a graduate student and I know how responsible he is. He's very, very responsible. But I think generally speaking that's correct.

And it also applies for continuing students, the SCS students as well, that generally speaking they're not as big an issue in the really problematic areas. But there are impacts. Nine hundred is a pretty big number. So, you know, I'm not totally convinced yet and I think it is dependent on where we come out on some of these other issues.

VICE-CHAIRMAN SCHLATER: From my perspective, having those graduate students in the District is a better option than

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restricting growth on campus and pushing potentially satellite campuses to Virginia, which we already know is happening. And I think part of that is due to, you know, push back Georgetown's received on the expansion in the District.

And I think we really need to get to the heart of that issue, because the question is can that expansion be accommodated within this plan and can those issues of parking and traffic be mitigated to such an extent that we can accommodate growth on the Georgetown campus? I think our goal should be to try to accommodate that growth without creating objectionable impacts on campus. And I feel like -- I just feel like that --

COMMISSIONER MAY: I agree that's part of it.

VICE-CHAIRMAN SCHLATER: Right.

COMMISSIONER MAY: Accommodating the growth without creating objectionable impacts, that's --

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VICE-CHAIRMAN SCHLATER: I'm concerned that we're pushing these student outside of the District.

COMMISSIONER MAY: Well, I mean, I guess --

VICE-CHAIRMAN SCHLATER: I mean, it's going to impact the economy of the District at some point if we restrict their growth.

COMMISSIONER MAY: I can understand that up to a point. I mean, Georgetown is a limited -- has a limited amount of land to work with as well. So, you know, if the university has to start making decisions about buildings to accommodate classrooms for graduate students or dormitories to house students, you know, that's where our really objectionable problem potentially interfaces with the manageable problem of graduate students. And there is a finite amount of space that they're working with.

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VICE-CHAIRMAN SCHLATER: I guess, yes, I don't think we're disagreeing too much on this.

COMMISSIONER MAY: No. No.

VICE-CHAIRMAN SCHLATER: But I guess what I'm trying to get to -- because I -- from my perspective, I think we can tackle enrollment tonight. I think the university has agreed to freeze the number of undergraduates on campus.

From my perspective I'm not going to ask for them to reduce the amount of undergraduates on campus. And I also believe that they've demonstrated they can expand the number of graduate students in such a way that it won't be objectionable to the community. So I'm just trying to see if I can get some consensus that, you know, the enrollment growth is a good thing for the District and it's managed under this plan.

CHAIRPERSON HOOD: I'm sorry. I don't know if I'm ready to move -- I'm not

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sure what discussion --

COMMISSIONER MAY: Yes, I'm not ready to get all the way there, but I don't --

CHAIRPERSON HOOD: Yes, I don't --

COMMISSIONER MAY: -- feel the need to get there tonight.

CHAIRPERSON HOOD: Yes, and I don't -- I think we --

COMMISSIONER MAY: I mean, I think we're generally comfortable in that general direction. It's just -- it's these other big things that have to get solved.

CHAIRPERSON HOOD: For me it's putting the cart before the horse. And I'm not sure what the discussion was, but for me it's putting the cart before the horse. I think some of the other things that we need to have are -- is -- get a little more comfortable with, at least from my standpoint; while I understand what the Vice-Chair is saying, you know, I just think that -- to say that and then come up with all these other

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things we want to see, we find, or solutions done more adequately, or to our satisfaction, or to something that gives us a comfort level and then go ahead and say, okay, all right, let's just -- the approvals or the cap as fine, but these other things, okay, I think it's almost like one, for me, ties into the other to a certain point. While I feel comfortable, I still want to have a comfort level with some of the things that are some of the residuals of exactly what's taking place here. That's just my opinion.

I don't necessarily think I'm rushed to move, to make a decision tonight. And probably it may be the same thing that's proposed by Office of Planning. Who knows? Or the community. Who knows? But I don't feel like I'm rushed tonight to have to do that, especially with the other things we have that are before us.

So, anybody else?

COMMISSIONER TURNBULL: Yes, Mr.

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Chair.

CHAIRPERSON HOOD: Mr. Turnbull?

COMMISSIONER TURNBULL: I would agree with you. I don't think anybody wants to hinder the mission of the university, but at the same time this particular location, I mean, and as the Vice-Chair said, you know, there's limited growth, there's -- it's on a limited site, but I need to see the rest of the picture. I need to see -- I need them to come back and show us the mitigation, whatever they're going to come back with. I want to see the whole picture. And again, the enrollment cap is probably not the greatest thing we're struggling with. It is the other issues that we really need to know about.

CHAIRPERSON HOOD: Okay. Do we have anything else?

(No audible response.)

CHAIRPERSON HOOD: Ms. Schellin?

MS. SCHELLIN: Just if you want to have a quick run over the list, at least what

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I wrote down, and then we can set some dates for these.

CHAIRPERSON HOOD: Let me make sure that we tackled everything. Did we leave anything out? Have we left anything -- are we forgetting anything? Let's just take a moment and think.

And I guess for me, Ms. Schellin, we might want to ask the Applicant and all the parties, if anybody's clear with the two-hour discussion we had, because after having it I'm still unclear. But still, I know what we've asked for. We asked for a lot.

And I'm just curious, Commissioners, anything else before we -- just take a moment. Collect your thoughts.

COMMISSIONER MAY: Mr. Chairman, I just had a thought about how we're going to proceed. You know, I know our norm is to ask the Applicant to respond and give them a deadline and then schedule when we're going to next take up the matter. In this case, given

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where we are in the course of the school year and whatever decision making needs to happen, I mean, at the moment they're operating under the old plan and they'll continue to do that until we make a decision on this one, right?

So I'm not inclined to sort of give them a month to work it out and then have another meeting, you know, a week-and-a-half later. I'm actually more interested in them having a consistent dialogue on it and then having the university, you know, report more thoroughly on the results for this year, have the neighbors report on what things have been like this year to see if in fact some of these new measures are having an effect.

I mean, I'm almost inclined to just wait until the end of the school year and sort of get a full reporting on that and then take into consideration what OP and university can come up with in the hopes that we can make -- you know, get much closer to a decision at that point, after we have that review. Almost

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like scheduling a -- I don't want to say quite another hearing, but --

CHAIRPERSON HOOD: Like a status hearing?

COMMISSIONER MAY: I mean, I don't know. Something. I just don't want to rush into a decision because I don't know that we're going to get -- maybe we have a status hearing, you know, in a month and then have the decision making following some period after that. I don't know. It's just a thought. I just feel like we're not going to get the perfect plan back from the university in one shot if we give them a month to do it. Anyway, I'm open to -- it's just a suggestion.

CHAIRPERSON HOOD: I kind of agree with you, Commissioner May. I'm just trying to figure out -- because here's the thing: I know that the plan is up. I believe Mr. Bergstein is still operating under the old plan. Am I correct?

MR. BERGSTEIN: That's correct.

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CHAIRPERSON HOOD: Okay. So that's in place. And I think we want to try to -- I want to say we want to try to do it right so we don't need to be rushed. We need to take our time and do it right, at least to the best of your ability.

And I agree with your comments. I'm not sure exactly how much time -- whether it's the end of this semester, or when you say "school year," for me I was thinking December, but you said the end of the semester.

COMMISSIONER MAY: May.

CHAIRPERSON HOOD: Okay. May. Okay. All right. Does anybody else want to comment? Mr. Turnbull or Vice-Chairman, any you all want to comment on that?

COMMISSIONER TURNBULL: Well, I'm amenable to anything. I just don't want to put the -- handicap the university too much. I mean, I don't know if that's too long or too short.

They're okay? It looks like the

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university is okay.

CHAIRPERSON HOOD: Well, one thing I don't do, I don't look in the audience. When I look out there --

COMMISSIONER TURNBULL: I sneak a peak once in awhile.

CHAIRPERSON HOOD: Never look in the audience, because I'll get a lot of bad looks. Might get a fist.

(Laughter.)

CHAIRPERSON HOOD: Okay. So I think that's a good time frame, May. Well, if we follow the logic that Commissioner May was saying, give it a track record, really come back with something.

MS. SCHELLIN: We're looking for something in writing, because if we're going to have a hearing, it's -- we'd get into advertising issues. And so --

MR. BERGSTEIN: Are you intending to hear from the parties orally --

MS. SCHELLIN: Or in writing.

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MR. BERGSTEIN: -- or are you intending just to receive something in writing? That's what we're struggling with at this end of the table.

CHAIRPERSON HOOD: What are we -- I could go either way.

COMMISSIONER MAY: I mean, I wouldn't mind hearing from them, but I really don't want to have another marathon hearing or another set of marathon hearings. So if we have to say no hearing to avoid that, then I would say no hearing.

MR. BERGSTEIN: What if you set a date before May for all the written submissions, and then you can have a meeting and say is this enough or let's schedule a hearing. Then you could -- then create a limited scope for that hearing at that time.

COMMISSIONER MAY: Okay.

CHAIRPERSON HOOD: And if we have to get to -- okay. A limited scope hearing, because that may be a possibility.

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COMMISSIONER MAY: But that will depend on what we receive. I mean, say we decide on a date in April, or something like that, for all the submissions and plan for it to take it up in a meeting, a special public meeting in May.

MR. BERGSTEIN: Well, and again, you would decide in April if you wanted to also have a hearing, because then we'd need to have --

COMMISSIONER MAY: Right.

MR. BERGSTEIN: Yes.

COMMISSIONER MAY: So we could take up the question of whether we think it's adequate, the submissions are adequate at a regularly scheduled meeting.

MR. BERGSTEIN: That's correct. And then you could decide if in fact you need to have a limited scope hearing based upon what you've seen.

COMMISSIONER MAY: Or go straight to a decision meeting where we repeat some of

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this based on the new submissions.

MR. BERGSTEIN: That's correct.

COMMISSIONER MAY: Yes. Okay.
That sounds like a reasonable strategy to me.

CHAIRPERSON HOOD: Okay. So do we
need to run down the inventory list?

MS. SCHELLIN: Yes, I'll go down
it real quick what I had. The question was
asked whether GU would be willing to purchase
properties in commercial zones in the next 10
years, or for however long you guys wish.

Georgetown should come up with
some other creative solutions regarding
housing, noise, students living off campus.
You know, how can this be improved?

A filing from OP regarding 100
percent of students on campus. How to address
this issue, or in -- I think it's not on
campus, but in Georgetown-provided housing.

Need enhanced solutions regarding
campus behavior.

Did someone still want SNAP

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addressed, or everyone's good with SNAP?

COMMISSIONER MAY: SNAP will probably wind up being part of what the enhancements would be.

MS. SCHELLIN: Okay.

COMMISSIONER MAY: I would expect.

MS. SCHELLIN: Noise of the students. Commitment on staffing patrols for that.

Community dialogue. Can they agree to have a senior representative on the committee, the community group, that can make decisions?

Trash.

CHAIRPERSON HOOD: Let's get more specific, and if they could let us know what are the outcomes? Kind of look at -- pattern after what some of the other organizations do when they have those liaison groups, or whatever we want to call it. Need to see a little more than what was presented, what we got tonight, minutes and -- I just didn't see

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any finality, any conclusions. What is that group actually? What is going to be the role of that group, and maybe who are some of the participants going to be?

MS. SCHELLIN: Okay. Regarding trash, more coordination with DPW.

Parking issues. Someone stated that they didn't think it was a very good plan for addressing -- they didn't have a very good plan for addressing parking issues in the neighborhood, so we'd like to have a response on that. Parking outside the campus, more robust program to address the issue.

And I think that's it, other than them giving some kind of report on the academic year so far. And that's not only a filing from Georgetown, but I think I heard to allow the parties to also provide a --

COMMISSIONER MAY: Yes.

MS. SCHELLIN: -- submission for that.

COMMISSIONER MAY: A status report

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on whether there's been any change in the --
any improvement in the past year.

MS. SCHELLIN: Okay. And then as far as setting a date so that we can accommodate this on an April meeting agenda to decide whether a hearing will be needed, I figured April 12th for these submissions to be due; April 19th for the parties to respond, both of these being 3:00 p.m. deadlines. And then we could take it up at the April 30th meeting. And if needed, then -- I'm sorry. We'll take it up at the April 30th meeting to decide whether a hearing is needed or not, but we can also schedule a date for a special public meeting in May for decision making.

Is that what you guys wanted to do, or not?

(No audible response.)

MS. SCHELLIN: Okay. So how about -- so that's the 30th. May 10th.

CHAIRPERSON HOOD: Is that our regular meeting night?

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MS. SCHELLIN: It's a Thursday night. No.

CHAIRPERSON HOOD: All right. Okay.

MS. SCHELLIN: The Applicant wants to address the Commission.

CHAIRPERSON HOOD: Okay. I have to make sure everybody wanted to agree. You know I wanted to hear from you, but I got to make sure they wanted to hear from you.

MS. DWYER: Right, I just wanted to say that if you wanted us to collect the full semester data, this semester doesn't end until the middle of May. So we'll be filing in April, but it wouldn't be the full semester. And I just wanted to make sure you understood that.

COMMISSIONER MAY: Yes, I certainly understand that. The concern I would have is that if we did all -- shift all this stuff a month, then we're not taking it up again until the middle of June, and I think

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that that may be a little too far out there.

MS. DWYER: That's fine. I just wanted to have it on the record.

COMMISSIONER MAY: Yes, I appreciate that.

CHAIRPERSON HOOD: Thank you very much. That's a good point. Yes, I would agree. Let's keep what we have in place.

Anything else, Ms. Schellin?

MS. SCHELLIN: No, sir.

CHAIRPERSON HOOD: Okay. Is everybody clear?

(No audible response.)

CHAIRPERSON HOOD: I probably shouldn't have asked.

MS. SCHELLIN: You're aren't a party. You can't speak.

CHAIRPERSON HOOD: Okay. Only the parties.

MS. SCHELLIN: Only parties.

CHAIRPERSON HOOD: Commissioner Lewis?

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MR. LEWIS: Thank you, Chairman Hood. I'm not clear about one thing.

On the 12th is the filing only from the university and OP, or do the parties file on the 12th as well?

MS. SCHELLIN: The parties file on the 12th regarding the one issue about how things have gone --

MR. LEWIS: All right.

MS. SCHELLIN: -- or are going for this academic year so far. And then on the 19th all of the parties can respond to the filings that have been made, those that OP made, Georgetown made, the parties made on the 12th.

MR. LEWIS: And the filing on the 12th, does that involve attaching affidavits or evidence, or does any of that go in the hearing record? It's not -- there's no verbal testimony, so what form does that take?

CHAIRPERSON HOOD: I believe in your case your ANC, you all would comment on

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some of the things that we've asked for. Right, you just would comment. I don't necessarily -- unless a legal -- on the issue of whether or not things are working.

MR. LEWIS: Right.

CHAIRPERSON HOOD: So it's going to -- I hate to ask volunteers to do a whole lot of work, but let's really just monitor and let's make sure and see if we see some improvement. If it's some improvement, we need to know that.

MR. LEWIS: We're monitoring it. We'll be glad to do that.

CHAIRPERSON HOOD: Okay.

MR. BERGSTEIN: And just to be clear, there's no need for affidavits. I think what's being requested is a written submission.

CHAIRPERSON HOOD: Okay. Is there anything else? We're all on the same page?

(No audible response.)

CHAIRPERSON HOOD: Okay. With

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that, I want to thank everyone for listening to us tonight, and this meeting is adjourned.

(Whereupon, the meeting was adjourned at 8:52 p.m.)

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