GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC HEARING

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TUESDAY,

JULY 18, 2000

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The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, at 10:00 a.m., Sheila Cross Reid, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

SHEILA CROSS REID	Chairperson
ROBERT N. SOCKWELL	Vice Chairperson
RODNEY L. MOULDEN	Board Member
ANN M. RENSHAW	Board Member

OFFICE OF ZONING STAFF PRESENT:

Sheri Pruitt,	Secretary, BZA
Beverly Bailey,	Office of Zoning
Paul Hart,	Office of Zoning
John Nyarku,	Office of Zoning

OTHER AGENCY STAFF PRESENT:

John Fondersmith,	Office of Planning
Kenneth Laden,	Department of Public Works
Ellen McCarthy,	Office of Planning
Michael Johnson,	Zoning Admin.

D.C. OFFICE OF CORPORATION COUNSEL:

Mary Nagelhout,	Esq.

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

(10:00 a.m.)

CHAIRPERSON REID: I am Sheila Cross Reid, Chairperson of the Board of Zoning Adjustment of the District of Columbia. Joining me today are Board members Ann Renshaw, Robert Sockwell, and Rodney Moulden, representing the National Capital Planning Commission; and Herbert Franklin, representing the Zoning Commission, will not be able to join us today but will read the record.

I declare this public meeting -- this public hearing open.

Copies of today's hearing agenda are available to you. They are located to my left near the door. Due to the public interest and the nature of the case, the Board decided to have two hearing dates. The first hearing was held on June 13th. The second hearing is scheduled for today, July 18, 2000, 9:30 a.m.

The hearing will be conducted in accordance with the provisions of 11 DCMR 3117. The procedure for this hearing will be as follows: preliminary matters first, then Office of Planning, the Office of Planning recommendations, ANC reports, persons in support, persons or parties in opposition,

closing remarks by the applicant.

Cross examination of witnesses is permitted for persons or parties with a direct interest in the case. The following time limits will be imposed on all oral representations -- or presentations.

The applicant had two hours, and we've concluded that part. The combined parties in opposition, two hours -- that's combined parties in opposition. I want to stress that. Organizations, five minutes each; and individuals, three minutes each.

And we ask that those persons who are going to be testifying not be redundant or repetitive. If someone has already voiced what your particular issues are, then you can just simply say that you echo or that you support or concur, and give us whatever new -- we have not heard yet, to be able to have the most efficient use of our time.

Also, we're going to break at 12:00 for lunch, and then resume at 1:00, to give you some idea as to the perspective of time. Hopefully, we'll be able to conclude at least up to the ANC reports this morning.

Due to the extremely large number of

individuals wishing to testify in this case, the Board intends to adhere to these time limits as strictly as possible in order to hear the case in a reasonable period of time. In addition, the Board reserves the right to change the time limits, if necessary. No time shall be receded.

Please turn off all beepers and cell phones at this time, so as not to disrupt these proceedings.

Those presenting testimony should be brief and non-repetitive. I've said that.

If you have a prepared written statement, please give copies to staff and orally summarize the highlights only. Please provide these copies of your statement before making your oral presentation.

Each individual appearing before the Board must complete two identification cards and give them to the Reporter at the time you make your statement. If these guidelines are followed, the record in this case can be developed within a reasonable length of time.

The decision of the Board in this case will be based exclusively on the public record. To avoid any appearance to the contrary, the Board requests that parties, counsel, and witnesses not

engage the Board members in conversation during any recess or at the conclusion of the public hearing section. Staff will be available to discuss any procedural questions.

The Board will consider any preliminary matters. Preliminary matters are those that are related to whether a case really should be heard today, such as requests for postponement, continuance, or withdrawal, or whether proper or adequate notice of the hearing has been given.

If you are not prepared to go forward with the case today, or if you believe that the Board should not proceed, now is the time to raise such a matter. Are there any preliminary matters?

MS. ZARTMAN: Madam Chairman and members, my name is Barbara Zartman. I'm an ANC Commissioner, speaking for myself and not for the ANC. When we read the Office of Planning report and saw the issue of zoning regarding the north campus development had not been addressed, we wrote -- I wrote to the Zoning Administrator's office asking for clarification of questions that arose for us.

After the takeover of the hospital, we questioned whether there was not a need for a new certificate of occupancy. We questioned whether, in

fact, there was any matter of right use of the operation of the university hospital, or within the university hospital, by the new corporate entity.

We believe these are complex issues that deserve serious consideration, inasmuch as they potentially rob the neighboring communities of the protections of R-3 zoning. And we certainly want to be very clear about what protections do exist for the neighborhood, and what future growth will be allowed under any precedents that otherwise would be set by unobjected to takeover by Medstar.

CHAIRPERSON REID: Ms. Zartman, we did receive the letter. And needless to say, the issue that you raised caused some frustration as far as we're concerned, as well as the Office of Zoning and the Zoning Administrator, corp. counsel. And we kind of caucused to try to come to some -- not resolution, but to come to some type of -- some understanding as to the degree of complexity involved in the issue that you're raising.

And as such, needless to say, time has not allowed us to be able to properly address it. And, therefore, we have referred it to the ZA's office and corp. counsel, for them to be able to frame the issues and to respond in writing. And we

wanted to leave the record open, prior to us making any decision in regard to this particular campus plan.

MS. ZARTMAN: I think that's important, and I thank you for that consideration.

CHAIRPERSON REID: Okay. Board members, are there any other comments regarding this? No? Okay.

Thank you very much.

MS. ZARTMAN: Thank you.

CHAIRPERSON REID: Good morning, Ms. Pruitt.

MS. PRUITT: The only case on the day is 16566, Application of Georgetown University, pursuant to 11 DCMR 3104.1, for a special exception for the review and approval of the university's campus plan, years 2000 to 2010, under Section 210 in an R-3 and C-1 District, bounded by Glover Archbold Parkway to the left, National Park Service along the Chesapeake & Ohio Canal, Canal Road to the south, 35th Street, N Street, 36th Street, and P Streets to the east, and Reservoir Road to the north. Square, 1222, Lots 62, 801, 802; Square 1223, Lots 85, 86, 804, 805, 807 through 810, 812, 815, 821, 824, 826, 827, 831, 843, 846, 847, 852, 853, 855, and 857;

Square 1226, Lots 91, 94 through 101, 104, 105, 803, 804, 806, 811 through 815; Square 1248, Lots 122 through 125, 150 through 157, 800 through 802, 804 through 806, 829 through 831, 834, 835; and, finally, Square 1321, Lots 815 through 817.

All of those planning to testify, would you please stand and raise your right hand?

(Whereupon, the witnesses were sworn.)

MS. PRUITT: Please be seated. We'll start with the revised OP report.

MS. McCARTHY: Good morning, Madam Chair, members of the Commission. For the record, my name is Ellen McCarthy from the Office of Planning.

The Office of Planning has submitted two reports on this case -- a main report, which was submitted several weeks ago; and then a supplemental report, which focused more specifically on the issues of enrollment and campus housing. And we will present basically the gist of both of those reports today. They are both in the record.

Well, actually, we first have to ask, Madam Chair, if the Board will approve the late submission of our supplemental report.

CHAIRPERSON REID: We have no problem waiving the rule to allow it to come into the record,

unless there is an objection from any of the Board members. Okay. Thank you.

MS. McCARTHY: John Fondersmith is going to present the bulk of the report today. I just wanted to make a few overviews first. And that's basically to mention that this campus plan comes at a unique time when there are a variety of things happening.

First of all, with regard to the university, that it has made major strides in dealing with student behavior issues, you know, an unbelievable change in the situation when the campus plan was last before the Board 10 years ago.

Medstar is taking over the operation of the hospital and medical facilities. The Southwest Quadrangle dormitory, with 780 units, is moving forward, will have a major impact on housing in the area in 2003. The Canal Road entrance is moving ahead, and the university sees itself at an important point in academic terms.

For the community, there is an unprecedentedly strong real estate market in Georgetown and the neighborhoods all around the university, but also concern about increased undergraduate enrollment and the proposal that has

been made by the university to increase over 500 -- or over 389 students above the existing cap.

With regard to planning and zoning issues, obviously, in the city, it's a time of increased emphasis on neighborhoods, as witnessed by the Neighborhood Action Program, which the Mayor has forged and which the Office of Planning and the rest of the city government are working on implementing. And we have three major campus plans being reviewed this year.

The Office of Planning, as you know, has tried very hard, starting with the Mount Vernon campus effort for George Washington last fall, to engage professional facilitators and try to reach consensus on campus plan issues. We were, unfortunately, not as successful with Georgetown and the Foggy Bottom campus of GW as we were with Mount Vernon, but I think there was at least on some issues some substantial progress made and some meetings of the mind.

And, hopefully, as we learn better how to use that as a tool, we can make the Board's job easier and our own by reaching some better consensus before issues come to the Board.

And there has certainly been a lot of

discussions about new approaches to campus planning. The roundtable is coming up, and there will be a lot more specific discussion of that.

The OP focus has been basically on two key issues with regard to the campus plan -- enrollment and housing and transportation impacts. Those are what we'll be focusing on today, and I think -- I just want to set for the Board the framework in which Office of Planning has been particularly looking at the enrollment and housing issue.

Our concern is basically twofold. There are a set of issues with regard to student behavior and what happens when you cluster a large number of students in a home and cluster a large number of group homes in a neighborhood, and the impacts in terms of the many letters you've received of problems with student behavior. And that seems very likely to improve in a substantial fashion, given what the university has done up to this point and what they are proposing further in the future.

The city and the Office of Planning's other issue is, strictly looking from a city government perspective, is the fact that because of the condition of the real estate market at this point

in time, better -- reaching a better balance between the number of students and the residential opportunities provided for them on campus makes a major opportunity for us to translate houses in those neighborhoods, especially in West Georgetown and Burleith, to change from rental housing to owner-occupied housing.

The university's own consultant has indicated in his report that means, in tax revenue for the city, simply in sales tax and income taxes, an increase of over $7,000 per house per year, every one of those units that changes from being a rental house to an owner-occupied single-family residence.

So the city clearly has a strong economic incentive, as well as what the impact is on the strength of that neighborhood and on the cohesiveness and quality of life in the neighborhood from getting more owner-occupants.

So with that as the context, let me have John talk about why the Office of Planning is making the -- what the Office of Planning is recommending in more detail and why we are making those recommendations, what we see as the scenario -- the most likely scenarios, and how our proposals meet what we hope are those needs.

MR. FONDERSMITH: Thank you. What I want to do is, really, to provide a kind of framework for looking at the numbers. I think there is agreement on basic numbers, but then there's, of course, different interpretations of what will happen in the future. And our whole -- or a large part of our effort in dealing with the enrollment and housing issue was to try to work through and look at what could happen. And in the supplemental report, in effect, we talk about three scenarios.

The tables you have before you on display here, Table 1 and Table 2, which are just blown up out of enlarged tables that are in the first report, the June 12th report. And, in addition, simply for convenience, we reprinted and included those tables again in the supplemental report.

So I'm going to go through the -- and, of course, some of this is what the university has already testified last time. But I think it's important just to see the methodology in there, which is very simple. I mean, it's just arithmetic. If you'll look at Table 1, we have the base numbers for the -- and we're talking here about the number of undergraduate students, and these are what's called traditional undergraduates.

It includes -- it excludes a certain category of graduates, and that's, actually, in a table on page 28, Attachment H, from the university. Initially, the Board has looked at what's called the traditional undergraduate, so that's what we're dealing with here.

And the page numbers -- we have the 5,516 in the present time; that is, in the spring; and the beds on campus; that is, the students housed on campus; and, therefore, just by substraction the students living off campus.

Now, the university, in compiling the numbers -- and I do think we want to mention -- we mentioned in the report that one thing that has been useful in this is that the university has been able to provide numbers about where students live.

And the area that has been used as a general framework is zip code 20007. And on the map that's on display, and on -- and which we've given you small copies of, you see the outline of zip code 20007 -- the Potomac River on the south, Chain Bridge Road on the west, Garfield Street on the north, and Winding Run Observatory Circle and over to Rock Creek Parkway on the east.

You see how Georgetown University falls

in the middle of that, and the various neighborhoods around it -- the subdivisions of Georgetown, West Georgetown, East Georgetown, Georgetown Waterfront, The Cloisters, Burleith, Hillendale, Foxhall, Georgetown Reservoir, and Palisades.

Obviously, when you look at the numbers, and certainly as the community has -- or I think will indicate, has indicated before, the major impact in terms of location of undergraduate students who live off campus is in the close-in neighborhoods around Georgetown University -- Burleith and West Georgetown, especially.

What we did in first looking at this, as indicated in the June 12th report, was simply to say what percentage of students live in 20007 of these undergraduate students. And, at present, it's 84 percent, meaning, of course, 16 percent live either elsewhere in the city or in the suburbs.

Now, it's understood by I think all concerned that in 2003, when the Southwest Quadrangle opens with the 780 beds, there will be a significant shift that will occur because of those additional students that can be accommodated on campus.

Now, in looking at the 2003 number, it's important just to say that the buildup from 2000 to

2003 is a result of the university adding 37, or an average of 37, undergraduate students each year for the next three years; that is, the fall of 2000, the fall of 2001, and the fall of 2003; and then proposing -- and this is part of their addition of 389 new students over the -- beginning in 2003 -- they would add 55, or an average of 55, new students in 2003.

In that year, because of the opening of the Southwest Quad, the number of students living in the community or in zip code 20007 drops significantly. I mean, it obviously drops just on simple arithmetic. And as you can see there, there's 629 students, just by subtraction, living off campus.

And applying the same 84 percent -- and this was our assumption in doing this, it's not -- you know, we don't claim that that's cast in stone, but we apply that 84 percent, both in 2003 and 2010. And the result is, as you can see, that there would be 528 undergraduates living in zip code 20007 in 2003, and, of course, the corresponding number, 101, elsewhere.

And then we, in the following years, through the 2009 to 2010 academic year, the

university would add an average of 55 new undergraduate students each fall. And I think it's presumably in the last year, or somewhere in there, they would add an additional four to come out to their total.

So what we did here, then, was to take the 84 percent and apply that to the numbers for 2010. And doing that, what you get is 809 undergraduates living in the community in 2010, assuming, as the university position, of course, there's no new on-campus housing.

So that's a basic framework, and in the supplemental report we have said that, in effect, this is a mid-range view of what would happen, purely using the past percentages.

Now, and so the issue, if you will, if that were to happen -- and these are just ways of looking at it -- the situation of students living in -- undergraduate students living in zip code 20007 increases dramatically or drops dramatically in 2003, and then would move up again.

The Office of -- well, let me run through the other cases. The university position -- and this is our paraphrasing, I guess, of the thing they have projected, is that, in fact, the situation will be

more favorable than that, and the issue of students in the surrounding area will be addressed through several factors. And we've kind of summarized those in page 3 of the supplemental report.

They see, as we do -- and I think, obviously, the community, too -- a major impact from the opening of the Southwest Quadrangle in fall of 2003. The university assumes that the Southwest Quadrangle, because they will be able to target it somewhat, will, in fact, draw more students out of zip code 20007 than just using the straight percentage. And they feel that the number, in fact, would drop to about 430 in 2003.

They assume that a continuing strong real estate market, especially in Burleith and West Georgetown, will change group homes largely occupied by Georgetown University undergraduate students to owner-occupied homes. And that was Lew Bolan's testimony at the June 13th hearing, that a large number of group homes, some 180 group homes in those two areas, would change either to owner-occupancy or, as we understand it, to occupancy by other than students.

And, finally, although the university wants the right to add 389 new undergraduate

students, it may be that they won't actually add that many. Father O'Donovan, in his testimony, referred to the possibility that that might be the case. That's not a given, but it's something that would lessen it.

And, finally, the university has indicated a willingness to increase oversight of students to step up their program in terms of the oversight of students living off campus. And I understand we're going to get more specific things on that. And, of course, the ANC will -- in their report will address that.

So, in summary, then, the university believes that additional undergraduates will not -- that is, after 2003, will not live in great numbers in zip code 20007, but will go elsewhere, although we don't actually have a number from them.

And finally, of course, on the other hand, although we did not attempt to do it, and I don't know that anybody has done this, there could be a down side scenario. That is, the real estate market not being as strong as would be hoped for, students who live -- now live outside of 20007, moving in, graduate students moving around to different locations, and so on.

Let me mention something about the graduate student number, and then come back to the Office of Planning recommendation. The number of graduate students is shown on Table 2. In other words, what the university is suggesting is an increase -- a potential increase from 2,589 to as much as 3,873, in 2010. Although, again, our understanding is this is not a certainty; that's just more of a longer-range possibility.

The university provided the Office of Planning, and we reported this in the June 12th report, with additional information on the graduate students. And that was that approximately 800 out of the potential 1,284 new graduate students would be in programs conducted on campus.

And if this same ratio of residency location -- that is, previously for graduate students 30 percent -- and, of course, this is a different ratio -- 30 percent of graduate students in zip code 20007, would mean an additional 240 graduate students in zip code 20007 over this period, if that full number were actually reached.

And according to current ratios, over 70 percent of that total would live in one- or two-person households, if present patterns continue.

Our conclusion, based on that, with seeing the numbers broken down, is that although there could be some impacts from increased graduate students, the impacts would be limited. You might add that in the transportation calculations, the transportation consultant used the full number of graduate students in their calculation. So, in effect, there's some -- not redundancy, but additional transportation impact built in there, which is not likely to occur.

Okay. That leads, then, to the Office of Planning recommendation. We indicated in the June 12th report that we hope to come to some kind of formula understanding with the university, and we were looking at different things -- the number that would in each year, the percentage, and so on.

In the end, we have, in effect, simplified our recommendation, and we have said that we recommend, as the report makes clear, we recommend that the campus plan be approved, and, in conjunction with the enrollment and housing issue, which is a major issue, that the university have -- that the 389 increase be approved.

However, then we indicate that there should be a stepped up reporting and monitoring

program, and I'll come back to that in a minute.

The important -- the key number that we set is that after 2003, when the Southwest Quad opens, the number of undergraduates living in zip code 20007 should not be allowed to go above 700. This is somewhat of a compromise.

It gives the university some flexibility, but it means if, indeed, that trend of undergraduates living in zip code 20007 appeared to be moving up, then the university would have to take -- in reaching that 700 number, the university would have several options to deal with that.

They could provide additional housing on campus. They could provide housing elsewhere in Washington, in the city, or in nearby suburban locations, but we said not in areas with other university impacts, such as Foggy Bottom West End, for example; or provide -- and this is somewhat a variation -- provide incentive for students to live outside zip code 20007.

They could also choose just to hold new enrollment for a time at that -- whatever level it was, until -- possibly until there was some adjustment in the market, and so on, for the undergraduates in zip code 20007 to stay below 700.

So this is -- and, of course, at that time, in doing this monitoring and reporting, the university would be making reports. They would come both to the Office of Planning, they'd be available to the community, to the BZA, so that this trend would be evident.

In our initial report, we suggested that these efforts, of course, to monitor development begin right away, and that the university work with the community and with the real estate community to try to make sure that it was clear that this impact of the Southwest Quad was coming, and that the property owners should be aware of that, and hopefully to encourage to change from the student houses to owner-occupancy.

Obviously, this kind of reporting, both for enrollment and housing, and also in conjunction with transportation measures, will place some additional work on the university, and I think on the community, because there has to be sharing of information and agreement on information. But that's the only way that this system that we are proposing would work. I mean, there would have to be some baseline data, and then tracking to see what happens.

A repeat that if, in fact, the

university's assumptions of a major shift to owner-occupancy, and, in effect, the students being priced out of zip code 20007 is correct. And if their assumption of being able to start from a lower base is correct, this increase in undergraduate enrollment should essentially be able to be accommodated within that 700 level.

Let me turn now -- well, let me -- before going to the transportation, let -- I would like to say one thing about the -- some of the major urban design features of the plan. And we noted this on page 15 of our June 12th report.

There has been so much emphasis, of course, on the housing enrollment that the university's almost radical change in their urban design approach has perhaps been somewhat overshadowed, although Alan Brangman testified to that at the first hearing session.

And that is the move from the podia system in the center of the campus to proposals for a more traditional pattern of buildings and walkways, really creating a more traditional and more friendly campus environment.

And as I say, this is really an important part of the whole campus plan. It hasn't gotten too

much attention. But it is important. It's, I think, commendable. The university -- they started down one road some years ago with the podia approach and have found that that wasn't creating the kind of Georgetown campus, in fact, that they wanted to create. And now they've gone in a new direction in this plan.

Let me mention just a few things about transportation, but the DPW is going to give their report in just a minute. We had indicated in our first June 12th report that we thought the transportation management program still needed to be refined on the basis of ongoing experience.

Karen Frank, in her testimony at the June 13th hearing, did provide some additional details on that. We still believed that -- and, of course, this is kind of the way you learn from a transportation management program, that there needs to be regular reporting on those measures that are being taken and seeing what does work. And so that needs to be built into the ongoing and increased reporting program.

We indicate, incidentally, in the reporting program that that be done on a regular basis. This is both for housing and enrollment and

transportation issues, not just when the university comes back for projects, because that could be on an irregular basis, but on a regular basis, presumably, at least yearly.

We have not commented -- the Reservoir Road program -- there is an effort beginning, underway now, to look at the larger Reservoir Road transportation issue, somewhat obviously related to the campus plan, transportation issues, but broader sense of that. And that's involving the university, Medstar, the Department of Public Works, and the community. And that, of course, needs to go forward.

We did not, in our initial report, address the helicopter flight issue. The estimate on the helicopter flights is that the -- or the present usage is dealing -- is about eight per week, and Medstar has estimated in their testimony that the increased activity at the hospital would increase that slightly, but they said not more than 12 helicopter flights a week. And we believe that's an acceptable level.

So those are the main features of the OP report. I'd like to just stress again the importance of this. If everybody is going to be on the same page, and if there is to be a kind of confidence and

sharing that this reporting and exchange of information on a regular basis, which has a basis already in what the community and university have done, but really strengthened, that needs to be built into this process.

CHAIRPERSON REID: Is that it, Mr. Fondersmith?

MR. FONDERSMITH: Yes.

CHAIRPERSON REID: Well, thank you for your very lengthy report this morning. Prior to the opening of the case, the reopening of the case, we didn't specify that the parties who were in -- persons -- those who have party status, and let me just go over that list -- Hillendale Homeowners Association, Citizens Association of Georgetown, Burleith Citizens Association, Georgetown Residents Alliance, Foxhall Community of Citizens, Cloisters in Georgetown, ANC -- well, ANCs are automatically a party.

Now, for cross examination, how many persons intend to cross examine Mr. Fondersmith? How many people? Okay. Come up. Come up, please.

All right. I'm sorry. Before you commence your cross examination -- and please limit your cross examination. We're going to stop at

12:00. If the Board members have questions, if we have questions, do you want to go first?

Okay. Cross examination, then -- yes.

MS. DWYER: Madam Chair, I think the applicant gets to go before the parties in opposition.

CHAIRPERSON REID: I'm sorry. I'm sorry. You're absolutely right. I'm sorry, Ms. Dwyer. You're absolutely right. My oversight. So, please, come forward. And then the parties in opposition. Ms. Dwyer, and then the parties in opposition, and then the Board members, right?

And I'm going to step out until the first break. Mr. Sockwell will preside.

MS. McCARTHY: Madam Chair, with regard to the transportation issues, since DPW is here to address that, we were thinking in the interest of the Board's time maybe we would limit questions about transportation issues now, wait for Mr. Laden to testify, and then --

CHAIRPERSON REID: Sure.

MS. McCARTHY: -- we could be available to answer questions --

CHAIRPERSON REID: Thank you very much. Mr. Laden is present. I didn't realize he was here.

We did have a DPW report. So the questions at this time, please limit it to the Office of Planning report, and then Mr. Laden will then give his report, and then after his report we will have the transportation-specific questions at that time. Okay? And I'll read the record for that.

MS. DWYER: For the record, Maureen Dwyer representing Georgetown University.

Mr. Fondersmith, I was curious in listening to your report as to whether your office had conducted any independent study or analysis that would form the basis for your recommendation.

MR. FONDERSMITH: In what way? In the projection of undergraduates in zip code 20007?

MS. DWYER: No. For example, any independent study or analysis that would provide any determination or support for a finding that there has been an adverse impact on the housing market by students living in 20007.

MS. McCARTHY: Let me just answer that for John. We were actually relying on your -- on the university's own expert, who had testified not only about the economic benefits but about the fact that he expected property values overall to increase, because the neighborhoods which have a higher

percentage of owner-occupied housing have higher average property values and were more desirable neighborhoods. So we were really using Mr. Bolan's testimony.

MS. DWYER: And didn't that same report indicate that there had been no negative impact on property values over the last 10 years as a result of students living in those communities?

MS. McCARTHY: That really wasn't how we read this fact.

MS. DWYER: Have you looked at any of the Census data showing whether or not home ownership has remained the same or increased in these neighborhoods, even with the students living there?

MS. McCARTHY: Yes. But the Census data, because it's left over from 1990, we didn't consider it to be a very good indicator. We were hoping we could get some Census data earlier on from the 2000 Census, but it's just not available at that time yet.

MS. DWYER: So the basis for your report is either the information provided by the university or by its own economic consultant, Mr. Bolan?

MS. McCARTHY: Right.

MS. DWYER: All right. Under this campus plan, the percentage of students housed on campus

will increase from 77 percent to 84 percent in 10 years, even if the university reaches its full enrollment under its proposed new cap. Do you view this as a positive under this campus plan?

MS. McCARTHY: We definitely view it as a positive. I mean, we indicated as such.

MS. DWYER: And have you done any analysis to determine the -- or to compare the amount of housing that Georgetown University provides for its undergraduates as compared with other universities in the District of Columbia?

MS. McCARTHY: Well, we certainly have done that, and we've had a great opportunity to do that this year with all of the campus plans before us. But as I tried to say in my overview, what the Office of Planning is concerned about is the impact of the university on the particular neighborhoods that are close by the university.

Even with the 700-student limit, making some assumptions about the percentages holding the same, both in terms of how many -- what the percentage of off student -- off-campus students living in 20007, and then the percentage of students living in Burleith and West Georgetown compared to the other neighborhoods in 20007, that still left us

with almost 20 percent of the houses in Burleith being student rental houses. And so we felt that that was a level we really needed to impose in order for the problem to -- to avoid the problem of going back to where it had been in the past.

MR. FONDERSMITH: And we think when you look at the numbers, I think everybody -- obviously, the percentage has been varied. But the situation is going to improve dramatically in 2003, whether it's a great sucking sound, as some people have characterized it, of students being sucked out of the community, but certainly that's going to be a very dramatic change, just in terms of the number.

The problem here is -- and, again, we're just, you know, looking at the numbers in kind of simple percentages. If the number of students in that area started to go up again, and you can tell by looking at the numbers, it would -- in this period, in terms of what the university is asking for, it would not get -- just by arithmetic, it would not get back to the number it is today.

But, in fact, if it were -- you could start it to go up that way, the perception would be, sometime after probably 2005, that the community has had a window or something, but it was heading back to

the situation that it is today. That's the real issue here.

MS. DWYER: Your intent is not to penalize the university for providing housing in the year 2003. I mean --

MR. FONDERSMITH: Oh, no.

MS. DWYER: -- in essence, the university is improving a situation, and even over the 10 years it's going to be significantly improved. And I just want to make certain that there is no penalty attached to the fact that they are providing housing midpoint during that 10-year period.

MR. FONDERSMITH: Well, at 2003, that's --

MS. DWYER: And let me just --

MS. McCARTHY: Let me just make it clear. The reason that we have taken the approach that we took is because we felt it was important to give the university the benefit of the doubt, because of their efforts. One alternative that had been proposed was simply setting a limit on the amount that the university could expand, or requiring a one-for-one increase in housing for every student that the university added.

We figure -- what the university is

saying is it's entirely possible when the new dormitory opens in 2003 there will be a substantial reduction in group homes, people will go move in the dorms, the rental houses in Burleith and West Georgetown will convert, and it won't go back again. And we hope that's the scenario, the university hopes that's the scenario, everyone does.

But it's also possible when that happens students who have been living in Rosslyn, in Glover Park, further out, will simply move in and occupy some of those rental spaces in Burleith and West Georgetown.

And, therefore, we wanted to put in a measure that measured impact, but didn't penalize the university on an abstract level if its efforts did pay off, but simply monitored and kept track of the situation so that if the situation started to go back the other way -- and, you know, we were mindful of the fact that once upon a time Burleith was a single-family neighborhood.

It was the pressure of increasing student enrollment without a commensurate increase in housing that caused the gradual changeover of that housing in the first place to rental housing. We wanted to not have that happen again, and we thought rather than

set some objective standard and make the university go through it, whether or not there was a problem in the neighborhood, we'd say, "Let's focus on where the problem is. And let's be very specific about a number."

And we'll monitor that situation, the university will be upfront in the situation, and then we'll be able to take action based on whether a problem is actually being caused and not based on whether the university has 389 new students or 250 new students.

MS. DWYER: All right. Thank you. I'm going to try and keep my questions short. If you could do me a favor and keep --

MS. McCARTHY: Yes.

MS. DWYER: -- we do want to get through as quickly as we can.

But I want to go back to something I asked you earlier about the percentage of housing that Georgetown provides compared with other universities. I'm assuming that you have the same interest in communities surrounding other universities, and --

MS. McCARTHY: Yes. We are very conscious of the fact that every university and every

neighborhood around the university is different, has different levels of public transportation, has different kinds of housing supplied, has different amounts of housing supplied, has different qualities of housing, so it --

MS. DWYER: And compared with these other universities, does Georgetown provide the highest percentage of undergraduate on-campus housing?

VICE CHAIRPERSON SOCKWELL: Ms. Dwyer, comparison with other universities in which the situations are completely different and not necessarily relevant doesn't seem germane to what we're talking about here, and I would request that you maintain questions on a strict Georgetown University basis as opposed to making unquantifiable comparisons, please.

MS. DWYER: All right.

Let me go to a couple of questions about your proposal. In essence, what you're recommending is that there be a boundary drawn around zip code 20007, which, if you look at that map, is creating sort of an -- essentially, an overlay zone around Georgetown University.

MR. FONDERSMITH: It's a handy statistical area that the university has used in

presenting their numbers, and it seems to be a reasonable area. I mean, I guess we could do something different, but it just seemed an appropriate way to look at it.

When you go on to the east, across Rock Creek Parkway, you're into Dupont Circle, or West End and Foggy Bottom. This is where the impact of the university is felt most. And when you look at the university's own numbers in Attachment H, you see, especially in Burleith and West Georgetown where -- I mean, that's the concentration where the students live.

MS. DWYER: And I'm not disputing the fact that the university has provided this information to the community, to give a sense of where the students live. But to change that from providing information to what you're proposing is a little bit different, because, in essence, what you are proposing, your recommendation, is that only up to the number of 700 students from Georgetown could live within this area.

And that if the 701st student wanted to live within this overlay area, they would be precluded or prohibited from doing so. It would be up to Georgetown to tell that student that you could

not live within this area because we've reached that maximum number of 700.

MR. FONDERSMITH: I don't think that's a correct interpretation. I mean, as you know, I mean, there are -- there are issues about the university telling students where to live. This is like a barometer of some kind or -- that is an indicator. And that's why the monitoring is important.

I mean, it's not like you're going up to 700, and then you hit the ceiling that -- that the university and the community and the Board and the Office of Planning will be able to see what is happening over a period of years. That flexibility is built in.

MS. DWYER: Right. But, still, what you're suggesting is that no more than 700 could live within this area. And if it was a number higher than that, that the university would have to provide housing elsewhere in an area outside of zip code 20007.

MR. FONDERSMITH: Or on campus or elsewhere, right. Or, you know, hold their enrollment constant for some period.

MS. DWYER: And if the university did not have that other housing, it would, in essence, be

telling that student that, you know, they could not live within 0007, because that 700 number had been reached.

MR. FONDERSMITH: Well, I think you have to look at the alternative, which, of course, is the university's position that things are going to work -- everything is going to flow right, and this is not going to be a problem, the situation will take care of itself. I hope we are paraphrasing that right.

And, you know, that may be, and you build in some additional steps for student oversight, and you don't have a problem. But at some point, you either accept -- you either say that it is not going to be a problem, or you say, at some point and for some area, that there is at least the perception that a problem is returning. And that's what we're attempting to deal with.

MS. DWYER: I think my concern, in looking at this, is to take an area and to define it, and to provide a limitation on the number of Georgetown University students that can live within that area. It reminds me very much of the overlay zone that was proposed several years ago within the Georgetown area to try and deal with the issue of group housing.

And the Office of Corporation Counsel, at that time, prepared a legal opinion that said, "We have major problems with doing anything that is targeting a specific class of individuals. Under the D.C. Human Rights Act, students are a protected class. The Zoning Commission declined to adopt that overlay zone for the same reasons.

And what you are proposing here is not just an area that is going to restrict the rights of students to live in that area, but specifically Georgetown students. So it's an even more narrowly focused or targeted population.

And I was just wondering whether you had asked the Office of Corporation Counsel for its opinion as to whether this was legal under the D.C. Human Rights Act.

MS. McCARTHY: Actually, we have a slightly different recollection of the fate of that overlay, which was the Zoning Commission deciding not to set it down because, as several members said, they viewed it more as a housing and housing licensing problem than they did a zoning problem.

But with regard to this, it's really very analogous to the situation that the university has with regard to its parking cap. It is a management

issue. The university has said it will provide only a guaranteed number -- only a certain number, maximum number of parking spaces on campus.

As it approaches that, it knows that it needs to undertake more dramatic measures -- higher levels of incentives to people who take transit, other kinds of measures, management measures which it employs. It's the same situation here. If the university is monitoring, and it finds that it's beginning to approach the cap, it has a number of measures which it can choose to stay under that boundary.

And it's not a matter of the university telling a student it may or may not live there. It's the university knowing that if it goes above 700 students in that area, there are some consequences which the university is going to have to deal with. The university knows about that ahead of time.

We have also proposed that there be at least a year's grace period, so that the university -- once that cap is reached, the university has additional time to plan and take action. We don't think we're talking about a constitutional issue.

MS. DWYER: The parking cap applies to the university campus, which is its own property. My

concern is what you're proposing applies to an area of the city, and it affects very much --

VICE CHAIRPERSON SOCKWELL: Ms. Dwyer, I realize --

MS. DWYER: Yes.

VICE CHAIRPERSON SOCKWELL: -- that we've gone over this question considerably and spent a lot of time on it. I don't think the answer is going to become more apparent, to your satisfaction. I think we should go to the next item. I think we are fully understanding what your position is on it, and I think the Office of Planning has attempted to answer the question based on the way they arrived at their conclusion. So I would prefer that you continue with the next question.

MS. DWYER: All right. I do have copies of the Zoning Commission order and the Corporation Counsel opinion, if it would be helpful to you --

VICE CHAIRPERSON SOCKWELL: If you'd like to submit that --

MS. DWYER: -- to file that in the record.

VICE CHAIRPERSON SOCKWELL: -- for the record, that would be fine.

MS. DWYER: All right. I will go ahead

and do that.

Just a couple more questions. In listening to the background that led up to your recommendation, this issue of owner-occupied housing seems very much to be a city initiative; whereas, I think the behavior of students is very much a university issue. And you've acknowledged that the university, through its off-campus program, has done a lot to address the issue of the behavior of its students.

Are there things that your office or the city is doing, or would do on its own, to help promote home ownership, rather than asking the university to do certain things? Are there other incentives or initiatives that you feel that your office or the city could be doing to assist in achieving that goal?

MS. McCARTHY: The city is very prepared to have further discussions, both with the university about that, but also we -- we have broached the issue in our negotiations with George Washington about using the programs that Fannie Mae already has in place, and what the university would like -- what the city would like to amplify or further support to promote employer-assisted housing, encouraging

university staff and faculty to purchase housing in the neighborhood and in other neighborhoods in the city that have vacant housing supply.

And we also -- the city is also in the process of putting together a housing policy, which it really hasn't had, to govern its housing efforts and the efforts that it will undertake with other institutions in the city to reach the city's housing targets. So we are very interested in working with the university on that.

MS. DWYER: And not just with the university, but with others within the city.

MS. McCARTHY: With other large -- yes, with other large institutions as well.

MS. DWYER: Can I ask whether you've spoken with any of the landlords or homeowners within this area who rent to students to determine whether they are supportive of this proposal, or whether they feel that this concept serves their interest?

One final question. In looking at your chart, without your most recent proposal, but just looking at without this restriction, in the year 2010, your chart shows that there would be 809 students projected to be living in zip code 20007. And under your proposal, you would suggest a cap of

700. So it's a difference of about 100 students.

If we assume that they live in group homes, and, let's say, five to a home, we're talking 20 homes out of this entire area. Do you know how many homes there are in zip code 20007, and what percentage, therefore, we're targeting with this proposal?

MS. McCARTHY: Well, I think, as I mentioned, these are enormous numbers -- enormous amount of number-crunching. And one of the neighborhoods we were particularly concerned about, because of the outside impact on it, was Burleith. We took the 700, and we worked backwards, assuming that the proportion of the people who are living -- portion of students living off campus in Burleith remained the same.

We took the 700 and worked backwards and concluded that we would have something around 20 percent of the housing stock within the Burleith neighborhood as rental housing, using the same number of students per house -- 4.5, which is in this -- based on Ms. Greenan's number -- is the number that applies now.

We figured 20 percent was about the maximum level that we were comfortable with before

the character of the neighborhood began to change back.

MS. DWYER: Have you done that same analysis of this larger area of the 20007 area?

MS. McCARTHY: We looked at what the implications were in some of the other neighborhoods within that area. We've certainly looked at West Georgetown, Glover Park. We looked at the ones that were most adversely affected.

MS. DWYER: And, finally, looking at your page 6, where you talk about the several options available to the university, I'm assuming that these are alternative options, that the university could do any one of the items that you've listed on page 6?

MR. FONDERSMITH: Yes.

MS. DWYER: And if for any reason it was determined that the second item, which is requiring students to live in areas outside of 20007, was found to be -- present legal issues and had to be taken out, do you think that the other three are alternatives that would achieve the same goals?

MR. FONDERSMITH: I think there's a nuance here. You keep saying require students. What we're saying is what steps the university could take, in effect, to encourage and provide housing for

students.

MS. DWYER: Right.

MR. FONDERSMITH: I mean, for example, obviously, building the Southwest Quad, the university -- we all assume that will be occupied.

MS. DWYER: Right. And your second point or your third point is providing incentives for students. And, again, that's something proactive as opposed to prohibitory.

MR. FONDERSMITH: That's right.

MS. DWYER: Okay. All right. Thank you.

VICE CHAIRPERSON SOCKWELL: Just a second.

At this time, we have someone in the audience who has a small child that we were going to take out of turn, if she's still here.

Well, if she returns, maybe she had to step away.

Then we would take parties in opposition to cross examine.

You've all been sworn in at this time?

(Several indicate they have been sworn.)

VICE CHAIRPERSON SOCKWELL: And if you would, if any questions are asked by one that were going to be asked by another, we'd appreciate non-

repetitious questioning. Thank you.

I like to start from left to right, right to left.

MR. CROCKETT: Good morning. Thank you. Don Crockett for the Georgetown Residents Alliance.

Mr. Fondersmith, I'd like to ask you whether in making these recommendations you kept in mind the commitments made by the university in the 1990 plan, which essentially was to move forward so as to house 100 percent of its undergraduate students on campus by 1997, and the concomitant requirement that the Board placed upon the university limiting the number of enrollments for each new bed that was -- each new bed that was created. Did you have that in mind in making your recommendation?

MR. FONDERSMITH: As you know, there are various interpretations of that, and that's -- that's been gone over some time, both in the university committee meetings and at the first hearing.

I think the important thing for us is we're coming at a -- we're kind of coming at a different point. We're coming where there's going to be a major change because of the Southwest Quad. We do think that it's very important that whatever the Board decides on this that, you know, it be very

clear in the order.

So we won't -- so hopefully there will not be, at a future time, these different interpretations of the past. I mean, essentially, we are -- you know, we are dealing with the present and looking ahead.

MR. CROCKETT: Well, Mr. Fondersmith, you know, I can't really accept your statement that the Board was at all unclear in 1990 about what it wanted to happen, because paragraph 66(b) of that order -- it states that, "To further ensure there will be no adverse impacts, the Board incorporates, as a condition of its order, a limitation on enrollment, so that by the year of 1997 the university will be providing beds on campus for essentially 100 percent of those undergraduate students requiring housing."

Now, to me, that is very clear. What's vague about it?

MR. FONDERSMITH: Well, I -- again, I think we just have to say that, I mean, we've gone -- gone around about this, that the business of the cogen, and so on, which is another section there, there are just various interpretations of what has happened. And, you know, we can't go back to deal with them.

MR. CROCKETT: Well, assuming we can't go back, and that's very true -- I mean, we have to go forward --

MR. FONDERSMITH: Right.

MR. CROCKETT: -- but assuming that the Board found -- and I think it did -- that it was necessary to house most of the students, 100 percent of the graduate students on campus, in order to alleviate the adverse impacts --

MR. FONDERSMITH: The undergraduate.

MR. CROCKETT: The undergraduates. What is it today that now makes that impossible? It was possible in 1990, and the Board ordered that it go forward. And now Office of Planning is suggesting that the residents accept the figure of 809 undergraduate students in their neighborhoods in group houses by 2010. What has changed?

MR. FONDERSMITH: Actually, we are -- that's the statistical percentage, "what if" happened. Our suggestion is the 700 number.

MR. CROCKETT: Well, let's just take 700. It's an acknowledged adverse impact. What in the law, or what in practicality, makes it necessary for the residents to endure that type of impact, rather than what the solution was in 1990, which was to

house 100 percent on campus?

MR. FONDERSMITH: Well, I think I can only repeat what I've said, that with the Southwest Quad we have an opportunity, and we have an opportunity both because of that -- students being drawn out of the community -- and at the same time, which is kind of a lucky situation, a very strong real estate market.

Now, whether that's going to be as strong and as significant as the university, in effect, projects we don't need, we don't know. But we have a situation where there is an opportunity, both for the university, of course, to advance, and for the community, in terms of home ownership, to change.

And we're trying to find a way to make those things possible. As Ms. McCarthy said, we want to see great neighborhoods and a great university.

MR. CROCKETT: You know, I understand the -- the Quadrangle -- the Southwest Quadrangle is going to be built. There are going to be 780 beds. And that is going to take 780 people, theoretically, out of the neighborhoods, which is all well and good, and we applaud that. That's not the question I'm asking.

The question is: why -- once that's done

and we get those students out of the neighborhood, doesn't the Board -- doesn't the Office of Planning and the Board continue the requirement in its 1990 order that enrollment will be limited, that any additional enrollment of undergraduates will be limited to new beds on campus, and that once the students are out the university will not be allowed to put them back in? And that's what has happened here. You take them out, and then you put them back in. Why are we allowing the university to do that?

MR. FONDERSMITH: Well, obviously, exactly what we've said, that with the Southwest Quad opening there is going to be a major improvement in the neighborhood, at least if you count that in terms of students living in the community.

We did this projection. The university has a lower, about 100 lower number. We were seeking a formula, if you will, and it came out to be a little simpler, that provides some flexibility to the university but also says that if enrollment is heading up again, in this area -- and it may not, but if it is -- enrollment in terms of students living in the area, 20007 -- then there should be a limit, and the university should look elsewhere.

There's some flexibility there. You want

-- I mean, you're saying, if I understand what you're saying, you're saying draw a line somewhere. There is a more flexible way to do it.

MR. CROCKETT: I have no further questions. I'll pass to Ms. Zartman.

VICE CHAIRPERSON SOCKWELL: All right. Ms. Zartman, I'm going to ask that -- the young lady in the hallway has returned -- if she can be brought in so that we can take her. I'd appreciate that. Thank you.

MS. ZARTMAN: Of course.

MS. DWIGGINS: I will be very brief. As you are --

VICE CHAIRPERSON SOCKWELL: Turn on your microphone right there.

MS. DWIGGINS: Right here?

VICE CHAIRPERSON SOCKWELL: Yes. Just push the button in the middle.

MS. DWIGGINS: I will be very brief.

VICE CHAIRPERSON SOCKWELL: You've been sworn in?

MS. DWIGGINS: Yes. I was here.

VICE CHAIRPERSON SOCKWELL: Give your name and address, please.

MS. DWIGGINS: Hollin Dwiggins, 3413

Prospect Street, N.W.

VICE CHAIRPERSON SOCKWELL: Thank you.

MS. DWIGGINS: Dear Board Members, we are writing to express our opposition to the Georgetown University campus plan. As residents and homeowners for two years in Georgetown, we have consistently been witness to the late-night noise and excessive drinking by Georgetown University students. Most of these problems are caused by students living off campus in student group housing and rental units.

We've had to call the police on two occasions because of late-night parties. There have been other occasions when we probably should have called the police. The posted Quiet Zone signs have made no difference in student conduct.

Students also utilize a disproportionate number of parking spaces due to the number of cars per student group house and rental unit. The noise, parking, and traffic problems are dramatically reduced in the summer months when the student population is at a minimum. When Georgetown University shuts down for holidays, there is abundant parking and peace and quiet.

Based on these real-world problems, we can in no way support the university's plan to

increase the overall number of students and require more off-campus student housing. The university's claims of financial difficulties due to the current student cap are unfounded and illogical.

More students will require more facilities. More funding for the university can be found from other traditional sources. We are sure that Georgetown University will not shut down due to the current student cap. Georgetown University has not lived up to its promise in its 1990 campus plan to house all undergraduates by the year 2000.

As residents, why should we believe that Georgetown will live up to this proposed plan? They also attempted to develop the Wormley School property, in violation of the agreement they made with the ANC. Georgetown University's word does not mean much to residents.

The university's claim that other universities have more off-campus students also rings hollow. We want Georgetown to be an example of the right way to house students and to work with the residents in a proactive partnership.

No more students if Georgetown University cannot house them on campus.

VICE CHAIRPERSON SOCKWELL: Thank you.

Does anyone wish to cross examine this witness?

(Laughter.)

(No cross examination signalled.)

VICE CHAIRPERSON SOCKWELL: Or her little one?

(Laughter.)

I assume that her noises were in support of Mom.

(Laughter.)

Okay. Let us return. Ms. Zartman, back to you, please.

MS. ZARTMAN: Thank you. My name is Barbara Zartman, and I live at 1642 35th Street. I'm a commissioner for ANC-2E-04, as well as an officer of several associations.

I've got a series of questions in different areas for either Ellen or John, forgive the informality.

One deals with the financial impact of student housing. As I understand Mr. Bolan's testimony, every student house, every group house, constitutes a cost to the city in revenues of three-quarters of a million dollars for every campus -- part of the campus plan cycle.

Over the last campus plan, every student house cost the city -- no, $74,000 over the course of the decade. So every 10 is three-quarters of a million dollars. Was that a factor that entered into Office of Planning priority setting of community planning?

MS. McCARTHY: I think that's what I tried to say in my overview, that that was one of the city's interests in terms of its position with regard to this matter.

MS. ZARTMAN: And that did not lead to any, other than the broad conclusions about maxing out undergraduate housing at 700 students?

MS. McCARTHY: Right. That's why we felt that we couldn't simply go along with the university's proposal to -- that the issue would be dealt with by market forces. That we wanted to include some fallback percentage to make sure that there was not -- that there was some sort of cap set on how much the number of students living in group homes outside the university would increase.

MS. ZARTMAN: A related area deals with the graduate students, generally dealt with in our discussion so far as less problematic than undergraduates, but, nonetheless, where there are

group homes there are group homes, and they don't meet the criteria.

The university data, as I understand it, has been relied on on its face. It simply says how many Georgetown University graduate students are living in a household. There is no data that we've seen that indicates whether they might be living with graduate students from other institutions, fellow Georgetown University graduates who have gone on to graduate programs at AU or one of the other fine institutions. Do you have any data that truly assesses the impact of those graduate students' residences?

MR. FONDERSMITH: We don't per se. We certainly recognize -- I mean, you know, one of the things that we're dealing with here, after all, is a -- we are a city, and a lot of diversity and people choose to live in different places. So we think that in most terms here we're talking about the impact of Georgetown University students.

But we certainly recognize that there could be students from other universities living there. In some cases, it could be combinations of recent graduates, and so on. So it's not -- I mean, we don't look at it -- I mean, we understand that

it's not always just that simple, but we don't have a further statistical recommendation.

MS. ZARTMAN: I was just looking for a basis on which we can quantify how many such homes there are likely to be. One set of analyses that we saw during the course of the campus plan meetings was that at some point as many as 50 percent of the graduate students lived in zip code 20007.

With a proposal on the table to increase graduate students by 50 percent -- 1,300 additional graduate students -- any pattern to that, in that order of magnitude, would have to be assessed very carefully, would it not?

MR. FONDERSMITH: Well, we were certainly concerned about potential movements of graduate students. There is, however -- and, again, this is based on information from the university.

But when we finally got into it -- and this is in our June 12th report -- that the 1,284, which is a -- maybe more of a holding number than a projection per se -- but assuming that that happened, then, in fact, when you break it down in terms of the impact on zip code 20007, that it would -- and you go through -- it would mean an additional 240 graduate students in zip code 20007.

But assuming the same percentages hold now, over 70 percent of that total would be in one- or two-person households. In other words, there's not a large group home impact. That's not to say that there aren't any.

There's the -- I guess not too peculiar a situation, but there is a somewhat different situation, which I guess we'll hear more about later, of medical students who graduate -- the students are living in the Foxhall area, because that's close to the medical campus.

MS. ZARTMAN: Returning briefly, but in a different angle, to the issue of the on-campus commitment for undergraduates, at the time the last -- the current campus plan was adopted, the school was meeting the on-campus housing needs of 84 percent of its enrolled students. The BZA, at that time, did find that the 16 percent, therefore, housed in the community was a burden and needed to be relieved.

We are now down, as I understand it, to 77 percent of the student body being housed on campus. And the highest level proposed to be attained under the life of the new plan is 84 percent, once again, which seems to have taken 20 years to return to the same percentage level of a

larger number.

It is hard for the community to see this as progress, but it is presented as such in the Office of Planning report. Is there a reversal of District policy or Office of Planning policy? Are you recommending a change to the BZA in how they assess impact of student housing in a community?

MR. FONDERSMITH: We have -- I think the only thing we can say is that we have tried to work through it, to see that that -- that change that develops in 2003, which is very -- you know, which is very favorable, and then to allow some flexibility in but not too much, so if it starts to go up again, the university would have to take some action.

MS. ZARTMAN: I don't know that it's perceived readily what -- the great sucking sound that has been alluded to. The new dormitory is for sophomores. Sophomores cannot live in the community. Therefore, not one occupant of Southwest Quad will come from the community. There will be no migration from neighborhood homes to the campus to fill up Southwest Quad.

None of the students living off campus at the time Southwest Quad opens can be compelled to live back on campus. Juniors and seniors are allowed

their final year -- and I imagine very few opt to live back on campus for their senior year. So the impact of the opening of Southwest Quad certainly will not be one that will be measured in a whooshing sound of moving vans coming onto campus.

Is it reasonable to expect that we're going to see those changes quickly? Have we measured what the impact is? Because it has been our experience when a housing market rises, the only thing that changes is the number of group home residents. Instead of five or six, you have six or seven, or seven or eight.

If a house rental goes from $3,000 to $4,000 a month, you add two more $500 a month renters, and you cover your cost. It's one of the faults that I think many of us found with Mr. Bolan's analysis at the last hearing. It simply does not match the experience we've had.

When the market was tight, when expensive properties had to be rented, you saw eight people living in a house. And there's nothing to preclude that from being the way in which a tight market still is able to accommodate increasing numbers of students wanting to live off campus. And I don't think the formulas we've seen offer significant hope to the

community for rectifying that.

MS. McCARTHY: Are you suggesting that the university will build Southwest Quad and it -- the rooms will be empty, that people will not move from off campus onto on campus?

MS. ZARTMAN: Not if they're going to increase the number of enrollment each year before and after Southwest Quad is opened. I mean, in essence, the university proposes by the end of this proposed plan to have 500 more undergraduates than it has today. The Southwest Quad only holds 780 students.

MEMBER MOULDEN: Ms. Zartman, I think you're testifying. Just limit yourself to asking questions.

MS. ZARTMAN: I think my inquiry may have felt that way. However, I thought Ms. Dwyer was allowed to do it with such impunity that I thought I would try to imitate her form.

A very specific question that is not testimony -- the noise policy that is alluded to in the plan says that there will be no amplified noise after 11:00 at night. Why is the university allowed to amplify noise until 11:00 at night in open space?

MR. FONDERSMITH: I think that's

something we may have to look at more than we have. Just going through some of the letters that have come in, obviously, the amplification issue comes up as a -- I don't know if it's a major -- you could say it's a major issue, but it was noted in the number that --

MS. ZARTMAN: That's the standard the community asks the large land users adhere to, whether it's Tudor Place or Visitation or any of the large facilities.

The last question is simply an inquiry. Is there a reason why the zoning question that we addressed to the Zoning Administrator's office was not included in the original Office of Planning report?

MS. McCARTHY: I don't think that we had fully appreciated the issue, as you developed it and raised it further. We had made the mistake of thinking of it as an issue that had been decided by the Board with regard to the George Washington University Hospital case, and didn't really fully appreciate the nuances that your letter showed about what's a matter of right within that zone and what wasn't.

And it was at that point that, you know, we contacted the Zoning Administrator and said to him

that that did sound like a new wrinkle that we had not worked out at this point.

MS. ZARTMAN: Thank you.

MS. McCARTHY: So you caught us.

MR. JOHNSON: I would also like to add, Ms. Zartman, that I, as the Zoning Administrator, representing the office, we do appreciate that information and we look -- we will discuss it and bring the issue to the attention of the Board. And the Board, as you well know, decided to leave the record open to give us an opportunity to review those issues, and we will get back with you very promptly.

MS. ZARTMAN: Thank you.

MR. JOHNSON: Thank you.

MS. ZARTMAN: I have no further questions.

VICE CHAIRPERSON SOCKWELL: Thank you.

MS. ZARTMAN: Or testimony.

MS. SCOLARO: My name is Patricia Scolaro, and I am President of the Burleith Citizens Association, and I'm here representing the Burleith community. And much has been said about Burleith in the Office of Planning testimony.

I just have a few questions. Between Ms. Dwyer and Ms. Zartman and Mr. Crockett, most of the

questions have been answered.

But, Mr. Fondersmith, you did testify that all of the figures that you used as it relates to graduate and undergraduate students came from the university. Is that correct? You said you got that -- those from the university?

MR. FONDERSMITH: Well, we got the numbers from the university. We --

MS. SCOLARO: My -- you're not on record, Mr. Fondersmith.

MR. FONDERSMITH: I'm sorry. We got the basic numbers from the university. We've looked at them. And the interpolation, so to speak, which is just -- you know, it's just straight arithmetic, the 84 percent. And, incidentally, let me just make sure that it's just a coincidence that you've got two 84 percents on there. They don't necessarily --

MS. SCOLARO: No, I --

MR. FONDERSMITH: -- the university doesn't necessarily agree with that number, although I think they recognize it's --

MS. SCOLARO: No, I understand that. But you started with the university enrollment figures. Let me put it that way.

MR. FONDERSMITH: That's right.

MS. McCARTHY: Well, yes -- no, but I -- we should add, though, that as you know, because you were part of the negotiation, in the course of that negotiation we received a great deal of information from the community, including some numbers from the community, and the Office of Planning has quite an extensive file between the overlay and other issues over the years about -- you know, from Burleith and other neighborhoods. And we definitely reviewed those numbers as well.

MS. SCOLARO: And then, also, you said that you used Mr. Bolan's figures and testimony when you began to speak about real estate values and what was going to happen. Because I'm leading up to a question -- but in both of those instances you used information provided by the university.

I'm curious to know, in the university's plan, there are a lot of figures, there's a lot of data, there's a lot of material in here. And I wonder if the Office of Planning made any attempt to verify the accuracy of this information, whether any audits were made, whether any surveys were taken on any of the data to ensure its accuracy.

MS. McCARTHY: You know, one of the things that's very frustrating in all of the campus

plan cases is there are just no independent sources of information. Once we get the 1990 Census data, we'll have a great deal more information in terms of numbers of people per housing units and that sort of thing, and it's going to be just a short period of time.

And it's so frustrating to know it would be available just within the next year, so --

MS. SCOLARO: What you're talking about, does the Census data include information on square footage of classroom space, of other buildings on campus? Would that be included?

MS. McCARTHY: No.

MS. SCOLARO: So what you have relied on in all of your -- in your final summary or survey or response is you relied heavily on university data. That's all I'm asking.

MR. FONDERSMITH: Yes.

MS. SCOLARO: Okay. Now, I have some other questions, and this has to do with some of the recommendations that you made in your plan. And you talked about, on the monitoring, who would you see that is responsible to monitor the university and the community and what's happening in the community as far as impact is concerned, as far as property

values? What thought has been given to that? Who would do it, what the standards would be, and who determines what an acceptable level would be?

MS. McCARTHY: I think our feeling was that we definitely -- that that was something that we definitely would want to convene a task force of the community and the university and work out an enforcement mechanism and a monitoring mechanism, try to see if we could get agreement on how that -- on the numbers and how that would take place.

MR. JOHNSON: If I may also add, in one sense, the Code prescribes, at least from the enforcement of the BZA orders, the Board's order, it is the Zoning Administrator's office. So I would anticipate that my office would play some role in that.

MS. SCOLARO: Okay. Thank you.

Everyone talks about 84 percent as if it's a manageable number. Only 16 percent of the students will be living off campus. Why is that considered an accurate measure of community impact-- that 16 percent is no problem?

MS. McCARTHY: I don't think we were saying 16 percent was no problem, and it's -- the 16 percent number is actually what percentage of

students who are living off campus live outside 20007, you know. And, as we know, 20007 is -- I'm sorry, you're talking about the other 84 percent number, the percentage housed on campus.

We know -- the university has argued, and they are certainly correct, at least to some extent -- and it's just not clear to what extent -- that a portion of the number of undergraduates housed off campus are, to a certain extent, beneficial to the community to the extent that people in houses around the university rent out a basement apartment or a room to a university student and depend on that income for -- you know, for rent, whatever.

And there are within Glover Park, which is within the 20007 zip code, there are apartment buildings and university students can be perfectly reasonable, perfectly acceptable tenants, in those apartments. The tough part is finding a balance between what percentage can live off campus without adverse impact and what brings about an adverse impact.

And we've tried to come up with a number. You know, we talked about some of the numbers that we crunched to try to close in on that, but it's -- you know, I certainly would be the first to -- the

last to say that we've reached the perfect number, and 700 students, absolutely there will be no adverse impact.

MS. SCOLARO: And the 16 percent --

MS. McCARTHY: Sixteen percent would be perfect ladies and gentlemen. Yes.

MS. SCOLARO: Okay. Ms. McCarthy, when you started your testimony, your presentation, you used words like, "There has been a dramatic change in the communities. There have been major strides in controlling student impact in the community since 1990." How did you measure that? I would like to know.

I'm a resident of Burleith, and I would like to know that I'm living in this, you know, almost utopia as you presented it.

MS. McCARTHY: I didn't say it was almost utopia. I just said it was a dramatic improvement.

MS. SCOLARO: Under what measure?

MS. McCARTHY: Well --

MS. SCOLARO: What specifically -- you can talk dollars and cents easily when you're talking about property value. Now we're talking about behavior, we're talking about impact. I would like to hear some specifics on what has happened and who

is responsible for what has happened in the last 10 years to make that happen.

MS. McCARTHY: Well, I mean, I --

MS. SCOLARO: As a president of a citizens association, no one consulted me officially on how I view what has happened in my community. And I realize that's giving testimony. But have other people in the community been asked for their opinion or to give some valid information on the change in behavior?

MS. McCARTHY: Well, I mean, I think some of it is feedback which the Office of Planning had gotten through its participation in their quarterly meetings. I would certainly say, as the person who drafted the overlay many years ago, that the level of complaints that we have heard at the university -- at the Office of Planning, in the course of putting this together, about the university -- before there was a lot of complaints about the university not acting, ignoring complaints, having no mechanism for people to call upon, having no disciplinary procedures in place, having no alcohol policies. And that has definitely changed.

It certainly, as you can see, as we can all see, from the volume of letters that are in the

file, it certainly has not solved the problem. But compared to where the university was in 1990, which was the point that I was making, there has been a dramatic improvement in terms of mechanisms in place to try to deal with those adverse impacts.

MS. SCOLARO: So the mechanisms are there, but we cannot be absolutely sure that the behavior has changed.

I guess the last question I have -- and this has been asked -- what is an acceptable level of community disruption? What are we, as residents and taxpayers, expected to endure from 16 percent of the university students living off campus? Or the closeness of the university, actually, the negative impact of the university in the residential area. What is the level of impact we are expected to accept?

MS. McCARTHY: Fortunately, I am not a Board member, and so, in the end, you know, it's a call that the Board is going to have to make.

MS. SCOLARO: But --

MS. McCARTHY: But, I mean, I -- I mean, I take your question very seriously, and it's why we have devoted hours and hours and hours and hours of staff time to this case, because we are trying to

balance, on the one hand, the university as a major asset to the community and to the city as a whole and its needs versus the undeniable needs of people in the community, who enjoy their community, who enjoy their peace and quiet, to have their property values depend on their own investment and their own actions and not be adversely affected by --

MS. SCOLARO: But no one can define adverse effect. Is that what you're saying?

MS. McCARTHY: Yes.

MS. SCOLARO: Okay. I'm sorry. I just have one more question, and it is I guess a financial question. Also, in Mr. Bolan's report, he proceeded to say how much revenue the community -- the city would get as these houses became -- supposedly these houses became owner-occupied.

Has any consideration been given to the dollars that have lost -- that the city has lost because these have been rental properties all this year? And I have taken a survey, and we can identify any number of people where the income from these houses leaves the District of Columbia.

So I would say that could easily outweigh what Mr. Bolan has testified in terms of revenue for the city. Last question. I'm done.

MS. McCARTHY: We could certainly say, in reviewing the property ownership records of some of those houses where -- because we were attempting to see how many were owned by one and two -- I mean, there are several that are owned by the same individual, and, in some instances, not individuals that live in the community. So I certainly support the fact that they are not all owned by D.C. residents.

Is there something you wanted to add?

MR. FONDERSMITH: Well, I'd just say the -- it's part of the city's history over the last decade or so that our -- our big revenue loss is that we have as a city not -- broader than just this area, 20007 or something, but as a city we have lost, you know, many thousands of residents for various reasons.

And I think the important thing is that we are -- now the city is at a point where the perception of the city, and all parts of the city, is turning around. There's certainly some revenue -- it appears that there are some revenue gains that can be done here.

Remember -- and, of course, as you very well know, it's not just revenue gains, it's the

whole civic life of community and the mix. Probably in other parts -- in other parts of the city there are opportunities for major -- I mean, you can't kind of separate entirely what happens here from some other city-wide things.

MS. SCOLARO: Philosophically, perhaps you can't. But as the residents, we can and do.

VICE CHAIRPERSON SOCKWELL: All right. Thank you.

Next? Identify yourself, please.

MR. RIXEY: I am Douglas Rixey. I'm a member of the Citizens Association of Georgetown.

The questions I have are from the advisory report we just got today, so they may not be as well organized as I would like.

Just as a sort of background, and sort of a check on where we stand in this process, there seems to be an underlying assumption that the existing condition is acceptable, and the existing condition, that is, of the university's impact on the community is acceptable. And all we're really concerned with are future impacts that may be -- may be, as you've said in your report -- unacceptable. Does your --

MS. McCARTHY: I don't think we ever said

that in our report.

MR. RIXEY: Well, you have -- you use the word "probably," "possibly," "maybe," that sort of thing. Does the Office of Planning understand that the communities contend that the university already has an unacceptable adverse impact on the communities?

MS. McCARTHY: Yes.

MR. RIXEY: Does the Office of Planning agree that the university already has an unacceptable adverse impact on the community?

MS. McCARTHY: Unacceptable is a pretty loaded --

MR. RIXEY: Well, my understanding of this proceeding is for the applicant to prove that they have no adverse impact on the community, and that's the basis under which they're allowed to come into an R-3 zone. No adverse impact.

Does the Office of Planning agree that the university has no adverse impact upon the community?

MS. McCARTHY: No, I think the -- I think the Office of Planning would agree that there -- that the university has positive impacts, that the university has adverse impacts.

MR. RIXEY: Could you tell me what the positive impacts are that the university has on the immediate community surrounding it? There's been a lot of discussion in the applicant's submission, talking about all of the great things they do for the city, which I'm sure are true. Could you tell me what they do for the immediate community that's positive?

MS. McCARTHY: The university, in its payroll, in its students, provides patrons for the businesses in the community that provides a range of goods and services that otherwise might not be available to residents of the community.

The university students provide people on the street at night, a level of safety which may not be there. Admittedly, those people on the street at night also provide some adverse impacts that might otherwise not be there. But, I mean, I think the university has given a pretty long list of what they see as benefits of the university to the community, and, you know, I could --

MR. RIXEY: Are economic considerations typically grounds for granting special exceptions? Are economic needs or benefits a basis for requesting a special exception?

MS. McCARTHY: I'm not sure I understand your question.

MR. RIXEY: Well, for instance, the university said they need more students to generate more revenue. Are financial need or financial impacts bases for being granted a special exception? I know that they're not supposed to be considered as part of a variance. I didn't know if procedurally they were part of a special exception or not.

MS. McCARTHY: Unlike in a variance where one would have to show that strict application of the zoning regulations would cause an undue hardship, of which economic considerations can be part, that's not something that the university needs to prove in requesting a special exception. It's whether there would be an objectionable adverse impact on noise, numbers of students, traffic, and so on.

MR. RIXEY: Okay. Regarding what I think is pretty well established now as the fallacy of the benefit of the Southwest Quad, when specifically in 2003 do you expect that to come online?

MS. McCARTHY: I believe the latest estimate we got the university was fall of 2003.

MR. RIXEY: So that would be approximately three years from now?

MR. FONDERSMITH: Yes.

MR. RIXEY: Is there any reason to really believe Mr. Bolan's projection, who I believe is primarily a commercial and institutional real estate value analyst, not a residential one? Is there any real reason to believe that anyone can anticipate three years from now what the housing market or economic market in this part of D.C. will be?

I mean, is it realistic to assume all of these arguments that the market is going to be so great three years from now that no one can afford to continue to rent houses, and they'll sell them and it will be fantastic because they will all be single-family housing again?

MS. McCARTHY: Well, I think that's why our report talked about three different scenarios -- high impact or low impact -- and said, on the one hand, the market may stay strong, in which case, you know, there are these possible consequences; on the other hand, the market might not, and that's the down side, and that's why we felt there was the need to put some minimum number of students in there.

MR. RIXEY: Okay. If putting a cap on the number of undergraduates living in the community is a reasonable method of controlling impacts, why

couldn't we also have a cap on the number of graduate students living in the community?

MS. McCARTHY: Well, I think John could better answer that.

MR. FONDERSMITH: Yes. We tried to -- I mean, in a theoretical sense, of course, you could. But you -- I think there is general acceptance of a greater level of maturity, the different living pattern from graduate students. Obviously, not necessarily 100 percent, but that it's a different -- it tends to be a different issue.

We're still concerned about the increase in graduate students indicated -- as I indicated in further discussions with the university -- this was back before, because it's in the first report -- when you work through those numbers, the likely impact of graduate students in 20007 is considerably smaller than what might be seen from just the total number. Not to say that there couldn't still be some, but we focused on the undergraduate.

MR. RIXEY: Well, referring back to Ms. Scolaro's question about how one measures impact, what do you base this determination on? If there is no measure of impact of graduate students, how do we then assume that they don't have a negative impact?

I won't even ask you to answer that.

Just to move on to your page 7 regarding monitoring and reporting. It speaks to the question I just asked you. If it's valid now to require increased monitoring and reporting to determine impacts and control impacts, rather than wait until after this is approved and we have 10 years of living with the impacts, why aren't these monitoring processes put in effect now and a baseline established before the plan is approved, so we have something to measure it against, rather than spending the next 10 years arguing about what the bases are for measuring impact, or the next plan.

MR. FONDERSMITH: Well, if you go back to the first report, we said that in effect. Let me see if I can --

MR. RIXEY: So is the Office of Planning recommending denial of this plan until those measurement impacts are put into effect?

MR. FONDERSMITH: No. We're saying that there needs to be established on a regular basis some more regular reporting of different measurements, dealing with enrollment and housing and with transportation --

MR. RIXEY: And when --

MR. FONDERSMITH: -- under the timeline.

MR. RIXEY: When would that be established?

MR. FONDERSMITH: I think we would hope that it would be established in the near future. I mean, we outline some -- I mean, there are some obvious things that would be tracked that we mention in there. We don't want to make it an overly complicated process.

The current community university -- community meetings, the so-called quarterly meetings, are intended to provide, as you well know, a group of community people and the university staff that -- you know, that are knowledgeable about what's going on -- the community people living in the community, and university staff dealing with issues that come up, and the numbers, and so on. We are simply saying that the measurements of these things need to be systemized a little bit more.

MR. RIXEY: Yes, we agree with you. My question is, why that couldn't be implemented before the approval of this plan rather than after it.

MS. McCARTHY: As you know, that was one of the issues we really wanted to get to in the mediation. And it just was not successful in getting

there.

MR. RIXEY: My answer to that would be there really wasn't enough time, was there?

MR. JOHNSON: Excuse me.

MR. RIXEY: All right.

MR. JOHNSON: There's something I need to add. As you probably know, there has been -- the city has been without a Zoning Administrator for several years. One of the things that I've seen as the new Zoning Administrator is, to some degree -- well, there's been a lack of enforcement in many areas throughout the city.

I clearly identified that -- one of the things that we have done in terms of building what I believe a better collaborative spirit is that my office meets with the Office of Planning and the Office of Zoning on a regular basis. We discuss issues.

But even furthermore, and more importantly I'd like to share with you, is that I personally have attended several of the Georgetown meetings earlier on. I have not had my finger on the pulse of late. But I, again, do anticipate, and would expect, that my office would play a role in that early on, because ultimately I feel that we're

going to be charged with the enforcement of it, should it become necessary. And rather than playing catch up, I'd like to be on the beginning end of that.

So I guess I'm saying that we would like to play a role in that, and so we can expect that.

MR. RIXEY: On page 8 of your current -- your revised report, there's a clarification about no proposed changes to the east campus, and then it mentions that there is a proposed change to the east campus. Are you aware, or is it relevant, that during the course of the current plan the university increased their site area beyond what had been approved in the previous plan, in the previous order, or the current standing order I guess I should say? By the purchase of the two townhouses on Prospect Street?

MR. FONDERSMITH: I can't say that we -- I don't think there was any change in the campus plan boundary, or --

MR. RIXEY: No, it wasn't a change in the boundary. It was a change in the approved square footage of campus area. Appendix B of the proposed building summary, that is -- granted, it's small enough, it's 2,325 square feet that was added between

'89 and '99. But apparently, without any sort of public review, and then presumably added into their gross lot area for FAR calculations.

And I was just curious -- I mean, they've got it in their own submission. I'm just curious what it means. It seems to say they were approved out to a certain amount. It seems to say that they increased that amount without approval, and no one has flagged it. It's not -- it doesn't seem to be an issue. Am I missing something?

MR. JOHNSON: My colleague asked if I wanted to really comment on that, and I told her no, not really.

(Laughter.)

But I would say that, as I've said before, I think ultimately, or at least largely, enforcement is going to -- is ultimately going to be the responsibility of my office.

MR. RIXEY: Right.

MR. JOHNSON: And let me be real clear. I don't want to stress the enforcement. For those of you that haven't worked with me, who haven't had the opportunity to do that as yet, but I generally like to -- to work in a spirit of cooperation, realizing that I do have the authority to ultimately take

enforcement action. So although we did play a role, at this point -- up to this point, we will be --

MR. RIXEY: Well, along with the -- my concern about the underlying assumption that the university has been a negative impact, I think there has also been an assumption that this process has just been really positive, and the university has been extremely cooperative and answered all of our questions, and bent over backwards to respond to community concerns.

Well, in response to that, amongst many other things, some of which will be covered in testimony, I would ask if the Office of Planning had the opportunity to check the university's FAR calculations and their certification that they're in compliance with the requirements.

And, as a follow up to that, would you find it unreasonable -- or can you -- does it seem unreasonable to you that the university won't share that information with the community?

MS. McCARTHY: In answer to your first question, that is an issue that we pretty much leave to the Zoning Administrator, the FAR calculations, because they're the experts in FAR calculations.

MR. JOHNSON: But in response to your

followup question about do we find that unreasonable, I think was what you said, that the university would not provide that information, I've heard that and I'd like to believe that I think at least my office has a good working relationship with the university at this point. That information has not been provided. I think it's safe to say that we can get that information.

MR. RIXEY: Thank you.

Just one last --

MS. DWYER: Mr. Chairman?

MR. RIXEY: -- group of questions.

MS. DWYER: Mr. Chairman, could I just respond?

MR. RIXEY: Pardon me.

MS. DWYER: Your questions raise -- about whether or not the university has provided information, and it has been provided in the record.

VICE CHAIRPERSON SOCKWELL: Well, that's -- I think that can possibly be answered later. But the question was raised to the Office of Planning and was answered by both the Office of Planning and the Zoning Administrator, who would be the persons to receive such information.

MS. DWYER: Right. I just wanted to note

that it was filed in the record of this case, and that it was filed on July 13th, the very answers, with copies to the Office of Planning. So it is in the record.

VICE CHAIRPERSON SOCKWELL: Okay. Sounds good.

MR. RIXEY: Well, as a follow up to that clarification, is your office -- are any of your offices aware of the data in that followup clarification?

MR. JOHNSON: While they're checking that, speaking for the Zoning Administrator's office, no.

MR. RIXEY: Well, when you do get an opportunity to look at it, I would appreciate it if you would tell me whether what she contends is the answer to my question is, in fact, in answer to the question.

We have asked for all of the square footages, lot area, and building area, and I believe I saw their clarification of --

VICE CHAIRPERSON SOCKWELL: Mr. Rixey, that might be considered to be testimony.

MR. RIXEY: Would you please let us know, when you have an opportunity to review that, if it,

in fact, discloses all of the lot and building areas?

The last question I have is regarding this can of worms about how many beds there are on campus, and how many undergraduate students are housed. In Table 1, there are a certain number of students culled out as being -- a certain number of students being culled out as undergraduate students of a certain type.

MR. FONDERSMITH: The traditional undergraduate student.

MR. RIXEY: Right. And there are certain numbers of what have been referred to as beds on campus that these students -- some of these students are housed in. First of all, can you tell me how many of the townhouses the university owns off campus, how many of the beds in those townhouses are included in the on-campus bed number?

MR. FONDERSMITH: Our understanding, and, of course, we -- when we developed this, was that those were beds on campus. We got -- we did get some information from the university, I believe just last week, that, in fact, I believe it's 100 -- 100 of those beds are in the townhouses that are in the same squares but are not "on campus."

MR. RIXEY: So as far as you know, there

are about 100 beds off campus that are being counted as on-campus beds, is that correct?

MR. FONDERSMITH: Well, let me see if I can find --

MR. RIXEY: I mean, we've only been working with the university for nine or 10 months on this, and we just found out that they actually are counting off-campus beds as on-campus beds. Does the Office of Planning see this as a credibility issue with the data provided to the Office of Planning by the university?

MR. FONDERSMITH: I think if we do enough campus plans, or maybe other kinds of plans, to learn that -- maybe to ask sooner about a variety of information, and try to array it so that everybody can look at it and understand it --

MR. RIXEY: I'm glad that's your job and not mine.

Assuming that we don't need to find the answer to that question, or that we won't be able to, is the Office of Planning aware of any other students at the university that are using on-campus housing that are not considered so-called full-time traditional undergraduates, that may be diminishing the actual number of on-campus beds that the

university is claiming?

MR. FONDERSMITH: We are not aware of any. In other words, you know that the undergraduate student number does not involve the so-called -- I mean, the whole -- there's about 2- or 300 students returning, veterans --

MR. RIXEY: But do you know that none of those other types of students are actually occupying on-campus housing?

MR. FONDERSMITH: Our understanding is that they are not occupying on-campus housing.

MR. RIXEY: And that's based on?

MR. FONDERSMITH: Well, that's based on Attachment H from the university.

MR. RIXEY: I see.

MR. FONDERSMITH: Well, could we ask the Office of Planning to confirm that, in fact, there are no other students occupying on-campus housing that are not in the category of traditional full-time undergraduates?

I mean, I don't know for a fact, because this is the sort of information we can't get from the university, but there is some understanding amongst some of the community groups that there are categories of students like tradition -- or English

as a Second Language students, as many as 400, that may be housed on campus in this housing that is supposed to be for full-time students.

I don't know if that's true or not. It's a question to the Office of Planning. Please confirm whether that is, in fact, the case.

VICE CHAIRPERSON SOCKWELL: Was that part of their testimony? That -- those things were included or --

MR. RIXEY: Well, their testimony addresses -- has a table that shows that there are a certain number of traditional full-time students, and there are a certain number of beds on campus. And the assumption has always been that those are the only students using those beds.

There is also an assumption that all of those beds are on campus. We've already established that assumption was not correct. I'm now questioning whether the other assumption is correct.

VICE CHAIRPERSON SOCKWELL: All right. So I guess the basic general assumption or question is whether or not the data provided to the Office of Planning is accurate for the conclusions that they've reached.

MR. RIXEY: Yes, sir.

VICE CHAIRPERSON SOCKWELL: Okay.

MR. RIXEY: And that was the only question I had. That was my last question. Thank you.

VICE CHAIRPERSON SOCKWELL: All right. I think this is a good time for us to break for lunch. We are 20 minutes past the prescribed break time, but I think that's normal. So I would suggest that we return at 1:15.

Just for those who didn't hear, he will not be available for the rest of the afternoon session, but will be in contact with the Office of Zoning for any questions that have been raised, etcetera.

(Whereupon, at 12:15 p.m., the proceedings in the foregoing matter went off the record for a lunch break.)

A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

(1:26 p.m.)

CHAIRPERSON REID: We will now resume the afternoon session for the application for the special exception -- well, for the campus plan for Georgetown University.

It has been brought to my attention that there are three students who are here that have to leave, and they have requested to be taken out of order. They are testifying in support. So we're going to allow them to do that now. Come up, please.

And since we're taking you out of order, we ask that you please be brief. Just give us the highlights of your position. Thank you.

MR. ARSENAULT: For the record, Jacques Arsenault. I'm a rising senior at Georgetown University.

I am speaking today on behalf of the Georgetown University Student Association, of which I am Vice President, in support of the university's 10-year plan. Over the last few years, the most frequent complaints or concerns that I've heard from students have been Georgetown as a national research university, with a liberal arts background, of our deficiencies in many areas, especially the science

fields and the arts fields.

From the student perspective, the 10-year plan goes a long way in really enhancing the overall educational experience at Georgetown University.

As a student personally, I've been really, I would have to say, appalled by a lot of the things that I've been hearing in this session as far as characterizations of students. We've been compared to cars, with this housing plan being compared to the parking cap. Some things -- some sort of debris that should be sucked out of the university in a great sucking sound.

I've heard us described as wild animals, in a sense, who should be sort of caged, that all of us should live within the university parameters, that we're a financial drain on the city, that we don't do much but create noise in the neighborhood, that there are very few beneficial things that we add to the city.

And I'd like to just clarify a little bit more of what typifies a Georgetown student, who are really what a lot of the concern about this 10-year plan is.

Fifty-five percent of Georgetown University students receive some form of financial

aid. Many students -- all students, all full-time undergraduate students take a full course load. Many students also work in at least one or two jobs to raise the money necessary to pay their tuition. Many also work at internships on Capitol Hill or in other areas in the city.

So for the most part, students are in positions where -- in many cases where coming closer to the real world. As a result, a lot of students do, in their upper class years, find it beneficial to themselves and to their own personal development to go off campus if that's where they choose to live.

There are a set of freedoms and responsibilities that come with living off campus, among those responsibilities being paying monthly bills for rent, for utilities, and taking care of meals in sort of an atmosphere which more exemplifies what the real world is.

This is where a lot of students are. Mainly the concern that I have with these plans, and especially the one coming from the Office of Planning, is students under the D.C. Human Rights Act are a protected group. Students are allowed to live where they would like to live.

It's sort of -- I was thinking along the

lines of if we said anyone who is a doctor in Dupont Circle should not be allowed to live within -- or 100 doctors can live within Dupont Circle, or 100 garbage collectors can live within Dupont Circle, and then, once we cross 100, the doctors' association should find housing for them elsewhere.

Really, this is sort of an odd comparison, but it is essentially what we're talking about here. We're talking about human beings who should have the opportunity to live where they choose to live. None of the students who are living off campus are minors. We are human beings. And when I heard it be spoken about graduate students --

MR. HART: Time, please.

MR. ARSENAULT: Thank you.

CHAIRPERSON REID: You can finish your sentence.

MR. ARSENAULT: When I heard it being spoken about graduate students, I wondered if you would similarly restrict the number of 30-year olds who happen to have other jobs who live in the Georgetown area.

CHAIRPERSON REID: Is that a question?

MR. ARSENAULT: No. That was -- no, I was wondering.

CHAIRPERSON REID: Rhetorical?

MR. ARSENAULT: I was wondering if this plan would similarly restrict people in other occupations of the same age categories that are a drain on society.

CHAIRPERSON REID: In whose plan?

MR. ARSENAULT: Of the plan -- I was --

CHAIRPERSON REID: Are you referring to the Office --

MR. ARSENAULT: I was referring to some of the suggestions that were given in the questioning by the residents.

CHAIRPERSON REID: Oh, okay. All right. Thank you.

Do you have a question for him?

VICE CHAIRPERSON SOCKWELL: One quick question. Do you live on campus or off campus?

MR. ARSENAULT: As a result of my financial situation, I chose to become a resident assistant in the dormitories, so that I could help myself pay for my room and board through service.

VICE CHAIRPERSON SOCKWELL: Okay. And one second question. Do you participate in activities in off-campus group houses?

MR. ARSENAULT: Yes, I do. In what type

of activities?

VICE CHAIRPERSON SOCKWELL: Recreational activities.

MR. ARSENAULT: Yes.

CHAIRPERSON REID: Parties.

VICE CHAIRPERSON SOCKWELL: Parties.

MR. ARSENAULT: I was at a wonderful --

(Laughter.)

I was at a wonderful dinner party up on Wisconsin Avenue on Saturday evening.

VICE CHAIRPERSON SOCKWELL: Okay.

MR. ARSENAULT: We played Trivial Pursuit until 3:00 in the morning.

VICE CHAIRPERSON SOCKWELL: But dinner parties being one of the type of parties that might be held. Have you participated in the typical more --

CHAIRPERSON REID: Beer kegs.

VICE CHAIRPERSON SOCKWELL: -- birthday parties?

MR. ARSENAULT: I am 21 years old, yes.

VICE CHAIRPERSON SOCKWELL: Well, that wasn't the question. It wasn't revolving around your age, but good you said that.

MR. ARSENAULT: Yes.

VICE CHAIRPERSON SOCKWELL: We have a police officer in the back.

(Laughter.)

Just kidding. But thank you.

MEMBER RENSHAW: A question, Madam Chair.

First of all, would you spell your name? And then I'll ask the question.

MR. ARSENAULT: Sure. My first name is Jacques, J-A-C-Q-U-E-S. And my last name is Arsenault, A-R-S-E-N-A-U-L-T.

MEMBER RENSHAW: All right. And you said you're Vice President of the Student Association?

MR. ARSENAULT: Yes.

MEMBER RENSHAW: And in that capacity, I'd like to know whether you interact with the various community organizations, such as the Burleith Citizens Association?

MR. ARSENAULT: There are members of the student association who have done that. I have been vice president for a couple of months, and I haven't had any personal interaction as of yet.

MEMBER RENSHAW: Do you plan to?

MR. ARSENAULT: Yes. That's something that we're planning on doing.

MEMBER RENSHAW: All right. And within

what timeframe?

MR. ARSENAULT: We were hoping to get some things together at the beginning of the next academic year. We're sort of on hiatus for the summer and --

MEMBER RENSHAW: All right. Thank you.

MR. ARSENAULT: -- working with a skeleton crew.

MS. KLEIN: For the record, my name is Keavney Klein. Anyone like me to spell it? Yes? It's Keavney, K-E-A, V as in Victor, N-E-Y, and Klein, K-L-E-I-N.

I'm a junior in the School of Nursing and Health Studies. Just a little bit about myself. I work two jobs on campus currently. I'm staying for the summer, working for the Housing and Guest Services Office, and I work at Yates Field House, where I am a lifeguard and I check IDs at the desk.

So as not to repeat anything that Jacques said, I just sort of wanted to cite some -- I think some misconceptions about what Georgetown students are. One that I hear all the time is that they are rich, spoiled kids that get everything that they want and any way that they want it.

As Jacques said, it is -- over 55 percent

of the Georgetown students get some form of financial aid, and really they do pretty well for themselves by having -- holding jobs on campus and off, and using this other aid from federal or from the school itself.

Another misconception is that they are only interested in partying and drinking, and I have to say that that is incredibly wrong. Georgetown students are very well aware of what they want to do -- most of them -- what they want to do in life. They want to be successful. They want to get a good education. And they want to do their jobs in the future well.

Many students -- I would definitely agree that many students partake of other sorts of recreation, which was said before, but I think in a survey that was done recently I heard that there were over 52 percent -- you can correct me if I'm wrong -- 51 percent of students at Georgetown have never even been drunk, which I find incredible.

CHAIRPERSON REID: What is that percentage?

MS. KLEIN: Fifty-one percent.

CHAIRPERSON REID: Where did you get that statistic from?

MR. CARNEY-WATERTON: We were discussing that, actually, in a floor meeting in our dorm this past year of how many students were actually -- when the actual situation -- or when the question arose of how many students drink, and those students said that -- in the survey that we did, that 51 percent said that they had not been drunk, but they do drink, but they had not been drunk as far as off campus and conducting themselves in a --

CHAIRPERSON REID: Now, this is a survey?

MR. CARNEY-WATERTON: Yes.

CHAIRPERSON REID: Okay. Continue.

MS. KLEIN: Just citing that statistic is really just evidence to me that not everyone at Georgetown is the -- is what many of the citizens associations are typifying as the Georgetown student.

Myself, I think that I typify Georgetown students. I work hard in my academic classes. I take part in a lot of campus activities and organizations. And I would definitely like to be able to live off campus, and I plan to in the fall. I'll be living with some of my classmates in Hillendale, and I plan to be a good citizen, plan to take my garbage out, plan to have social gatherings, but they won't consist of, you know, raging keg

parties that everyone assumes.

In general, I plan to be a good citizen, and I believe that most Georgetown students that plan to live off campus, or want to live off campus, will do the same.

Just to revisit the legal aspect, to judge and discriminate against students by saying where they can and cannot live is not only unfair but it presupposes that they're going to do these actions, which may not be the case.

That's all I have to say.

CHAIRPERSON REID: Just a question for you. Going back to your statistics that came from the student survey, which was -- in itself, you know, is kind of questionable. Did you say only -- what is the percentage of the kids who were drunk?

MS. KLEIN: Fifty-one.

MR. CARNEY-WATERTON: Well, actually, they were -- they cited -- when they gave us the percentages in our floor meeting, they told us that it was 51 percent had claimed that they had, of course, drank but they did not -- they had not been drunk, or what would be considered legally drunk.

CHAIRPERSON REID: And so the other 49 were?

MR. CARNEY-WATERTON: The 49 had claimed that, yes, at one point in time they had been.

CHAIRPERSON REID: Okay. I don't see how this, you know, bolsters the image of Georgetown.

MR. CARNEY-WATERTON: It doesn't. The presumption that simply because you're drunk that that leads to destructive behavior, or that because you are drunk you ultimately become a destructive part of the community, is a logical step that I find -- that I find duplicitous in this meeting.

Simply because an individual may have imbibed a bit much alcohol does not mean that they're going to go out and trash your house, nor does it mean that they're going to turn up their music to an inordinate volume at 3:00 in the morning. It simply means that they imbibed an inordinate amount of alcohol or what is beyond the acceptable limit.

And all of the stories and testimonies that you have heard, or you will hear, about students who actually do imbibe that much alcohol and then, of course, do commit destructive behavior have not been students who have done so because of the fact that they are drunk.

It has been because they have had challenges that have -- that are not constituted by

the alcohol. That action has only been facilitated or made easier by it. It's not because of the fact that they -- you know, that they drink, nor is that indicative of the average Georgetown student.

VICE CHAIRPERSON SOCKWELL: May I just -- before you answer, let's get one thing perfectly clear. The term "drunk," unless it's measured by a device that can determine the amount of alcohol within one's system based on a set measuring parameter, is a relative condition that could be answered by any number of us in different ways based upon how much alcohol we have taken into our systems, and what we personally feel the amount necessary to make us consider ourselves drunk would be. Would you not agree?

MR. CARNEY-WATERTON: That's perfectly agreeable.

But may I respond?

CHAIRPERSON REID: No. Quite frankly, I really think that you shouldn't visit this conversation.

(Laughter.)

Because the -- your testimony essentially, on its premise, is flawed. If we first established that the person was drunk, within itself,

then demonstrates that there are certain behavior that is characteristic of someone who is drunk --

VICE CHAIRPERSON SOCKWELL: Madam Chair, you cannot make such a statement without quantifiable results.

CHAIRPERSON REID: Well, that's true. That's true.

VICE CHAIRPERSON SOCKWELL: You cannot make the statement. So you should leave that out of this, because until you can establish a condition of drunkenness, a level of drunkenness, you can't establish a condition under which a person's impairedness would create certain other activities or would at least tend to lead to such other activities.

I think we don't have enough information to really get into this, and the word "drunk" may have been a poorly chosen word. It may have been a poorly chosen statistic. But the point is that, since it's not quantifiable, we really shouldn't get into it in depth.

CHAIRPERSON REID: Thank you.

MS. KLEIN: Madam Chairman?

CHAIRPERSON REID: Excuse me. Thank you very much, Mr. Sockwell. As I was saying --

VICE CHAIRPERSON SOCKWELL: You're quite

welcome.

CHAIRPERSON REID: As I was saying, then that, coupled with age and lack of experience with drinking, within itself constitutes certain problems that have been reflected in some of the information that has been presented to us. And the course which you're taking does not do a lot to clarify or to in any way demonstrate to us that this is not a regular occurrence, or that this is not a problem.

So my suggestion is that rather than going into justifying -- however you define "drunkenness," it would be very difficult to do. Then perhaps you should use the time to talk about something else that could really help to bolster the case more.

So now you haven't had a chance to speak yet.

MR. CARNEY-WATERTON: Yes.

CHAIRPERSON REID: Okay. All right.

MS. KLEIN: May I answer also?

CHAIRPERSON REID: Yes.

MS. KLEIN: The reason that I brought up the drunkenness is in response to one of the cross examinations that was done before, citing that two of the main I guess problems with Georgetown students

living off campus are the noise and the public drunkenness.

So that was the reason that I brought that up, and I was citing the 51 percent because of the gross generalization that was made that all Georgetown students seem to have this kind of activity going on in their lives.

MEMBER RENSHAW: Madam Chair, I would just suggest that we sober up here and move on to another topic.

(Laughter.)

CHAIRPERSON REID: I agree. Thank you.

VICE CHAIRPERSON SOCKWELL: And since this isn't done yet, 51 percent was 51 percent of the respondents, not necessarily 51 percent of the university students. And that's another non-quantifiable number. So I think we should leave it.

CHAIRPERSON REID: Are you done?

MS. KLEIN: I have finished.

CHAIRPERSON REID: Thank you. Thank you very much.

Next witness?

MR. CARNEY-WATERTON: My name is Jo-Leo Carney-Waterton. I know that is a mouthful, and it'll be even harder to spell. I'll spell it for

you. Capital J-O, dash, capital L-E-O. Carney-Waterton is C-A-R-N-E-Y, dash, W-A-T-E-R-T-O-N.

CHAIRPERSON REID: Okay.

MR. CARNEY-WATERTON: As I stated before, my name is Jo-Leo Carney-Waterton. I will be a junior this year in the School of Foreign Service. My major is international politics, and I work part-time with the Volunteer and Public Service Center on Georgetown's campus.

We are an office that coordinates with the outside community to perform service projects that will not only enlighten the children -- or the students, excuse me -- at Georgetown University to some of the benefits of working within community, but will make them better citizens once they do enter into that community by showing them the benefits of community work.

I say that briefly, and I'll return to that rather quickly. I am a product of a single-parent home with my mother. And my mother raised me with a very strict hand, and I'm sure that many of you have heard the comment before, "As long as you are in my house, you'll abide by my rules and do as I say. You don't pay any of the bills here," so forth and so on.

I have looked forward to my college experience and living off campus one of those days as a freedom to that statement, because even though I do not live in my mother's house, she still pays some of the bills that come up. And so she still has somewhat of a leash, and I look forward to that day when I can move off the campus and begin to assume some of the rights and some of the freedoms and responsibilities that I've been looking forward to ever since I was 13 and thought I was grown.

(Laughter.)

I cannot stress to you enough the number of friends that I have and the number of people that I've talked to who are in the same position, who are looking forward to the time when they, too, can find themselves in an off-campus house and begin to enjoy a lot of those freedoms that you may not be able to do in your parents' house, and you certainly may not be able to do on Georgetown's campus.

Not to say that it is illegal or illicit activity, but it is to say that it's things that you may not be able to participate in in the community in which you are a part of on Georgetown's campus.

More importantly, back to the first part, as I stated before, that I would talk about the

Volunteer and Public Service Center. Presently, we have 1,500 students who work with the Volunteer and Public Service Center who are part -- who are active participants or active students within the Georgetown community. And we participate in a number of community service projects which utilize Georgetown University as a resource for bringing about effective community change.

One of those particular organizations I would like to highlight is the Shifts Scholars, which is a program that I'm working with this summer. Shifts Scholars, in fact, is a group of young people who did not do well this particular year in the school system but are coming to our campus this year to receive guidance and to receive summer work that will help prepare them for the next academic year.

I'll share with you the story of one young man who is actually living with me in the apartment, because we do live together for the five-week training course. That young man -- I took him on a tour of Georgetown University and was walking him through, and immediately what he said is, "My home is nothing like this. I absolutely -- I love it. I have to live here when I get older," so forth and so on.

And I say that not to mention -- not to bring to light Shifts Scholars, but I say that to say that there is a certain aesthetic that accompanies Georgetown University, which makes it attractive not only to the rest of the citizens that are presently in the community but to students as well.

And if we are given the opportunity and given the chance to live in that community, we can show, as we have in the past, that we can be productive members of that community and productive members of society at large. And that child proves most poignantly that there is an attractive feature to it that we should not be denied a part of.

And that's what I'm asking the Board to recognize, that should I be number 701 under the cap, I shouldn't be denied participation simply by the actions of a few, because that truly is the number that we're dealing with -- a few, not the majority. And 701 seems a very harsh position to be relegated to when I'm looking forward to enjoying my position, possibly sharing a house not too far from Madeleine Albright.

CHAIRPERSON REID: Thank you.

MR. CARNEY-WATERTON: Thank you.

CHAIRPERSON REID: Thank you very much.

Thank you very much.

All right. We go now to the DPW report.

VICE CHAIRPERSON SOCKWELL: Before you do that, let me personally thank the three of you for appearing as very strong examples of the quality of student that the university is putting out.

And also, I'd like to say, Mr. Carney-Waterton, I hope you enjoy the Foreign Service entrance exam as much as I did.

(Laughter.)

MR. CARNEY-WATERTON: Thank you.

MS. SCOLARO: Madam Chair, I understood that the community would have an opportunity to cross examine the people who give testimony. Am I correct on that, or am I incorrect?

CHAIRPERSON REID: Not the community -- parties.

MS. PRUITT: She is a party.

CHAIRPERSON REID: Okay. Oh, all right. If you have questions, you can cross examine. But not the community -- but only parties.

MS. SCOLARO: Only as a party. I'm a party.

CHAIRPERSON REID: Yes. Okay.

MS. SCOLARO: All right.

CHAIRPERSON REID: That's fine.

MS. SCOLARO: And it doesn't matter to me which of the three --

CHAIRPERSON REID: Your mike, please. And give your name.

MS. SCOLARO: Patricia Scolaro, President of the Burleith Citizens Association.

There are many parts to the campus plan that the communities are concerned about. And I would ask any one of the three of you who would choose to answer, what do you think are the benefits to students in the campus plan as it has been presented?

MR. ARSENAULT: Growing up in a family of artists and musicians, the performing arts and the fine arts have always been something very important to me. And I know that when I came to Georgetown that was one of the areas that I felt could use some help.

In that circumstance, the performing arts -- the Ryan Performing Arts Center that's proposed in the plan is definitely one of the benefits. As well, our facilities for science, in which the chemistry labs are on the fourth floor of White Gravner, and the rest of the facilities are in the Rice Science

Building, both of which are close to or over 40 years old, are not exactly where they need to be to compete with universities of our caliber, be it Dartmouth, Columbia, Johns Hopkins, or elsewhere.

Additionally, one of the areas that has -- that a lot of students have been really working toward in recent years is building of school spirit, so as to hopefully bring activities back onto campus.

This comes in the 10-year plan in two areas. One would be the redesign of Harben Field, and the expansion of McDonough Gymnasium.

MS. SCOLARO: What kind of activities would be there?

MR. ARSENAULT: For athletic events, in terms of building school spirit and bringing the campus back as the center of student activities.

MS. SCOLARO: Okay. I'm sorry. Go ahead.

MR. ARSENAULT: Additionally, there are several thousand square feet of student space additions in what is currently the new south cafeteria and kitchens, which could be great space for rehearsal for performing arts groups, for a studio for the TV station, as well as possible

additions above the bookstore.

MS. SCOLARO: Good. Those are some wonderful additions to the plan.

Do you see any consequences for students of the increase in enrollment?

MR. ARSENAULT: I really feel that the increase in enrollment is, in a sense, given the increase in academic offerings, especially in the performing arts and in the sciences, will be drawing on a number of applicants from which currently the university does not pull very heavily.

MS. SCOLARO: Are you talking about students or faculty?

MR. ARSENAULT: I'm talking about students.

MS. SCOLARO: Okay.

MR. ARSENAULT: For the moment, I'm talking about students. In the meantime, our foreign service programs, our government programs, our philosophy programs, are not necessarily going to get smaller. And so it's only logical that enrollment increase and bring in a wide variety of students, really enhancing the diversity of students and of interests on campus.

MS. SCOLARO: Okay. Fine.

Were you aware that The Hoya and The Voice were against the student enrollment -- any increase in student enrollment because of the impact on class size and how the professors would be spread a little too thin?

MR. ARSENAULT: Yes. And those editorials did come out at a very difficult time of the year. We were undergoing a lot of things, and this was seen as an additional burden to the university.

MS. SCOLARO: And you're saying that that has changed?

MR. ARSENAULT: I'm saying that the university is definitely on an upswing in terms of funding and in terms of available resources.

MS. SCOLARO: But has this come from the students, or has it come from the university? Has the concern of the students who --

MR. ARSENAULT: Has the money come from the students?

MS. SCOLARO: -- were noted in The Hoya and The Voice, you're saying that that concern is gone, they are no longer -- the students are no longer concerned about any impact of student increase on class size, spreading the professors too thin,

things of that sort?

MR. ARSENAULT: I'm saying the number -- the larger number of students that I've spoken to in the last few months has indicated a serious change in attitude toward --

MS. SCOLARO: So they support that?

MR. ARSENAULT: Right.

MS. SCOLARO: Okay. Fine. Thank you. No more questions.

CHAIRPERSON REID: Thank you.

MEMBER RENSHAW: Madam Chair, I have a question for the students before they escape.

We'd like to know, or I'd like to know, if you feel that an enforced Code of Conduct, with penalties, is a good method for policing the living and partying habits of the off-campus group homes as opposed to a cap on the neighborhood? Who would like to answer that?

MR. CARNEY-WATERTON: Presently, at this point, the Office of Off-Campus Affairs actually does have a number of, what would you say, sanctions -- actually, that's the word I was looking for -- a number of sanctions for students who do act unbecomingly when they are living off campus. They range from everything from community service and up.

And so I think that it is -- while it is a wonderful idea that we place sanctions instead of the cap, I would take anything over the cap to be quite honest with you. I think that we already have them in place. It's just a matter of -- I think that it would be a matter of just further enforcing them, which I -- you know, which I think we do a good job at right now. But it would just be a matter of further reinforcing the sanctions we have on books that apply to unruly behavior.

MEMBER RENSHAW: Okay. Thank you.

CHAIRPERSON REID: Okay? Now, my understanding is that we stopped with the Office of Planning report. Do the Board members have questions, or was that concluded? Mr. Fondersmith? Did you wish to, is my question, or is that necessary with --

MEMBER RENSHAW: I would rather move on.

CHAIRPERSON REID: Okay. Then, Mr. Laden, please.

MR. LADEN: Good afternoon. My name is Ken Laden, L-A-D-E-N. I'm the Administrator for Transportation Planning in the D.C. Department of Public Works. The Department did prepare comments, which were forwarded on June 8th, regarding this

particular zoning case. Our comments focused primarily or almost exclusively on the transportation-related issues.

In preparing these comments, we did look at the university's consultant's report, and also the report by the consultant hired by the Hillendale Homeowners Association to draft our response to this particular BZA application.

Generally, we looked at the student population numbers, the faculty and staff population numbers, and the medical facility population numbers, to try to get some sort of an assessment on what the potential impacts could be on the traffic system. We also looked at existing conditions in the neighborhood and also looked at the information that was provided to us on the mode of transportation used by these various groups coming into and out of the campus.

We also noted that, based upon the type of land use we're talking about, this is a situation where, perhaps different from a traditional office setting, individuals could be expected to arrive at different times of the day. In other words, not everybody would be arriving during the rush hour period, both a.m. and p.m., and that that somewhat

helped mitigate the conditions with respect to traffic in the area.

Just summarizing our comments, which the Board of Zoning Adjustment already has, we feel as though the three critical components we were looking for was attempts to minimize the impact of traffic generated by the university, and we were encouraged by the number of students that were going to be housed on campus. We thought that was beneficial.

Obviously, if everybody could be housed on campus, that would be the ideal situation with respect to traffic. But we feel as though the numbers that were presented by the university's traffic consultant was a good attempt at trying to house as many students as possible within the campus area.

We also appreciated the information on the Georgetown University transit system. We think that they've shown a commitment to this process. We think that that's extremely beneficial in getting students into and out of the campus without depending upon private automobiles.

We did suggest in our comments that we would like to see additional efforts placed on trying to get university staff, faculty, hospital staff, to

also use either mass transit or carpool systems. The numbers that they've presented are actually pretty decent, considering, again, the type of land use we're talking about. But anything in addition the university or the hospital could do to encourage further carpooling and further transit use we think would be beneficial to the transportation system.

Again, with respect to the actual traffic conditions in the neighborhood, here again it's a mixed bag. There are certain times of the day when Reservoir Road is extremely congested. The area around Foxhall and Reservoir I think were singled out as particularly troublesome. There was also some evidence of congestion at some of the key access points along Reservoir Road to the university, and also from the university back out onto Reservoir Road.

Again, to the extent that the university can provide for encouragement of mass transit use, or encouragement of carpooling, we think that that would help ameliorate or mitigate the existing circumstances.

And, again, as I stated earlier, I think the fact that people are arriving at all different times of the day helped mitigate the traffic that

would be expected from this campus plan adjustment.

The Department has made a commitment to the university and to the community at a previous meeting that we would be willing to work with the university, the hospital, and the community to attempt to come up with traffic management practices that would help ease traffic congestion along Reservoir Road.

We've committed to looking at possible changes to signalization, possible changes to lane usage, and also possible changes with respect to parking regulations, and where parking would be allowed and during what times, to help ease traffic flow.

We are going to be working with the university, the hospital, and the community to have a series of meetings to look at some quick-term fixes and some long-term fixes, to help reduce traffic congestion.

We'd also like to point out, with respect to traffic, that we are moving forward with the Federal Highway Administration on making modifications to the Canal Road entrance to the university. Those plans are in final design now. We hope to have Federal Highway's reporting out, the

next round of their design plan, sometime later this fall.

And if everything goes according to plan, that's something that we might be going to construction on sometime in the spring or summer of 2001. And, again, we think improving the accessibility along Canal Road may help ease some of the traffic congestion on the northern portion of the university.

I think the final section of our comments dealt with a proposal to realign entrance number 4 with 38th Street. Our traffic engineers indicate that that's something they think would be beneficial to traffic safety. Right now, those two streets are not aligned properly, and it causes some quick turning motions.

We would require, however, that in the design of lining up these intersections that there be an engineering solution which would prohibit through traffic up 38th Street. What we would want to do is require that traffic would either turn left or right onto Reservoir Road and not be encouraged to go through the community on 38th.

Again, that basically summarizes the testimony that we provided earlier, and I'd be happy

to try to answer any questions you may have.

MR. TUMMONDS: For the record, Paul Tummonds on behalf of Georgetown University. Just a couple of quick questions, Mr. Laden.

First, has the information and the traffic counts provided to you by Grove Slade Associates been sufficient for the Department to undertake a detailed analysis of the potential traffic impacts that the proposed campus plan will have on the traffic system surrounding the campus?

MR. LADEN: Yes. We believe they have. I've had to ask some clarifying questions, even today, but in each instance Grove Slade's firm has been willing to provide us with the additional information we've requested.

MR. TUMMONDS: Great. And the only other question I have is, do you believe that the manner in which the Grove Slade report identified the potential impact on the traffic patterns in the area, as a result of Medstar's use of the hospital facilities, is appropriate?

MR. LADEN: Yes. I think our assessment is that the procedures used there appeared to be appropriate.

MR. TUMMONDS: Great. That's all we

have.

CHAIRPERSON REID: All right. Next?

MR. ANDREW: For the record, my name is Robert Andrew. I'm --

CHAIRPERSON REID: Excuse me. Can you push your mike, please.

MR. ANDREW: My apologies. For the record, my name is Robert Andrew. I'm a professional engineer and also President of the Foxhall community.

My questions for Mr. Laden extend to scope. You have dwelt on the issue of Reservoir Road, and to some extent Canal Road. From a comprehensive point of view, you have not commented on the long-standing problems up and down Foxhall Road, nor traffic conditions in West Georgetown.

CHAIRPERSON REID: Are you posing a question?

MR. ANDREW: Yes, ma'am. The question is: to what extent does DPW plan to take the initiative to look comprehensively at both traffic measurement data rather than single snapshots, and include the entire area around the university? Will you speak to that, please?

MR. LADEN: There has been a lot of interest and concern about Foxhall Road, in addition

to Reservoir and Canal Roads. In looking at the campus plan, and its potential impacts, we felt that Reservoir Road was our number one priority, given that a lot of the attention seems to be focusing on the campus, that portion, and the medical facilities which are in that northern portion of the campus.

Secondarily, we looked at the Canal Road issue, because we knew that there were going to be some modifications there.

Reservoir Road we think a lot of the traffic problems there is congestion relating to through commuter traffic that's causing peak congestion at key intersections. I would agree that we do need to take a comprehensive look at solutions along Foxhall Road, given the land use changes which are occurring there and the land use changes which are proposed to occur along Foxhall.

We are attempting to get on board several transportation consulting firms that would work for us in doing neighborhood analyses, and one of the ones that would be high on our list would be the Foxhall Road area, again, because of the level of activity that's occurring and the level of activity that may be occurring in the future there.

MR. ANDREW: My other question is about

data. I am not satisfied that point data for a day or two is adequate to comprehend seasonal patterns in, say, student use, or, for that matter, commuter use. Does the Department have any position to gather data comprehensively throughout the area in a seasonal manner? Or do they see that as the responsibility of the major institutions from time to time that propose a new project?

MR. LADEN: The District does prepare periodic analyses of traffic conditions city-wide. We do some traffic counting, not as much as we had in the past, or not as much as we should perhaps. The latest traffic data that we have, I believe, relates to just traffic counts on various segments of roadways in the city. And I think the last data we have is for either '97 or '98.

We are attempting to expand upon our traffic counting capabilities. In lieu of better data, we do depend upon the -- in some instances, proponents for major projects to provide us with traffic count information. And, obviously, the more data points we have the better off we are.

But we thought, looking at the periods that the traffic counts were made, and the types of figures we were seeing, it seemed to make sense and

seemed to be within our range of what we would anticipate for those corridors and those key intersections.

MR. ANDREW: Thank you. I look forward to working together with you.

CHAIRPERSON REID: Thank you very much.

Okay. Next?

MR. BRAUN: My name is Charles Braun. I live at 4030 Chancery Court, N.W., and I'm representing the Hillendale Homeowners Association today.

Do you have -- Mr. Laden, good afternoon. Do you have a copy of your June 8th memo handy?

MR. LADEN: Yes, I do.

MR. BRAUN: Could you turn to page 3 and the third paragraph where you use the term "adverse traffic impact."

MR. LADEN: This is under "Traffic Circulation and Level of Service"?

MR. BRAUN: Let me see. Yes.

MR. LADEN: Okay. I see the sentence now. Correct.

MR. BRAUN: Can you define what you meant by "adverse traffic impact" in that memo?

MR. LADEN: Well --

CHAIRPERSON REID: Is this the last paragraph?

MR. BRAUN: No, no. It's the third paragraph. It's under that heading "Traffic Circulation and Level of Service."

MR. LADEN: On page 3 of my testimony.

CHAIRPERSON REID: The third paragraph under that heading?

MR. LADEN: No. It's the first paragraph under the "Traffic Circulation and Level of Service," and it's about the fourth line, starts, "In our judgment."

MR. BRAUN: Fifth line.

MR. LADEN: Fifth line. I'll quote it just for the record, "In our judgment, the amount of traffic is not significant to cause adverse impact on residential area." We're talking about the level of traffic along Reservoir Road and how it affects the local streets that feed into Reservoir.

I think what we're suggesting is that the level of growth anticipated in the campus plan, as it relates to students and employees, is a relatively small amount, and also that the amount of traffic on these local streets, the numbered streets feeding into Reservoir Road, there's very low percentages of

that traffic which is university-generated.

That level of increase would not significantly affect the level of service at those key intersections. And by "level of service," that's a rating system that's used to measure congestion with level of service, A being the best, almost free-flowing traffic; level of service F is considered to be gridlocked traffic conditions.

Our sense was that the level of university-generated traffic resulting from the campus plan would not be significant enough to change the level of service from one letter to another.

MR. BRAUN: Later on in your memo I see you see that the levels of service would decrease. Is that not correct, in the next paragraph?

MR. LADEN: Yes. I think in the next paragraph we say the worst congestion occurs at Reservoir Road and university entrance 4, where northbound approaches operate a level of service E in the morning and D for peak hour.

These are -- this is traffic congestion within the university complex trying to get out onto Reservoir Road and get back into the street system primarily. Yes, there may be some minor increases in traffic on adjacent streets. But, again, we thought

that the impact on the residential community north of the university campus would not be significantly impacted.

MR. BRAUN: I'm a little bit puzzled reconciling the two answers. On the one hand, you say that an adverse traffic impact, if I understand you correctly, is one which has no significant effect, as measured by standard level of service designations. And on the other hand, you tell us that the levels of service would, in fact, diminish. So what is your definition of adverse traffic impact?

MR. LADEN: Okay. Again, I think what I'm trying to say in the first paragraph under Traffic Circulation is that, given the characteristics of the traffic and how it approaches the university, we felt as though the campus plan would cause a relatively slight increase in traffic on the residential streets north of the campus.

However, we acknowledge in the second paragraph in that section that there will be some additional congestion, but as depicted in the traffic data provided by the university, most of that traffic is -- or the additional increase in traffic is northbound from the university onto Reservoir Road

and really would not affect the residential community. In other words, it's congestion within the university, not congestion in the residential community.

MR. BRAUN: Now, moving to page 4 of the same memo, the second full paragraph, which would be the second paragraph under the heading "Hillendale Homeowners Association." The last sentence of that second paragraph says that you believe that the applicant's traffic report generally used the higher or worst case scenario in their findings. Do you see that?

MR. LADEN: Correct. Yes, I do.

MR. BRAUN: Now, could you explain how you reached that conclusion?

MR. LADEN: Well, if I remember correctly, the Hillendale Homeowners Association comments indicated that some of the traffic data that was collected was not identical between different points in time.

And we do think that the -- what we're saying in our testimony here is that the differences that were reflected in the different traffic counts we thought were the result of just monitoring at different periods of time, different days of the

week, and that they did not significantly affect the impact of their overall findings.

And in talking to the traffic consultants that prepared the university's traffic plan, they indicated that where they did have conflicting data they generally used the higher or the more congested number.

MR. BRAUN: So would it be correct that you took the applicant's traffic consultant's word for the fact -- for the finding in your memo that they used the worst case numbers?

MR. LADEN: We did rely upon their telling us that of the numbers that they generated that they used the higher numbers. But --

MR. BRAUN: And you don't independently know that to be the case, then, do you?

MR. LADEN: Well, we did not prepare their traffic analysis. So when they were confronted with, you know, two or more different numbers, we're not clear as to which ones they used. However, we -- I do want to go back and say that we also looked very carefully at the traffic analyses and comments from the homeowners association to incorporate their concerns as well.

MR. BRAUN: But you don't independently

know whether they used the worst case or best case numbers?

MR. LADEN: Correct.

MR. BRAUN: Thank you.

Now, turning to page 6 of that memo, which is the -- in the section on Conclusion, you discuss various traffic management and parking modifications. Do you see those, where you discuss that?

MR. LADEN: Which paragraph?

MR. BRAUN: It's the next-to-the-last paragraph.

MR. LADEN: Okay. Yes.

MR. BRAUN: Do you see it?

MR. LADEN: Yes.

MR. BRAUN: And I assume that that lines up with what you mentioned today? In my notes I see you mentioned traffic management practices, signalization, lane usage, parking. Are these the measures that you're talking about?

MR. LADEN: These are among the options that we would look at with the community to try to improve traffic flow on Reservoir, yes.

MR. BRAUN: Now, do you have a budget or a cost estimate of what implementation of these

various options would cost?

MR. LADEN: No, we do not have that yet. But that is something that would be looked at. And a lot of these we would be looking at fixes that wouldn't have any appreciable budget impacts first -- as a first course of action. And then, if those were not adequate, we would ratchet up.

MR. BRAUN: And is it then the case that there also are fixes and things that might be desirable to do which would cost money to implement?

MR. LADEN: Correct. That is a possibility.

MR. BRAUN: And does that also mean that no matter how hard you work with the university, and the community, and Medstar, that without funding, without the necessary funding, you couldn't implement these measures no matter how commendable they might be?

MR. LADEN: Well, again, some of the things that we would be looking at might have an impact and could be done within our existing budget. For instance, changes in signalization patterns, restriping or redesignating traffic lanes for turning motions or through motions, changing traffic regulations to prohibit or allow more turning

motions, taking parking away during certain hours of the day by regulatory means to give additional lanes. Those are all things that could be done within the existing budget.

If we're talking about building a six-lane throughway, then obviously that's a budget requirement that we would take several years of planning, engineering, and community coordination before we could implement it.

MR. BRAUN: Well, is there anything besides a six-lane throughway that is beyond your budget that would be relevant to your -- I mean, that --

MR. LADEN: Well, again, I think changes to signalization, changes in parking policies, changes in how lanes are used, changes in how turning motions -- what turning motions are allowed, all could, you know, help ease traffic congestion during peak congestion. That would not require additional budget authority.

MR. BRAUN: So funding would not be an obstacle to implementing anything that you have in mind to help alleviate congestion on Reservoir Road, is that correct?

MR. LADEN: Well, I think what I'm trying

to say is that there are some things we could do that might help relieve congestion that could be done within our existing budget authority. There may be other improvements that do require capital funds that would require additional planning, design, and community participation.

CHAIRPERSON REID: How many more questions do you have?

MR. BRAUN: I'm just finishing up with this.

CHAIRPERSON REID: Okay.

MR. BRAUN: And when will you have a budget for what that -- what would be required, of the things that you can't afford to do?

MR. LADEN: Well --

MR. BRAUN: Could you submit that for the record later?

MR. LADEN: Again, I think we're planning to try to schedule a meeting with the university, the hospital, and community representatives within the next week or two. My guess is that it will probably take several rounds of meetings to come up with a proposed mitigation package that maybe has different levels of implementation.

My guess is we're probably looking at, at

the earliest, sometime in the fall, and probably more realistically sometime towards the end of this calendar year, before we would have a package together. But that's just off the top of my head without having conferred with the other parties as to their schedule and availability.

MR. BRAUN: Thank you very much.

CHAIRPERSON REID: Thank you.

All right. Do you have questions?

MR. RIXEY: Yes.

CHAIRPERSON REID: Is there anybody else that will be cross examining Mr. Laden?

MS. ZARTMAN: Possibly briefly.

CHAIRPERSON REID: You?

MS. ZARTMAN: Possibly briefly.

CHAIRPERSON REID: Possibly three more?

MS. ZARTMAN: Possibly briefly.

CHAIRPERSON REID: Oh, briefly. Okay. Sure. All right.

MR. RIXEY: Thank you. I'm Douglas Rixey with the Citizens Association of Georgetown.

So do I understand you to say that there are going to be a series of meetings to try and determine what measures can be taken to alleviate the already existing unacceptable traffic condition in

Georgetown?

MR. LADEN: I think what we committed to is meeting with the university, the hospital, and local residents to deal with the current levels of congestion on Reservoir Road.

MR. RIXEY: Okay. So I guess my question is: why should this plan be approved, if it has already been established that there are unacceptable impacts and there are no solutions proposed as of yet to deal with those impacts?

MR. LADEN: Well, I think my take on that is that the -- we live in an urban environment where there's a tremendous amount of commuter traffic coming into the city and leaving the city every day. That sort of background traffic congestion is something that we're working towards trying to alleviate.

We take a look at each development proposal to determine whether or not it's going to significantly contribute to that congestion and whether or not they've taken steps to try to mitigate it. And if there are other things they can do to help mitigate it, we recommend those as part of the process.

I don't think we can be in a position

that we have to basically place a moratorium on all institutions, all employment, and all housing, until we have solved all of our traffic problems. I just don't think that that's an acceptable way to go.

MR. RIXEY: Well, fortunately, we're only dealing with a special exception, not with -- you know, by right use.

MR. LADEN: I understand.

MR. RIXEY: Can you tell me what the level of service is on the various streets in West Georgetown, Prospect, 35th, 34th, 33rd, etcetera?

MR. LADEN: Yes. Those numbers I don't have in front of me. I'd have to try to get those back at the office and --

MR. RIXEY: Where would those numbers be? Are they part of the proposed plan?

MR. LADEN: My recollection from the proposed plan is that it provided traffic data on the -- on various intersections on Reservoir Road primarily. At least those were the numbers that we were focusing on. There probably are some of those numbers available from other projects that have been reported to the office, and also level of service or traffic data that we've collected ourselves from the -- again, it's either the 1997 or 1998 background

traffic counts.

MR. RIXEY: Did you review any of that information as part of your review of this plan?

MR. LADEN: No. For this plan, we reviewed the documents that were provided by the university and the Hillendale Association.

MR. RIXEY: If you didn't have the opportunity or if there is no document that establishes the traffic impacts in West Georgetown, how can you conclude that the proposed development on campus will not impact the traffic in West Georgetown?

MR. LADEN: Again, all I can say at this point is that our feeling was that the traffic analyses that were presented in the university's traffic plan seemed to deal with those roadways and those intersections that we had primary concern about.

Granted -- and, again, our sense was that, given the type of land use and the traffic patterns that were being presented to us, it appeared as though this traffic was largely spread throughout the day, that it wasn't concentrated strictly along the a.m. and p.m. peaks, which are where we're currently experiencing the most significant problems

in the Georgetown area, at least around the university.

So, again, we felt that the scope of coverage in the university's traffic plan and their analysis and the comments that we received from the Hillendale Homeowners Association seemed to frame the parameters of what we felt were the more important issues here.

MR. RIXEY: So are you saying that you did not consider any of the streets in West Georgetown significant or important?

MR. LADEN: No. We considered those to be significant and important. But I'm just saying I -- I wouldn't think that they would have the same level of impact from the traffic generated by the university as Reservoir Road would and its local streets that feed into it, in that the -- most of the traffic coming into the north end of the campus would be coming by that road.

MR. RIXEY: Okay. Where would you expect the proposed increase in graduate students to park? You stated on page 4 that you thought they would have a negligible impact on traffic and parking. Where would you expect them to park?

MR. LADEN: We would expect most of those

students to park on campus. We would also hope, as we commented earlier, that more of those students would be encouraged to use mass transit. And I think we also would indicate that graduate students have a different university usage pattern than undergraduate students. At least from my graduate school experience, you have classes that are staggered more and do not occur during peak travel hours.

MR. RIXEY: What are the peak travel hours?

MR. LADEN: Generally, we consider the morning peak to range from approximately 7:00 or 7:30 until -- actually, I believe the parking restrictions run from 6:30 to 9:30, something in that range. And in the afternoons, they run from about 3:30 to, again, about 6:30 p.m., sometimes 7:00 p.m., depending on the artery.

MR. RIXEY: Are you aware that Medstar has absorbed about over 700 parking spaces from the university's south campus distribution?

MR. LADEN: Yes. I understand that there is going to be a redistribution of parking in favor of the hospital, correct.

MR. RIXEY: Hence, the south campus is losing 700 spaces, but it's having a drastic increase

in student population. And you still think there won't be a parking problem?

MR. LADEN: Again, from the data we've seen, and our assessment of it, we think that the parking stock that's being provided will be adequate.

MR. RIXEY: And you're also aware that the university's parking consultant has summarized that there will be a shortage of 1,157 parking spaces beyond that on campus?

MR. LADEN: I'm not sure where that information comes from.

MR. RIXEY: It's on Table 10 of the revised traffic and parking analysis.

MR. LADEN: Okay.

MR. RIXEY: So we've got a deficit of 1,157 parking spaces. We have over 700 additional spaces that have been taken away from the university for Medstar's benefit. And yet there is not going to be any negative impact on traffic or parking.

MR. LADEN: Well, I think the university is going to have to find a way to balance the parking needs. This is always kind of difficult, in that there's a concern that if you build more parking we'll find ways of filling it. That it will encourage people to drive; it will discourage people

from using carpools and mass transit.

So in each of these instances, including this university campus plan, we're trying to draw a balance between what we think is a reasonable amount of parking for existing uses, or for anticipated uses, but yet not build so much as to serve as a magnet and discourage people from using mass transit or carpooling.

So what, again, we would hope here is that the university would work with the hospital in coming up with a parking strategy that would accommodate all of the various competing needs for that parking without providing so much parking as to discourage their own mass transit system, the city's mass transit system, and carpooling strategies.

MR. RIXEY: But these are hopes, wishes, dreams, possibilities, maybes, possiblies. These are not tangible parts of the plan. Is that correct?

MR. LADEN: Correct. But --

MR. RIXEY: Thank you. The next question I had for you was regarding the --

CHAIRPERSON REID: How many more do you have?

MR. RIXEY: Excuse me?

CHAIRPERSON REID: How many more

questions do you have?

MR. RIXEY: Just one more general --

CHAIRPERSON REID: One more? Okay.

MR. RIXEY: -- category of questions. And it goes back to this issue about --

CHAIRPERSON REID: One more category?

MR. RIXEY: Yes. It has specifically to do with --

CHAIRPERSON REID: How many questions?

MR. RIXEY: -- the three public facilities the university is proposing --

CHAIRPERSON REID: Okay.

MR. RIXEY: -- to expand and --

CHAIRPERSON REID: But how many questions are in the category of questions?

MR. RIXEY: Let me try and make it one big question.

CHAIRPERSON REID: All right. Thank you.

MR. RIXEY: Do you know what the occupant load is going to be, the increased occupant load is going to be, on campus, for the Performing Arts Center, the McDonough Gym expansion, and the Harben Field expansion? And is there anywhere in the plan that addresses the likely increase in parking demand related to that increased occupant load?

MR. LADEN: No, I do not remember seeing any data on that.

MR. RIXEY: So my last question is: how can you say that there will be no negative impact if you haven't even reviewed a major component of the plan that's going to increase the occupant load by thousands of people?

MR. LADEN: Most of those types of events, sporting events and theatrical events, would be occurring during non-peak periods. There will be brief periods during the -- just before and just after events where there will be significant traffic congestion, and I think those relate to any sort of event in the downtown area, or, in this case, the Georgetown area.

And what we will need to do is work with the university and the schedulers of these various events to develop traffic plans that will attempt to mitigate those impacts.

MR. RIXEY: Thank you.

CHAIRPERSON REID: Thank you.

Ms. Zartman?

MS. ZARTMAN: Exactly one area of questions.

CHAIRPERSON REID: Okay.

MS. ZARTMAN: Barbara Zartman, The Cloisters.

Ken, one question. Your premise in finding no negative impact on Reservoir Road is largely hinged on the distribution of the arrivals and departures over the course of the day.

MR. LADEN: That's part of the analysis, yes.

MS. ZARTMAN: Are not a great number of the persons who arrive and depart employees of a medical center that relies on shifts carefully calibrated to make maximum efficient use of its facilities?

MR. LADEN: That is correct. The medical-related traffic would be in predictable shifts.

MS. ZARTMAN: And would they not all presumably become -- except for the midnight shift, be coming and going during morning or afternoon peak rush hour?

MR. LADEN: Yes. There would be some overlapping there, so that the medical-related traffic would be arriving and departing. Again, I don't remember exactly what the hours of the shifts were, but presumably they would -- at least the one

shift would coordinate with the rush hours.

MS. ZARTMAN: The last issue, have you been given any data that you've been able to analyze that demonstrates the distribution of those other trips over the course of a day as part of an anticipated administrative or management plan of the facilities on the north campus?

MR. LADEN: I don't remember reviewing any information on that. I'd have to go back and look at the document again to specifically review that. But off the top of my head, I don't remember any particular attempts to address that issue.

MS. ZARTMAN: And then your conclusion that that's what would happen is based on --

MR. LADEN: Well, again, what we were primarily looking at was the overall university traffic flow coming in or coming out. We looked at the future projections in terms of employment and university students and the medical students.

And, again, looking at the data here, hospital clinic staff was increasing from 2,437 to 2,957, an increase of 500 or 21 percent. With, you know, a 500-person increase staggered over possibly three shifts, of which only a percentage -- I think if I remember correctly about half would be driving,

maybe a little more than half would be arriving by automobile, to us, while it would have some impact, it wouldn't be, you know, such a significant impact as to cause us concern.

MS. ZARTMAN: I think the perception that we tend to use in looking at these data are there's a bathtub that's overflowing.

CHAIRPERSON REID: You're testifying, Ms. Zartman.

MS. ZARTMAN: That's fine.

CHAIRPERSON REID: You will have an opportunity to do so.

MS. ZARTMAN: We're just looking for when there's an indicator to turn off the flow.

MR. LADEN: I understand.

CHAIRPERSON REID: Okay. Thank you.

Well, you might as well stay. Ms. Zartman? The ANC --

MS. PRUITT: Madam Chair, I understand we have somebody from the police department that would like to testify as a government report. We don't normally get the police department, but we've got --

(Laughter.)

-- but it's a government report, and we're in the government report section of the

hearing.

CHAIRPERSON REID: Sure. I understand that. Sure, I have no problem with the gentlemen -- the officer testifying. Nonetheless --

MS. PRUITT: Before you move on to the ANC.

CHAIRPERSON REID: Nonetheless, I would have liked to have had prior knowledge of it for the agenda, as far as setting up the agenda.

Sure, come forward, please.

MS. PRUITT: We just found out about this, Madam Chair. I'm telling you when I found out.

CHAIRPERSON REID: Okay.

MS. PRUITT: I'm sorry, sir. I don't believe you were here when we swore people in. Could you please stand?

(Whereupon, the witness was sworn.)

MR. BURKE: Good afternoon. My name is Lieutenant Patrick Burke. I'm with the Metropolitan Police Department. I'm currently assigned as the MPD's traffic coordinator. Prior to this assignment about three weeks ago, I've been assigned since 1995 to the 2nd District, which covers Georgetown University.

During my tenure there, I've served in

both the patrol sectors, the community services lieutenant, and as the patrol service lieutenant for patrol areas 205 and PSA 206, which covers Georgetown University, Burleith, Glover Park, Mass Ave, Cathedral Heights, etcetera, some of those neighborhoods.

I'm not here to testify pro or con and actually don't know a lot of the specifics of the campus plan per se. I'm just here to give you some of my observations about the police interaction with the university, the pros and the cons.

Just so you know, also, I've been a Georgetown resident for the past seven years, just for your information, and have recently relocated to Berkeley in The Palisades. Just a few observations that I have.

Since moving to Georgetown and serving with the police department, I found that one of the greatest community concerns there, and Burleith as well, has not been crime but more so -- and a lot of neighborhoods throughout northwest and the city -- is not so much crime per se, but quality of life issues, the noise, drinking in public, urinating in public, trash, graffiti, and issues of that nature.

As those were primarily the community

concerns, we -- the police department I guess made relations -- strong relations with the Citizens Association of Georgetown, the Burleith Civic Association, Georgetown University, the Georgetown Business Professional Association, Georgetown Residents Alliance, the ANC, many other groups to work on and work through some of these problems.

And a lot of the issues, when we originally started, stemmed around students living off campus, noise, and related issues. A few of the things that we worked in right away -- and throughout this I'll sing the accolades of Jean Lord and Linda Greenan, and a lot of the things that Jean did to work with us in getting the students to shore up their conduct -- a few of the things that were worked in, and this is in conjunction with the university, CAG, Burleith, and all of the groups working together to find solutions.

They initially required students moving off campus to attend lectures, wherein the police department was present. The university would have students present to talk about landlord-tenant issues, and the residents associations, specifically Burleith, would have a resident to come in and talk about trash and things in the neighborhood, and

basically to get that spirit of empathy instilled into some of the students that were moving off campus.

The university assisted us in implementing and staffing our community policing center, often times with discipline students. A few of the things that we were doing in conjunction with the university and continued to do through the time I left, we would initiate a lot of overtime programs specifically to deal with noise, trash, vandalism, the underage drinking.

And every Monday, after making arrests of students or anyone else, if there were a student in, let's say, a loud party where a noise citation were issued, we'll call the university, specifically Jean Lord, every Monday and they will call the students before their board and impose student discipline.

And a lot of times they would give them back to the police department for cleanup days or to clean the 2nd District when our funds were low, or some different innovative ideas along those lines.

Also, in this committee or this working group we had with all of the different groups, we worked on securing legislation to shore up the noise laws. Prior to this, the Noise Control Act or

amendments would state that noise violations, aside from being arrestable by $25 fines, which really couldn't be done by the police department -- it was too personnel-intensive.

We worked on revamping that law to make it a reasonable person standard as the original law called for a decibel meter to be used for monitoring noise. When we looked into that, we found out that the decibel meters -- first of all, the police department didn't have any. We, I guess, jumped out and bought some decibel meters, and we saw that we needed to be certified acoustical engineers to work the decibel meters.

(Laughter.)

So we volunteered to put ourselves through decibel meter school, and we found out that that was a four-year degree.

(Laughter.)

So, unfortunately, I don't think the District of Columbia has any certified acoustical engineers, so we went the next route. And with Jack Evans and all of these groups, we worked to change that legislation, and that had a dramatic impact on the declining amounts of off-campus parties or noise in the neighborhoods.

We also worked on changing -- recently enacted the underage drinking legislation which made it illegal for minors to misrepresent their age to enter an ABC establishment. Previously, it was only misrepresentation of age to procure alcohol.

So, really, for our purposes, let's say if a young -- a 20-year old were to go to a bar and give an ID and the bouncer were to realize it's a fake ID and take it, it's actually a theft. There was no crime at that time. So we reworked those laws, and I think -- we haven't seen the impact of that yet, but I think it'll have a dramatic effect on reducing the amount of underage persons drinking in ABC establishments.

And one of the biggest issues, I guess, with Georgetown, too, that has to be taken into consideration -- it's not just the close proximity to the university. It's M Street and the amount of bars that are there as well. When we've run some recent programs, we've really found that a lot of the -- especially up Prospect Street, we get such a large contingent of people parking that go back to Virginia or Maryland that our transients that are coming in and causing a lot of our issues, too, and accounting for a lot of those arrests.

Getting back to some of the things that our working group has done, beyond the underage drinking legislation, we also, too, do a little I guess PR on the noise and let the students know, as well as people coming through Georgetown -- the residents -- know that we're committed to enforcing the noise violations.

We designed some signs, copying some things that we had seen in Rehobeth Beach, Delaware, just advising that noise violations were punishable by a $300 fine and/or arrest. And the university paid for those signs. We made them a nice blue and gray color to be in stride with the neighborhood look and posted those with a lot of our citizens, primarily from Georgetown -- the Citizens Association of Georgetown. So those are some of the things we've done.

Jean Lord has been instrumental in putting together a number of community meetings, community outreach. I know she would include me in a lot of those, so that people could address their concerns to the police, and our response to those issues.

One of the recent programs that we ran we asked for the -- because -- if you were to call in

for a noise complaint to the police department, because there are so many things happening, a lot of times when these parties are, when people are visiting the bars -- Thursday, Friday, Saturday nights specifically -- usually between 9:00 p.m. and 3:00 or 4:00 a.m., the police department is so strapped to handle other calls for service, priorities, burglaries, robberies, people screaming, or anything else that could happen, if you were to call with a noise complaint, a lot of times the police department won't respond for a few hours.

So, once again, realizing this is a major community concern, we set up another overtime initiative, where we set aside four officers a night to specifically -- well, primarily on Prospect Street, and two officers in Burleith, and we asked Georgetown University to provide us with cell phones as we didn't have any at the time, something to augment our resources.

And with those cell phones, we set up a police hotline wherein people could call the residents or students, whoever, could call our officers directly in their vehicles to alert them to noise violations. Also, the officers were proactive, and if they were seeing a party or a keg going into a

house, taking some actions to apprise people of the law, and that if we're back it's going to be a $300 fine or an arrest.

So those are a few of the things that happened. When we had that hotline going, I was actually pleasantly surprised. I thought we would receive more calls than we did. And some of that may have been people not knowing about the hotline. There's a number of variables that could have happened.

But the overwhelming majority of the arrests we made were -- and this is in the realm of underage drinking and persons arrested just for urinating in public, drinking in public, open containers of alcohol. The large majority of those persons were people that were coming in from out of town and not people related to the university in that regard.

Problem houses historically, and I know this is with some of the universities around the city -- and Catholic University recently got some press -- there seemed to be in a lot of these communities houses that are turned from one group to another -- your la crosse house, your football house, and things like that.

And there were -- I could probably name a few houses or point out a few houses where you'll see the kegs in the yard every weekend, the couch on the front porch, the swimming pool, and the front lawn with a tent, and some things like that. And, unfortunately, those students or those people, while it's a small minority, account for a large number of the complaints we would have, and subsequently the parties. And we would really push those recidivist violations, let Jean know, and really try to up any discipline that would happen as a result of getting on those recidivist locations.

So I guess just so you can ask questions and I can sum up things for you, are there problems? Absolutely, especially with a number of houses. However, on the other side -- a lot of my answers will be yes, but, on the other side, I would characterize Georgetown and Jean's efforts and Linda's efforts as exceptional, and their outreach to be exceptional.

And recently I attended the -- and was a presenter at the National Alcohol Policy Conference, and the bulk of that presentation was on the efforts of not only Georgetown University but people like Bonnie Hardy, and Burleith, Pat Scolaro, Juliet and

Barbara and CAG, Karen and Paul, and Georgetown Business Professional Association, Don and GRA, and all of the different groups, the innovative solutions that we've come up with working together to find some of those solutions to the problems.

So the police department, once again, we're not saying we're for or against the campus plan. I really don't know the details to that, but those are some of my objective observations as to the quandaries we've faced in those years.

Thank you.

CHAIRPERSON REID: Okay. Thank you. And give me your name again, please.

MR. BURKE: Patrick Burke.

CHAIRPERSON REID: Burke?

MR. BURKE: B-U-R-K-E.

CHAIRPERSON REID: Okay. Thank you.

MEMBER RENSHAW: Madam Chair, could we have a few questions?

CHAIRPERSON REID: Sure.

MEMBER RENSHAW: Lieutenant Burke, it's good to see you. 2D, you're still with 2D?

MR. BURKE: I just transferred to headquarters, so I --

MEMBER RENSHAW: Transferred to

headquarters.

MR. BURKE: -- could be closer to you.

(Laughter.)

MEMBER RENSHAW: All right. In any case, we miss you up on Military Road in my area, and would only hope you take that message to headquarters. We need some traffic enforcement.

MR. BURKE: We've got some good speed cameras ready to roll out September 1st.

MEMBER RENSHAW: Very good. Right up in my neighborhood, I hope.

I'd like to know from your -- how long were you down monitoring the situation in Burleith around Georgetown University?

MR. BURKE: My time at the 2nd District was about five years. I spent a year in community services, so on and off for four years. Although I lived there for seven years, and I really had a good feel for it for seven years.

MEMBER RENSHAW: You spoke about extra officers needed on overtime for Burleith and on Prospect Street. And I'd like to know, what kind of -- do you have the percentage of police time that has been spent in and around the Georgetown University, just handling these complaints that you outlined?

And I'm addressing the question because in my neighborhood we have a problem getting the attention of the police. And so I'm wondering, are you -- is this situation down around Georgetown, or perhaps around other universities, taking attention away from other neighborhood problems, non-university related?

MR. BURKE: Well, I think, first of all, this is an issue not only with Georgetown but with all universities in the city, and not only in Washington, D.C. The reason that we were able to allocate overtime is because, especially with the amount of vehicle and pedestrian traffic that are so frequent in Georgetown, on any given night we needed additional people to augment -- even without any overtime staffing, we need additional personnel to augment our services. And I could show that through the crime statistics.

So while I wanted to keep my regularly assigned people staffed to their regularly assigned patrols for the priorities, I did realize -- and, once again, if the community's main concern is noise and quality of life issues, I've got a duty and a responsibility to meet their needs and to address those issues. So I worked through Chief Monroe,

Commander Cockett, who is now Chief Cockett, and Commander Nusham, to ensure that we did have overtime personnel to augment our existing staffing.

And normally we would run those -- a number of the programs we ran were about three months in length. And usually four officers a night, staffing would be usually six-hour tours of duty, 10:00 p.m. until 4:00 a.m. A lot of times when the bars are letting out, or when people are walking through the streets, are the typical times you'd have parties, your Thursday, Friday, Saturday nights. So we'd be out there to address those issues.

MEMBER RENSHAW: And in your crime statistics, do you have any numbers for us of the number of complaints over a year's period?

MR. BURKE: I don't have anything with me, although I've given out a few things from our last initiative that Linda may have, or Bonnie or some people in the audience, to show you some of the numbers from one of those details.

MEMBER RENSHAW: Could we get those? Or could you make --

MR. BURKE: Sure.

MEMBER RENSHAW: -- sure that we would have those --

MR. BURKE: Sure.

MEMBER RENSHAW: -- numbers?

MR. BURKE: Sure.

MEMBER RENSHAW: Thanks.

CHAIRPERSON REID: Okay. Thank you very much.

Okay. You do have a question?

VICE CHAIRPERSON SOCKWELL: Yes.

CHAIRPERSON REID: Sure.

VICE CHAIRPERSON SOCKWELL: Two questions, Lieutenant Burke. One, when did you leave the program that the university and the police department were participating in?

MR. BURKE: It wasn't one set program. I guess it was an evolution of a number of innovative ideas that were worked with the university, the police department, and community groups together. I've been reassigned about three weeks now.

VICE CHAIRPERSON SOCKWELL: Then the second question is, to the best of your knowledge, these activities, which we'll say are a part of an evolutionary or an evolved set of responses to problems, these activities are ongoing at this point? Or has there been some cessation of some of these activities?

MR. BURKE: The overtime has ceased since I've left the District. I'm not aware of any current efforts to reinvigorate any overtime efforts, although there is an annual summer detail, which is not so much to deal with anything on the side streets or toward the university. It's primarily for the overflow of traffic with the summer tourist season around Wisconsin and M area and the commercial corridors.

VICE CHAIRPERSON SOCKWELL: And the cell phone patrol -- patrol car situation, is that --

MR. BURKE: Right. That was part of the overtime initiative. That ceased a few months back.

VICE CHAIRPERSON SOCKWELL: All right. So some of this is not ongoing --

MR. BURKE: Correct.

VICE CHAIRPERSON SOCKWELL: -- at the present time.

MR. BURKE: Right.

VICE CHAIRPERSON SOCKWELL: But has had a history.

MR. BURKE: Correct.

VICE CHAIRPERSON SOCKWELL: All right. Thank you.

CHAIRPERSON REID: Thank you very much.

MR. BURKE: Thank you.

CHAIRPERSON REID: Was there any cross examination of Officer Burke? You, sir? Okay.

MR. CROCKETT: Don Crockett with the GRA.

Pat, could you tell us basically how many noise complaints the MPD had in the last year from student group houses?

MR. BURKE: In the last year, I can't say specifically from student houses, but I would guess that we've responded to at least 100 complaints.

MR. CROCKETT: Over the year? Has that been pretty consistent in years past, or is that better than in years past?

MR. BURKE: I'd say that we're better -- the amount of arrests that we're seeing, and I see the amount of addresses we're responding to, are better than in years past.

MR. CROCKETT: And roughly in the last year, how many noise citations or fines did the police department issue?

MR. BURKE: I could give a guesstimate of about 50 citations that were issued, the $300 fines for noise.

MR. CROCKETT: Okay. The noise is still a major problem in Burleith and West Georgetown. Is

it not a continuing problem?

MR. BURKE: It's a continuing problem, and my answer would probably be yes. But, again, it's -- while it's a continuing problem, it's -- since I've come there, I think -- and I -- not to take any credit for the police department, I think, once again, it's police, community, business, association, residents working together, but I think through everybody's commitment we've reduced those numbers.

MR. CROCKETT: What, in your opinion, could the university -- what are the options that the university might have to make this problem go away, or make it better?

MR. BURKE: More -- a few of the things that I'd like to see and that we're -- Jean and I have talked about, especially stronger student sanctions -- let's say, for athletes, if you were forced to miss a la crosse game, if you were caught with alcohol, and just shoring up some of the discipline.

I hate to use the word "scapegoat," but sometimes if the punishment is known that it's swift and severe, in cases -- especially for -- and I'm not trying to -- and I empathize, I guess, with the

college life. But if there are recidivist violators, just to show that they are disciplined and that discipline is severe if necessitated.

MR. CROCKETT: Do you think it would help if the university had more activities for its undergraduates on campus?

MR. BURKE: I could argue pro and con against that. I know one of the recommendations was to put tents on campus and serve alcohol on campus, and that can come back -- a lot of times if there are events on campus, that can lead to -- there were a number of people living in close proximity to the university that called in with noise complaints, or when people left campus. The large amounts or groups leaving with trash or noise or things of that nature.

And there's good arguments to keep it on campus, too, so I could go -- I could probably give some arguments pro and con there.

MR. CROCKETT: Okay. You would agree, though, wouldn't you, that the student group houses that have been causing the problems in these neighborhoods constitute a negative impact on the affected neighborhoods?

MR. BURKE: Absolutely.

MR. CROCKETT: No further questions.

CHAIRPERSON REID: Thank you.

Sure. Mr. Moulden?

MEMBER MOULDEN: Do you think with the Georgetown area being a major attraction to tourists and also some people coming into the shopping areas, to the restaurants, and so forth, and the university, that this could possibly have an impact on students being involved in a number of activities, being out more through the neighborhoods, through the commercial areas, just being involved in all sorts of activities which would lead to some social issues in the community?

MR. BURKE: Specifically, the proximity of bars?

MEMBER MOULDEN: Just being out and about.

MR. BURKE: Yes. It could -- with -- the only thing I could address there, really, is the close proximity of bars, especially along M Street, could lead to, you know -- of course, if I were a young person, that's where I'd probably want to be, as there's no bars on campus. So they're going to filter and find their way down there, just as anybody would come into M Street for -- to visit those.

And that's a certain percentage, and,

once again, our numbers aren't -- for underage drinkers haven't been -- haven't -- well, actually, although we haven't run a number of initiatives recently, but our number of underage drinkers haven't been disproportionately Georgetown students either.

So I wouldn't say that -- you know, while there are a lot of students that go off of campus and onto M Street and into Georgetown for a number of things, aside from maybe some underage drinking, I wouldn't see too many issues with -- I don't think they're going off campus specifically to -- or any specific person to vandalize or to do anything else that would cause any harm to the neighborhoods.

CHAIRPERSON REID: Thank you.

All right. Any other cross examination questions?

VICE CHAIRPERSON SOCKWELL: Lieutenant, with regard to the signs that were placed on the streets for the $300 fines, etcetera, with the overtime program now somewhat, let's say, shut down, at least temporarily, enforcement of such fines is now up to the university pretty much entirely and any effective means that they have, would you not say?

MR. BURKE: Well, actually, the enforcement of the signs and the citation of noise

violations is specifically and purely the responsibility of the police department. And the university can issue fines for things that are happening off campus.

And, really, one of the things we were looking for when this -- when we rolled out the overtime, a lot of it was an educational endeavor for the officers as well. We were just rolling into doing something new and breaking that paradigm of locking up everybody for disorderly conduct, and getting into these citations.

So it took some time to educate our officers as to what the law was, and then our aspiration was to, once we broke off from these overtime programs, that the officers who had worked it, and the officers who had heard people getting the numbers for citations, would know that this law existed, that it was workable and was working, and that the officers in the field would continue to use that as another means rather than arresting people.

VICE CHAIRPERSON SOCKWELL: Well, I guess my question is, to the best of your belief, is the program still in operation, in any significant way, with the decibel meters and the enforcement of late-night activities among students in group homes and

otherwise?

MR. BURKE: I would say that the officers are issuing citations and have a better knowledge now than ever. On the other hand, though, once again, without overtime and pending calls for service, if I were a resident in Georgetown calling for a loud party on a Friday night, chances are that police response would be much slower because of other calls for service because of the sheer nature of Georgetown and the calls for service it attracts.

VICE CHAIRPERSON SOCKWELL: And at least up until the time that you left, you were more or less the administrative contact for the community on this particular activity, or --

MR. BURKE: Yes.

VICE CHAIRPERSON SOCKWELL: And without you, has anyone been reassigned to take that?

MR. BURKE: We are currently waiting for a new lieutenant to take the reigns. However, Sergeant Keith Bickle, who is a 27-year veteran of the Department, talks to me weekly about different issues, and also Lieutenant Diane Durbin, who is currently an administrative lieutenant as she can't be in the field due to a physical condition -- is handling some of the administrative paperwork.

VICE CHAIRPERSON SOCKWELL: Thank you very much.

MR. BURKE: Thank you.

CHAIRPERSON REID: Thank you.

MEMBER RENSHAW: Just one last quick question. Madam Chair, one last quick question.

CHAIRPERSON REID: Okay.

MEMBER RENSHAW: If we could get from Lieutenant Burke some idea of the cost to the police for this Georgetown group home surveillance over a year's period --

MR. BURKE: I could -- I'll have to get back to you, but I can give you --

MEMBER RENSHAW: Thank you.

MR. BURKE: -- some numbers on that.

CHAIRPERSON REID: All right. Thank you very much, Officer Burke.

MR. BURKE: Thank you very much.

CHAIRPERSON REID: All right. Now -- oh, excuse me.

I'm sorry. Officer Burke, there is one other cross examination.

Is this the last one? Okay. Yes.

MS. SCOLARO: My name is Patricia Scolaro.

Someone just mentioned that I have to be the friendly cross examiner, and I am. I know I'm not supposed to give testimony, but Pat has been outstanding in the community.

Pat, I wonder if you could give us some of the reactions you've have to students when you have had to confront them if they're walking on the street with an open can of beer or an open container of alcohol.

MR. BURKE: Well, if it's an open container of beer or open container of alcohol, or anything -- drinking in public, they're arrested. So I haven't met anybody real happy about that.

(Laughter.)

MS. SCOLARO: Okay. Can you give us some examples of what you might find when you get into some of the houses where there is a party going on and you or your officers have been called?

MR. BURKE: Just the kegs, bottles of alcohol, and a lot of these, once again, are the recidivist locations that we would track. But occasionally underage drinkers, we would find poor conditions in the housing.

MS. SCOLARO: Okay. What was the reaction --

CHAIRPERSON REID: I'm sorry. Did you say poor conditions?

MR. BURKE: Right. Especially a lot of times we'll go into kitchens or dining rooms, and more so because of the party, but it's not a place where I'd want to eat breakfast.

(Laughter.)

MS. SCOLARO: Okay. Have you seen any instances where a heavy consumption of alcohol or beer has led to any other kinds of overt activity -- vandalism or physical abuse in any way?

MR. BURKE: Yes. We've had a number of fights and some vandalism, some theft, related to -- a lot of things -- a lot of the issues I would directly relate or make that correlation to alcohol use or misuse.

MS. SCOLARO: I just have one last question. Ms. Renshaw addressed the issue of cost, and that, to us, was of concern.

When you left Burleith temporarily, you were there for a while and then you went to Georgetown, what condition did you find the reports in? We were very used to you calling us on a Monday morning, giving us written reports. When you were no longer there, what kind of records were left for you?

MR. BURKE: There were -- aside from a 61D file, which we can go down to the station and track, there wasn't a real good reporting system of documenting violations of any nature.

MS. SCOLARO: Okay. Thank you very much. That's all I have.

CHAIRPERSON REID: Thank you.

All right. ANC report now? Ms. Zartman?

Thank you very much, Officer Burke.

MR. BURKE: Thank you.

(Whereupon, the proceedings in the foregoing matter went off the record at 3:02 p.m. and went back on the record at 3:03 p.m.)

CHAIRPERSON REID: Ms. Zartman, are you going to give the ANC report?

MS. ZARTMAN: No.

CHAIRPERSON REID: All right. Then, who -- well, whoever. This is --

MR. STERLES: Good afternoon.

CHAIRPERSON REID: Good afternoon.

MR. STERLES: I'm William Sterles, and I am an ANC representative from 2E-06 in Georgetown. And I'd like to present to you and read the motion that was presented on June 6, 2000.

On June 6, 2000, a special town meeting was held by ANC-2E to consider the above application. This was duly noted and all eight -- 100 percent -- of the Commissioners were present. The following motion was presented and passed by a vote of five to three.

Whereas, Georgetown University has presented communities that surround it in ANC-2E a 10-year campus plan for the years 2000 through 2010 that will emphasize academic improvements and proposals to develop 1.3 million square feet for improved academic and administrative space; and, whereas, Georgetown University has developed plans to house a substantial number of undergraduate students through the construction of a new 780-bed dormitory, which is called the Southwest Quadrangle; and in doing so, will significantly reduce the impact of off-campus student housing in nearby neighborhoods; and has affirmed that within the next decade it will: 1) maintain an on-campus undergraduate student population of at least 85 percent, following completion of the Southwest Quadrangle in September 2003; and 2) increase present authorized enrollment cap of 5,627 to 6,016 upon the completion of the Southwest Quadrangle.

In other words, nobody else -- no extra students until the Quadrangle is complete.

Now, such increases will occur in equal amounts per year until the new cap is attained. A rate of approximately seven-tenths a year; and 3) reduce off-campus housing demands on the nearby neighborhoods in zip code 20007 to approximately 400 students by 2003, which represents a 60 percent decrease from today's levels.

And, whereas, Georgetown University's 2000-2010 campus plan proposes to maintain the current parking cap of 4,080 cars; and, whereas, Georgetown University, Medstar, the Office of Planning, and representatives from most surrounding community groups, and ANC-2E, have participated and facilitated meetings, the result of which Georgetown University proposes to deny any new enrollment increase until the Southwest Quadrangle is occupied, phase in any new enrollment increase in equal amounts each year following the occupancy of the Southwest Quadrangle, reduce the projected 10-year enrollment increase from 500 originally proposed to 389, strengthening its off-campus student affairs program.

Now, concerning student conduct, ANC-2E conditions its approval of Georgetown University's

campus plan by urging that measures be taken to strengthen the off-campus affairs program, including such measures as suspension of a student or students who are cited for the repeated and continual residential neighborhood disturbances; that such student or students be required to move from off-campus housing back onto campus housing.

Whereas, as a result of facilitated meetings that included DPW, the university, and Medstar, have initiated mediation strategies to resolve traffic impasse, and concerning Reservoir Road entrances and traffic flow.

Georgetown University and Medstar will make entrance number 1 one way, and entrance number 4 one way out, or vice versa, provided an analysis by DPW traffic engineers indicates that doing so will increase overall traffic -- improve overall traffic on Reservoir Road and improve traffic internal to the university, to the university medical center, and provided that Medstar's analysis of such change indicates it will not impede patient access.

Therefore, be it resolved that ANC-2E supports Georgetown University's 2000-2010 campus plan as presented and will request that the Board of Zoning Adjustment afford ANC-2E the great weight as

required by law.

And the letter was signed, Sincerely, by Peter Pulsifer, Chair of ANC-2E.

I might add to the record that at the last Board of Zoning meeting a fellow Commissioner, Barbara Zartman, stood up and said that she had written a note to corporate counsel concerning the validity of a five to three vote, concerning a meeting that took place between a few of the Commissioners prior to the meeting.

And I'd like to submit for the record a letter that is dated July 14th that I received yesterday concerning the open meetings law, signed by corporate counsel. And I'll just -- I'll read one line of it.

It says, "I conclude that the private meeting of June 6, 2000, did not violate the open meetings law."

And it's, you know, a two-page letter that basically affirms the vote and the great weight of ANC-2E on the five to three vote in support, with the stipulations, of the Georgetown campus plan.

CHAIRPERSON REID: Thank you.

It, therefore, will be afforded the great weight to which you're entitled.

Are there any questions of the ANC Commissioner? All right.

Ms. Dwyer?

MS. DWYER: We have none.

CHAIRPERSON REID: All right. Mr. Crockett?

MR. CROCKETT: Yes.

Good afternoon, Bill.

MR. STERLES: Good afternoon. How are you?

MR. CROCKETT: Could you tell us who wrote the resolution that you just read?

MR. STERLES: The resolution was originally written by -- in most part by Art Schultz. Art was not feeling well the night of the meeting, and he asked if I would entertain presenting the motion. I read the motion, added some substance to the motion, changed a few things.

The motion essentially was written by Art, and then it was revised by myself.

MR. CROCKETT: All right. Now, you spoke of a meeting that occurred before the town meeting on June 6th. Is that the meeting that a group of you met at Billy Martins Tavern?

MR. STERLES: What it was, four of us got

together at Billy Martins before the meeting. It was very short. We had time to share some chicken fingers with Art and to just intellectually talk about what was upcoming.

MR. CROCKETT: Okay. Was that where he gave you the draft of the resolution?

MR. STERLES: Yes.

MR. CROCKETT: And is that where you agreed that you were going to support him with that draft?

MR. STERLES: Well, Art was -- as you know, Art passed away, unfortunately, two days later. Very sad. And he was just -- he didn't look well, didn't sound well, and he said, "I just don't have it physically in me to present the motion." And I read the motion; I agreed with the motion. There were some changes I wanted to make, and so I agreed to present the motion.

MR. CROCKETT: Okay. And you made those changes there at Billy Martins Tavern?

MR. STERLES: No, I did not.

MR. CROCKETT: My understanding is that you had the resolution on two pieces of paper that you were going to read, and that the other Commissioners who met with you also had those two

pieces of paper.

CHAIRPERSON REID: Are you asking a question?

MR. STERLES: There were two copies of the motion; one that I kept with me and made some changes to, and one that Art had. I'm not -- I seriously don't know how many copies there were.

MR. CROCKETT: Okay. Did you give copies to the other Commissioners who were going to vote with you?

MR. STERLES: No.

MR. CROCKETT: All right.

MR. STERLES: I might add here, too, there were four of us at that meeting.

MR. CROCKETT: Who were the four?

MR. STERLES: The four of us were myself, Art Schultz, Fran Goldstein, and Mark.

MR. CROCKETT: Okay. Did you invite any of the other Commissioners to that meeting?

MR. STERLES: I didn't invite anybody to that meeting.

MR. CROCKETT: All right. Do you know why the other Commissioners weren't invited to the meeting?

MR. STERLES: I have no idea.

MR. CROCKETT: All right. Before you agreed to this motion --

VICE CHAIRPERSON SOCKWELL: Excuse me. Mr. Crockett?

MR. CROCKETT: Yes.

VICE CHAIRPERSON SOCKWELL: Is it your statement that you know for a fact that the other Commissioners were not invited or were not present?

MR. CROCKETT: I don't know either way.

VICE CHAIRPERSON SOCKWELL: Then you made a statement that you should retract.

MR. CROCKETT: What is --

VICE CHAIRPERSON SOCKWELL: You stated that the other Commissioners were not invited. You have no way of knowing.

MR. CROCKETT: I will retract that. I didn't mean to --

VICE CHAIRPERSON SOCKWELL: Thank you.

MR. CROCKETT: -- testify.

Before you signed on to the resolution, had you thoroughly gone through the campus plan?

MR. STERLES: I would say -- well, I'll put it this way. If I spend much more time on the campus plan and meetings for the campus plan, my 10-year old son would call me Uncle Bill.

(Laughter.)

I read the campus plan thoroughly on more occasions than once. I have little stickies on the -- it's like the commercial, stickies on everything. I went through countless meetings, the quarterly meetings, went through the resolve meetings.

I personally sat down the other day to log how many hours I've spent on this thing. Without exaggeration, I'd say I've spent about 100 hours of my life on the campus plan.

MR. CROCKETT: Okay. As part of those 100 hours, were any of those hours spent meeting privately with Linda or any of the other university representatives?

MR. STERLES: The meetings were open meetings, and, you know, community meetings, Georgetown-sponsored meetings, resolve meetings; you name it, we have it.

MR. CROCKETT: Okay. One of the Commissioners that voted with you -- Matthew Payne -- I take it did not attend the meeting -- the pre-meeting?

MR. STERLES: Matthew was not there.

MR. CROCKETT: Okay. Did you provide him a copy with the resolution before the town meeting

started?

MR. STERLES: No.

MR. CROCKETT: Okay. Now, that meeting was billed as a town meeting, correct?

MR. STERLES: Which meeting are we talking about?

MR. CROCKETT: The June 6th meeting.

MR. STERLES: It was a special town hall meeting.

MR. CROCKETT: And that was the meeting at which the residents were to have their opportunity to come in and inform the ANC as to what their problems were with the plan?

MR. STERLES: It was one of the opportunities. I mean, there were countless meetings up to that, or other ANC meetings. As you know, I was appointed to run a special election to replace another ANC Commissioner. There were many times. One community had a comment about that. That was not the only forum for community comment.

MR. CROCKETT: Well, I didn't suggest that it was.

MR. STERLES: Well, I --

MR. CROCKETT: That's all I -- my question to you was, wasn't the sole purpose of this

meeting, as a town meeting, to provide the opportunity for those residents who wanted to participate, come in and give their views on the campus plan?

MR. STERLES: The way I understood it, the structure of the meeting, because the Chairman went through the structure of the meeting ahead of time with everybody, all of the Commissioners that is, is it's supposed to be in four segments.

The first segment was comment and presentation from the university and its people. The second part, an equal part of time, was community comment. The third part of time was supposed to be on Commissioner comment. And the fourth part was supposed to be for whatever resolutions.

MR. CROCKETT: All right. Now, there were a good number of people that showed up for that meeting, correct?

MR. STERLES: Yes.

MR. CROCKETT: And would you agree with me that the vast majority of the people who spoke had personal complaints and grievances about problems with the university?

MR. STERLES: I'd say the majority were not happy with the university.

MR. CROCKETT: All right. Now, what they said at that meeting didn't make any difference to you because you already had your resolution drafted, isn't that correct?

MR. STERLES: Well, I can't present a motion without believing in the motion. So I did believe in the motion. I must say that, through all of these other meetings that took place -- I mean, there's a lot of thought, a lot of intellectual property that was exchanged prior to this. And, quite frankly, a lot of these people were at a lot of these meetings and voiced similar concerns.

MR. CROCKETT: But not all of them.

MR. STERLES: I might add here, too, you know, if you're concerned that my motion didn't, or doesn't as the case may be, address the community concerns, our motion just sitting here, and after reading through the Planning Commission's report, is more restrictive than the Planning Commission.

We're saying that no extra students can be added until the Quadrangle is complete. We're not saying built; we're saying completely built. That's number one.

We're putting some teeth into asking -- telling the university to do some extra enforcement

with troublesome students, as Lieutenant Burke spoke. Unfortunately, it's, you know, a fact of life that the minority of students cause the majority of the problems out there. And we're asking for some genuine enforcement of those rules.

So, you know, our motion does -- my motion does address a lot of the concerns that we've heard over the countless hours of meetings.

MR. CROCKETT: In that regard, have you spent time with the previous BZA order on the previous campus plan?

MR. STERLES: Yes.

MR. CROCKETT: And are you aware of the fact that that previous campus plan, that previous BZA order, required the university to create a bed on campus before it could increase any enrollment in undergraduates?

MR. STERLES: Yes.

MR. CROCKETT: And, nevertheless, being aware of that, you voted to take that restriction off and allow the university to increase its enrollment without meeting the 100 percent requirement?

MR. STERLES: Well, the reasons for the evolution here is, first off, there are a lot of points of the previous BZA order. I know some of

them were addressed earlier today, which just simply changed. In other words, the landscape so to speak has changed on the previous order, as the gentleman from -- and the lady from the Planning Commission pointed out.

Number two, there was a good deal of time spent at one of the resolve -- that's the city-sponsored mediation hearings -- where we went over it, and there was a lot of give and take about D.C. law, about human rights laws, about anybody that lives in the District of Columbia, that you can't -- in other words, if somebody wants to live off campus, as a resident of the District of Columbia, by law, you have to let them live where they want to live.

So one of the ideas of this motion, and one of the reasons it passed with a majority of five to three, is that it's a realistic motion. In other words, we're putting constraints on, and they're serious constraints on the university. But they are numbers that can be attained.

We're going from a figure, you know, give or take in the mid 70s for people living off campus today, as we speak, to, in the first year of this, you're going to have just shy of 90 percent of students living on campus.

If they attract all the students they want to attract, and you might remember that under the old constraints they're still something like 100 students short of where they'd like to be, that the low water mark will be 84 percent of students living on campus. And, quite frankly, that's higher than -- I went to American University. It's substantially higher than AU. And, you know, you have a lot of AU students living in some of these neighborhoods that are affected by Georgetown University students.

MR. CROCKETT: Well, that wasn't really responsive to my question. But let me try something else here.

MR. STERLES: Go right ahead.

MR. CROCKETT: Some of the Commissioners at that meeting, which I attended, if my memory serves me correct, stated that they voted for your resolution as what is best for the city, rather than what is best for the particular residents in the community. Do you recall that?

MR. STERLES: What it was -- and, in fact, I brought a copy of it with me --

MR. CROCKETT: Could you come and get --

MR. STERLES: One thing the Board doesn't know about me is I'm inherently a cheap person. For

me to frame something, spend money on a frame, that means it's important to me.

This was signed by myself and by Councilman Evans. The day is March 16, 2000.

And I'll just read this to you. It says, "I, William Sterles, will support and defend the Constitution of the United States, that I will perform such duties as may be assigned to me as a member of said Commission, to the best of my ability, without fear or favor; that I will exercise my best judgment and will consider each matter before me from the viewpoint of the best interest of the District of Columbia as a whole; and that I will faithfully discharge said duties, so help me God."

What that is saying is that we're supposed to -- in my opinion, I can't speak for other Commissioners here. And the gentleman that spoke to this point, unfortunately, is not with us anymore. Art died two days after this.

But what Art was referring to -- and, you know, I take this job very, very seriously. It's not for the pay, not for the great benefits that go with the great pay, but it's to try to make, you know, the standard of living or the lifestyle of everybody a little bit better in the city, a little bit better in

Georgetown.

And what this is saying is that -- you know, obviously, we've got to -- we have to consider the interests of those that live in our single-member district. And, believe me, a lot of people I've spoken to -- I mean, I have friends that are against the campus plan. I have a lot of people that are friends or just people I've met doing my job that are in favor of the campus plan.

But what this is saying, in my mind at least, is that I'm supposed to step away from the concern of a specific block or a cluster of a dozen homes and look at the best interest of the city as a whole. That's what I'm sworn to. I didn't make this up. I didn't tell myself -- you know, I didn't write this for myself here.

MR. CROCKETT: So your vote was based upon what you thought was best for the city?

MR. STERLES: I would say my vote is based on a couple of things. It's, one, I think the campus plan, with the restrictions of the ANC on this motion, have voted it five to three -- number one, it's progress.

I'd much rather see, for those people -- my constituents that do live near the university, and

my territory goes from -- yes, I do live far away, technically speaking, from the university, on 31st Street. But my commission, my area, goes all the way up and east on Prospect Street, all the way over and includes part of the university. So I do have constituents, I do have friends that are affected from time to time by unruly students in group houses over in that area.

So, one, I thought the campus plan was essentially good. One, I thought it needed some revisions, which is what we did in this motion. Again, it's stronger than what -- surprisingly enough, stronger than what the Planning people have suggested. And I think to have a strong Georgetown we have to have a very strong residential community, we have to have a viable university, and a strong business industry.

That's what makes Georgetown unique. From an urban planning perspective, it's like a city within a city and it works very, very well. So, no, my vote wasn't just for the betterment of the District of Columbia. It's better for the community, too, and for my specific SMD.

MR. CROCKETT: For your specific SMD. Even those people who are affected by group houses?

MR. STERLES: Well, the reason being is that, if you want to go to just simple math here, with this plan in place we're going to go up to first year, 2003, and have 90 percent or just shy of it, living on campus. I think 90 percent is better than having a figure of 77 percent or whatever --

MR. CROCKETT: What's wrong with 100 percent?

MR. STERLES: One thing I committed myself to doing, and the way I live my life, quite frankly, I never want to force an issue, be it, you know, as an ANC Commissioner, be it just a father to a 10-year old son, I never want to ask something that's unfair of somebody.

If I would say to the university that you have to have 100 percent living on campus, that would make everybody very happy.

MR. CROCKETT: It certainly would.

MR. STERLES: Strictly speaking. But that's not realistic.

CHAIRPERSON REID: Excuse me. Let me break in here. Mr. Crockett --

VICE CHAIRPERSON SOCKWELL: You've gotten out of --

MR. CROCKETT: Let me ask --

VICE CHAIRPERSON SOCKWELL: -- the direction we're taking.

CHAIRPERSON REID: Yes.

MR. CROCKETT: Let me ask this one further --

VICE CHAIRPERSON SOCKWELL: Why should we?

MR. CROCKETT: -- one question.

VICE CHAIRPERSON SOCKWELL: Why should we?

CHAIRPERSON REID: Excuse me, Mr. Sockwell.

VICE CHAIRPERSON SOCKWELL: I'm just trying to use your tone.

MR. CROCKETT: I'm sorry.

CHAIRPERSON REID: Yes.

VICE CHAIRPERSON SOCKWELL: So I think your tone should change a little.

MR. CROCKETT: I will attempt to correct that.

CHAIRPERSON REID: Yes. And --

VICE CHAIRPERSON SOCKWELL: Thank you.

CHAIRPERSON REID: -- also, typically, our role here is to receive a report from the ANC that's predicated upon them demonstrating to us that,

one, a quorum was present; two, that a vote was taken; and, as such, we don't usually get into having persons to explain or to defend why they voted a certain way.

And we let this line of questioning go on a bit too long. You know, I think that we got the gist of it, but -- but that we don't really -- that's not something that we necessarily -- it's not for our benefit because what we wanted to see was that the vote was taken.

For whatever reason that it was given the weight that it was is what we accept, in order for them to be entitled to the great weight -- for us to extend to them the great weight to which they're entitled. So can we move on to -- how many more questions do you have?

MR. CROCKETT: I understand this is a very unusual situation, and I have --

CHAIRPERSON REID: How many more questions do you have?

MR. CROCKETT: I have no more questions.

CHAIRPERSON REID: Oh, okay. Well, thank you. I think that your point was well made. Thank you very much.

MR. CROCKETT: Thank you very much.

CHAIRPERSON REID: Okay. Now, all right, it's almost 3:30. Let's try and do an assessment. We have the persons or parties in support. Well, just persons in support. And then we have the persons and parties in opposition. Opposition does have two hours.

Yes, Mr. Crockett?

MR. CROCKETT: One technical matter. There's a lady that came in here that has been sitting next to me since this morning. She came in with a -- the person with the baby, and has to leave.

CHAIRPERSON REID: Okay.

MR. CROCKETT: I was wondering if she could have a minute or two.

CHAIRPERSON REID: Is she in opposition or support?

MR. CROCKETT: She is in opposition.

CHAIRPERSON REID: All right. If there is no objection by the applicant to allow her to go ahead and give her testimony so she can leave, I have no problem with it. Board members? Okay.

MS. RIDOUT: My name is Elizabeth Ridout. I live at 3322 Prospect Street, and I moved into that house and own it for 39 years. And I've seen a great many changes in the neighborhood, and I am strongly

opposed to any increase in the Georgetown student -- graduate or undergraduate -- enrollment. And I have a paper that 20 of my neighbors have signed. I'm sorry there are not more. A lot of them were on vacation.

May I just briefly read it and state my opposition?

CHAIRPERSON REID: Yes. Can you give us -- given the fact that we're allowing you to go out of turn, could you just please give us -- can you summarize your testimony and just give us the highlights, rather than reading it verbatim?

MS. RIDOUT: Sure. Increasing enrollment will be detrimental to residents, cause increased traffic, noise, and continued need for off-campus housing. That's the main thing, and I'd like to talk about that.

CHAIRPERSON REID: Okay.

MS. RIDOUT: There are 15 houses on my block. I'm directly across from the old Wormley School. Ten are occupied by students. As late as Sunday morning --

CHAIRPERSON REID: Wait a minute. Are you saying there are 15 houses that are occupied by students on your block?

MS. RIDOUT: No. Fifteen all together, and 10 are --

CHAIRPERSON REID: Oh, 10 -- 10 of them.

MS. RIDOUT: -- occupied by students.

CHAIRPERSON REID: Two-thirds.

MS. RIDOUT: So this is a heavily infested -- and infestation is an appropriate word.

(Laughter.)

I've had to hire rat control for 500 bucks.

CHAIRPERSON REID: Get your stuff together. Take your time.

MS. RIDOUT: I start to foam at the mouth and froth a bit, I fear.

CHAIRPERSON REID: All right.

MS. RIDOUT: I think Jean Lord has done as well as she can. She just doesn't have much teeth in her job. Remember, there was a student killed within the last six months, I believe, on campus. That has nothing to do with this, but I've seen a number of fights. I have argued and argued with these students about trash. They do nothing for the neighborhood except noise, pollution, and deterioration of property.

I just cannot emphasize this more

strongly. It's like dealing with quicksilver, trying to figure out how many live in a house.

We want Georgetown to go back to R-3 -- to the zoning, and I wish the Zoning gentleman was still here. We want this R-3 zoning to be enforced. It's a travesty to have five or eight 20-year olds who are absolutely ignorant of all civilized behavior living on your block. Truly. And that's about all I have to say. I could go on and on for hours, but I won't.

We want it to go back to R-3 and control over the number of people in the houses.

CHAIRPERSON REID: I'm sorry. What's your name?

MS. RIDOUT: It's Elizabeth Ridout, R-I-D-O-U-T.

CHAIRPERSON REID: Okay. Thank you, Ms. Ridout.

All right. Now --

MEMBER RENSHAW: Madam Chair, could we ask Ms. Ridout how many people signed her petition before she hands it in?

MS. RIDOUT: Twenty-one.

MEMBER RENSHAW: Twenty-one. Thank you.

CHAIRPERSON REID: Okay. All right.

Now, the assessment -- we really would like to try to complete this case today, because we really don't have -- well, our schedules are full. We're in recess next month, and our schedule is full until --

MS. PRUITT: The first available date would be October 24th.

CHAIRPERSON REID: All right. And as such, we're at 3:30, we're going to take a short recess for about 10 minutes for a break. But we have now persons in support. And, Ms. Dwyer, could you kind of give us an assessment of the number of people that you expect to testify and -- yes?

MS. DWYER: We have approximately four people in support that will be testifying.

CHAIRPERSON REID: Four people are going to testify?

MS. DWYER: We had many more, but we've asked them not to testify and we're just going to submit --

CHAIRPERSON REID: Okay.

MS. DWYER: -- that for the record.

CHAIRPERSON REID: Okay. Great. We very much appreciate that.

All right. Now, for the opposition, the attorneys for the opposition, can you please come

forward?

MS. PRUITT: The parties?

CHAIRPERSON REID: The parties, the attorneys for the parties in opposition.

MS. PRUITT: Or spokesperson.

CHAIRPERSON REID: Yes. Let's say attorneys for the parties in opposition or the spokesperson.

Okay. Would the parties of -- cumulatively, the parties in opposition have two hours. All right? Have you all met -- have divvied that up as far as how --

(The parties signalled in the affirmative.)

CHAIRPERSON REID: Okay. Fine. All right. Thank you very much.

All right. And then, persons in opposition. How many persons in opposition do we have? Two, three, four? Four others?

MS. SCOLARO: Burleith has about six that we have on call ready to come.

CHAIRPERSON REID: On call ready to come. Then that --

MS. PRUITT: Could we see the hands again?

CHAIRPERSON REID: We had a problem with that, with another case, where the people -- it wasn't fair to the applicant or the opposing side to be able to call in witnesses if they're not here. And we made a determination at that point that, basically, the persons who are here are the ones who will be allowed to testify.

MS. SCOLARO: Well --

CHAIRPERSON REID: Because by the same token, the applicant would have to be also allowed to call in people, and that -- if that assertion had been made in the beginning of this case, we could do that, but here now that we're into the case, we have determined that that was just not fair and we don't want to be --

MS. SCOLARO: Well, I was not aware of that, Madam Chairman. And we have people who are working, and could not take --

CHAIRPERSON REID: Yes.

MS. SCOLARO: -- the full day to sit here.

CHAIRPERSON REID: And the issue was that, in the previous case when this case up, they were persons who were working as well for the other side. And they were not -- they had -- they didn't

have the ability to be able to call in witnesses to come down.

The idea is that if, in fact, there are witnesses who are going to testify, then, just like everyone else came and sat all day, then that would have to be the balance, and we'd have to -- in all fairness.

MS. SCOLARO: So we could not call anyone now to come in and --

CHAIRPERSON REID: I don't think so.

Board members, would you like to speak on this? Because we did have that problem on the -- it was specifically on the -- it was --

MS. PRUITT: As I understand it, it was a little different situation in the Field School. Excuse me.

CHAIRPERSON REID: No, no, no. I'm not speaking of that. It was in regard to -- over on Good Hope Road. Ms. Marilyn Dobbins was the one who --

MR. RIXEY: Madam Chair?

CHAIRPERSON REID: Yes.

MR. RIXEY: Since that condition wasn't made clear to us in the beginning --

CHAIRPERSON REID: Let me first hear from

other Board members.

MR. RIXEY: Oh, I'm sorry.

CHAIRPERSON REID: Okay. Thank you.

Ms. Renshaw, did you --

MEMBER RENSHAW: The fact is we had had a difficulty with a previous case, and had made that determination. But it is our understanding now that you have not been made aware of this, and that presents a pickle.

CHAIRPERSON REID: The previous --

MEMBER RENSHAW: If we could estimate a time when the parties or the persons in opposition would be testifying, and then perhaps have these people show up by that time, and if they're not here, then they don't get to testify --

MS. SCOLARO: That's fine. We can do that.

MEMBER RENSHAW: That's a suggestion to the chair, that we --

CHAIRPERSON REID: Okay. But we need to hear from the applicant's attorney. If they have no objection to it --

MS. DWYER: We don't object. We would just like all of the witnesses, whether in support or opposition, to try and just talk for a minute so that

we can finish today.

CHAIRPERSON REID: All right. Okay. What she's saying is that she -- what Ms. Dwyer is saying is that she would not object if they would limit their testimony, and then we can submit it for the record.

But -- and I don't know if this has been made a part of the application process, but so as not to have this problem again, perhaps it could be -- it could be so noted, so that we won't come to a juncture where you have a case where you -- you have one ruling for one group, and then a different ruling for another group.

But in the other instance, there was strong opposition by the other side. So this is a little -- this maybe gives us a little bit of latitude.

MS. SCOLARO: Okay.

CHAIRPERSON REID: Okay. You were going to say?

MR. RIXEY: I was just going to ask that, since we weren't made aware of this as a pre-condition, if we could get all of the witnesses here by a certain time, so that you knew exactly what you were dealing with, if that would be satisfactory.

One of the witnesses that CAG needs to call is an attorney representing one of our members who is filing a lawsuit against the university. And since they are attorneys, they probably don't want to sit here all day at whatever their rate is, waiting for the opportunity to give testimony, when we don't even know if, in fact, we're going to get to public testimony today.

CHAIRPERSON REID: I thought that we had resolved the matter.

MR. RIXEY: Okay. So that was why -- let's --

CHAIRPERSON REID: In your favor.

MR. RIXEY: That's the issue I was raising.

CHAIRPERSON REID: Yes. I thought we had just resolved it.

MR. RIXEY: Great. Thank you.

CHAIRPERSON REID: Thank you.

Come up to the mike.

MS. CRUSE: My name is Karen Tamany Cruse, and I am speaking as an individual, although I am with the Citizens Association of Georgetown. I am just asking you, are you saying that people who are not -- do not have party status are going to be

limited to one minute?

CHAIRPERSON REID: Three.

MS. CRUSE: Oh, I'm sorry. Thank you. Because I thought you had said one minute. I thought Ms. Dwyer had said one.

CHAIRPERSON REID: Organizations have five minutes, and -- well, and all of the organizations I think have party status. Is that correct? So they will be doing -- they will presenting together, and then persons in opposition have three minutes each.

MS. CRUSE: Thank you. I'm sorry I misunderstood. Thank you.

CHAIRPERSON REID: All right. So, hopefully -- hopefully -- we'll be able to finish up this evening. I think it may go a little longer than 6:00. We're going to take a recess now.

But let me just check with the Reporter. Okay. Great. Anyone else have any problem? Okay.

All right. Thank you very much. We'll recess now for about 10 minutes.

(Whereupon, the proceedings in the foregoing matter went off the record at 3:40 p.m. and went back on the record at 4:03 p.m.)

CHAIRPERSON REID: We'll now resume the afternoon session.

Excuse me. Are you testifying, ma'am? Are you testifying? All right. Give your name.

This is persons in support, right? Yes, this is persons in support, correct? All right. Well, go ahead. Are you waiting for something?

MS. CURTISS: My name is Catherine Curtiss.

CHAIRPERSON REID: Okay. Go ahead.

MS. CURTISS: Would you like me to start?

CHAIRPERSON REID: Yes. As long as three of us are here, we have a quorum.

MS. CURTISS: Thank you very much.

CHAIRPERSON REID: You can begin.

MS. CURTISS: Thank you, Madam Chair. For those who didn't hear, my name is Catherine Curtiss. I live at 3735 Winfield Lane in The Cloisters, right next to St. Mary's Hall on the Georgetown campus.

St. Mary's is the reason that I'm here today to support the Georgetown plan and, in particular, the aspect of the plan that would dedicate St. Mary's Hall to use for academic purposes as a classroom for nursing program and information

center.

I also oppose the alternative that some of the neighborhood activists have proposed of turning St. Mary's into a dorm, and here are my reasons. There's four of them.

First, converting St. Mary's to academic use seems to make a lot of sense to me because it's right next to the hospital. And it's the best, and I understand only, location Georgetown has in mind for their nursing program.

Second, it does not look to me like St. Mary's is needed as a dorm by objective measures. Georgetown has a very high on-campus housing rate for undergraduates, and it looks like the rate is going to increase even with enrollment increases over the next 10 years. From what I understand about on-campus housing, especially in urban schools, Georgetown's rate is very high.

Third, Georgetown I understand has already considered and rejected the possible use of St. Mary's as a dorm for reasons that seem sensible to me based on the less desirable location than the Southwest Quadrangle and the very high cost of renovation.

And, fourth, and most personally, the

dorm would have an unacceptable impact on my home and block, and those of my neighbors. We right now have two group houses on our block, so I'm familiar with that phenomenon. It hasn't been particularly troublesome to me, but a dorm in the backyard is completely different when you have 100 or 200, or however many, students partying and having their music going, increased traffic, and foot traffic, and parties.

So I don't think it's too big of an exaggeration to say that I would view St. Mary's as a dorm as a disaster.

That's all I planned to say today. Thank you very much for the comments.

CHAIRPERSON REID: Thank you.

Was there any cross examination? Ms. Dwyer?

MS. DWYER: None.

CHAIRPERSON REID: All right. Thank you.

Next witness, please?

MS. BATEMAN: Good afternoon. My name is Grace Bateman. I've been a Georgetown resident for about 20 years. I'll summarize quickly my statement, and then I'd be happy to provide a copy for each of the Board members.

I was on the ANC in 1990 -- actually, '88 through '92 -- when the last campus plan was reviewed. As a result of that plan, the university has made many improvements in the community; I think the most important of which is applying the Student Code of Conduct off campus, which was one of the things that the community very much requested; appointing a university representative, who is responsible for community relations; and establishing an Office of Off-Campus Student Affairs.

I think those things are probably more important than the numbers. I think once the university exceeds 75 percent or 80 percent on-campus housing, what really matter is the extent to which the university monitors all of its students, not only the students who live off campus but the ones who live on campus and travel through the community.

In my 20 years of living on the west side of Georgetown, I think I have had -- the experiences that I've had that have been negative with students have primarily involved students moving through the community, not students who actually live off campus.

And so I think it's very important for the university to continue and to accelerate its monitoring of student conduct off campus, and I think

the proposed plan has provisions in it to strengthen the off-campus student activities, and I very much concur with the ANC resolution conditions which puts some added teeth in those off-campus requirements.

So I would very much urge the Board to approve the plan as proposed. Thank you.

CHAIRPERSON REID: Thank you.

Cross examination? Mr. Crockett, or any of the other parties? Ms. Dwyer?

(No cross examination signalled.)

Okay. Thank you.

MR. LEVEY: Good afternoon, Madam Chair, and members of the Board. My name is Richard Levey, and I am appearing before you as a native Georgetowner; in fact, third generation; and a principal of Levey Group, a Georgetown-based real estate investment and management company.

I also am President of the Georgetown Partnership, which is our local business improvement district entity, and a board member of the Georgetown Business and Professional Association. But I must emphasize that I am appearing here before you on my own behalf.

To think of Georgetown without Georgetown University, or to think of Georgetown with a third-

rate university, is absolutely terrifying. And that is something that I, as a resident and business person, have certainly pondered over a long time. I must also say that I am a former academic, so I have a university background, and, like most people perhaps, also at one time was a rowdy college student.

So it's from all of those perspectives that I ask you to give serious attention to the university's plan, because I know that it was developed with great seriousness of mind.

Early on in Father Donovan's tenure, I went to him, as we were in the process of forming the business improvement district. My concern was the health of the commercial corridors -- M Street and Wisconsin Avenue -- for if they are to deteriorate, as they were in the -- at the turn of the last decade, the late '80s/early '90s, so, too, does the residential community.

When we had a down turn and the businesses that were populating M Street and Wisconsin Avenue were becoming second and third rate, housing prices were at their all-time low. It is to the community's interest, on many levels, that the -- all three sectors of the community -- the business

community, the university, and the residents -- work together.

The university is a driver in our community. When Father O'Donovan heard about our efforts to develop a business improvement district, he was 100 percent supportive, not only by word but making a contribution to our effort in dollars, to help us do the planning that led to presenting and seeing that the city endorsed/implemented enabling legislation that led not only to the Georgetown business improvement district but downtown and to the Federal Triangle -- the Golden Triangle.

At any rate, in short, because my time is running out quickly, the university is an incredibly important institution. It needs to be a first-rate institution, and, like Harvard, like Columbia University in New York, there is always an issue between the universities and the communities surrounding them. This territory has to be mediated.

I believe that the Office of Planning has done a superb job in helping that mediation. I further believe that the ANC has taken it a step further.

I ask you to approve the campus plan as presented by the university. Thank you.

CHAIRPERSON REID: Thank you.

Is there any cross examination?

(No cross examination signalled.)

Okay. Thank you.

MR. McGREEVY: Good afternoon, Madam Chair. I'm Mac McGreevy. I live at 3429 Q Street, right across from Visitation and on the edge of Georgetown University campus.

I'm still in business. I sell real estate advertising for a major media in this town. I just -- my grandson just graduated from Ellington. I took an active part in Ellington High School of the Arts for five years, and prior to that time in the Hardy Middle School.

Georgetown University came to the aid of Ellington School of the Arts on a number of occasions. The major one was repairing the steps which fell down and we had the big crisis about three years ago. Father O'Donovan saw that that was done on one weekend.

We also had music in the Ellington School of the Arts, and Georgetown University arranged for the band to play free in Gaston Hall on a number of occasions, joined operations with the Georgetown University band. They also helped us in many other

ways, furnishing opportunities for the musicians and the artists of the Ellington School to present their works at the university or university functions.

In addition to that, the university has tried, in the last -- I've lived nine years in this house, and the first three or four years there there were a lot of rowdy students running -- literally running through the -- on the weekends -- the area. But the university efforts in the last three years have improved the situation tremendously well.

Now, I know Burleith has one trouble with group houses. Group houses I went through also at Ellington. We had meetings there of the community, to find out what the city rules and regulations were for group housing. And, actually, I'm not sure now whether it was four or five, but five unrelated by blood or marriage individuals is the limit that you can have in any house in the District of Columbia.

Now, the law is there. The regulation is there. But is it enforced? I pose that as a rhetorical question to the Board.

Also, the university has given, as my colleague here has said, an aura of greatness to the city of Washington, the District of Columbia. This is the cultural capital. This is our national

capital, and the Georgetown University is a big employer -- 6-, 7,000 people they employ every day. Their library is one of the best in the city, and the library association is very active supporting everything in the city.

Thank you very much.

CHAIRPERSON REID: All right. Thank you.

Cross examination by any --

(No cross examination signalled.)

CHAIRPERSON REID: Okay. All right. Thank you all very much for your testimony.

All right. That then concludes the persons in support. I don't think we had any parties registered in support, so we now go to parties in opposition.

MR. PULSIFER: Madam Chair?

CHAIRPERSON REID: Yes.

MR. PULSIFER: We have eight people to present to make up two panels.

CHAIRPERSON REID: Okay.

MR. PULSIFER: Well, anyway, because of the hour --

CHAIRPERSON REID: Your mike, sir. Turn your mike on.

MR. PULSIFER: Let me just say as an

introduction, because of the hour we have a person here who cannot stay to be cross examined. We would prefer that the procedure be, as it has been, that we present a community position and then have the cross examination.

But this one individual, who is the traffic expert, has to leave, and so we would suggest that he be cross examined after his testimony, or soon thereafter, to give him the opportunity --

CHAIRPERSON REID: Okay. Who might that be?

MR. PULSIFER: And this is this gentleman here.

CHAIRPERSON REID: All right.

MR. PULSIFER: Mr. Kutrauex.

CHAIRPERSON REID: Okay. All right, sure.

MR. PULSIFER: All right? So I will give a brief statement, and then he will speak and we'll proceed from there.

Could I have those -- my map? All right. Let's begin. Maybe Bonnie can point for me.

All right. Good afternoon.

CHAIRPERSON REID: Wait a second. We have a problem.

MS. PRUITT: Excuse me. We have a level-air mike if you want to talk from there.

MR. PULSIFER: Well, it's just -- I just want to point to a couple of things. I can describe --

VICE CHAIRPERSON SOCKWELL: There's a laser pointer available if you'd like.

MR. PULSIFER: I think Bonnie can do it.

VICE CHAIRPERSON SOCKWELL: Okay.

MR. PULSIFER: All right. Shall I begin?

CHAIRPERSON REID: Sure.

MR. PULSIFER: All right. Good afternoon. I am Peter Pulsifer. I have lived at 3803 T Street, N.W., in Burleith since 1989. I am currently the ANC Commissioner for single-member district 2-E-03, which encompasses Burleith and North Georgetown.

I have served on the board of the Burleith Citizens Association since July 1991 and was president of that Citizens Association between 1994 and '97. Relations with Georgetown University have been a major community issue throughout this time, and I have invested a great deal of effort over the years trying to improve those relations. In fact, I was one of the initial participants and one of the

designers of the student orientations described by Lieutenant Burke earlier, among other things.

Today I will introduce what is called the community position regarding the Georgetown University's proposed campus plan for the next 10 years.

This position represents the unified stand of the six well-established community organizations that are parties to the campus plan proceedings, and Bonnie will point to them as I mention the Foxhall Community Citizens Association, the Hillendale Homeowners Association, the Burleith Citizens Association, Cloisters in Georgetown Homeowners Association, the Georgetown Residents Alliance, and the Citizens Association of Georgetown.

These organizations constitute all of the citizens associations except for one, Cloisters West Homeowners Association, in the vicinity of the university and cover the entire area surrounding the university. So we have the surroundings of the university covered. And these are the only -- well, as I just said.

My presentation will basically serve as a brief overview of the community position. Following this, representatives of each organization will speak

at greater length about issues of particular concern to their members.

Well established and well cared for neighbors are the bedrock of the living city. Thriving neighborhoods provide more than just a good place to live for their occupants and a solid tax base for the government. They reduce commuter traffic, reduce crime, provide an attractive destination for visitors, and promote long-term community connections that strengthen the civic fabric of the District.

Georgetown University, for one, has greatly benefitted from its proximity to strong neighboring communities, which give it both a higher quality of life and, I believe, a recruiting advantage compared to some of its competitors.

Unfortunately, it's difficult for large institutions such as Georgetown and its competitors to co-exist peacefully with residential neighbors. And in the end, it is up to our government, through agencies like yourselves, to protect us from the impacts of these institutions.

Because community opposition to parts of the campus plan are sometimes portrayed as opposition to the university itself, or to its students, we want

to emphasize that all of our community organizations strongly support Georgetown University and desire its success as a top-ranked institution of higher learning. This brings credit to ourselves and our neighborhoods and gives us students that we enjoy living with in our community.

We want the university to grow in excellence as we know it can, while also recognizing that there are limits to its physical growth imposed by its location on a finite-sized campus within a densely-populated residential community.

We have supported, for example, the Southwest Quadrangle, a massive development project that, as you well know, is far more than just a dormitory, in part because of our support for the improvements in campus life and the increase in student activities base that it provides.

This project, in fact, provides much more space for undergraduate student life than anything in the proposed campus plan. This is a good use of limited space, both for the university and the community.

Turning to the proposed campus plan, we find that we support most of the goals of the plan as articulated by Father O'Donovan at the last hearing.

We certainly support the overall design philosophy and the rejection of the podia of the present campus plan. We support the proposed infrastructure improvements and have no major criticism of the new academic buildings.

We oppose none of the elements that were cited by the students earlier in their earlier presentation as being important to improving their lives. And we strongly support the goal of reinvigorating campus life, as long as such improvements are primarily for the benefit of the students.

Where we have concerns is where the university, in its current or future operations, intrudes into the community and causes sometimes unintentional harm.

The basis for the -- I'll just articulate and make sure that it's clear that the -- the basis for the community opposition is the requirement of D.C. law that a university not be objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions. And I think neighboring property is an essential part of that.

Georgetown University has failed this

test. Present university operations are objectionable to neighboring property. The proposed plan, while in many ways an improvement over the present plan, fails to exist existing impacts, of which you've already heard quite a bit and you'll hear more, and we fear that some future operations in the proposed plan could make things worse. These plans will be elaborated on in the following presentations.

In this case, the Board must make the factual determination of impact, and this determination of the impact of the university operations on neighboring property should be a dominant consideration in your deliberations.

One striking attribute of the proposed plan is the large number of unknowns, even before execution of the plan is to begin. This has led to a great deal of conjecture that you've heard today, especially regarding impacts from the number of students and from traffic.

For example, major development projects are underway that won't be completed for many years. The Canal Road entrance is one; the Southwest Quadrangle is another -- not due to be completed for some time.

The change in medical center operations due to the Medstar acquisition will begin next year with a massive realignment of parking, and the changes will continue from that point on. The impact on traffic is still unknown.

Also significant are changes in the university administration in the next two years. For example, a new Dean of Students, or, as he is now called, Vice President of Student Affairs will start this year, and a new President of the university will presumably start in two years.

The current 1990 campus plan was completed in the waning years of the former university president's term, and that might be one reason why so little of it was executed. Only about 20 percent of the gross square footage in this plan was ever built, and most of that was done in a different form from originally approved.

Because of these unknowns, and its consequence on the planning process, it might be appropriate -- and we will suggest -- that the BZA consider a more modest five-year campus plan instead of committing to the full 10 years of the current proposal. And we will have a little bit more on that later.

I will give a brief critique of the ANC-2E majority opinion. It was approved by a five-to-three vote, and I, of course, was in the minority. As a member of the minority, I feel it important to explain why we think that the majority erred in their decision, and why the minority position should carry considerable weight, if not the statutory great weight, with the Board.

CHAIRPERSON REID: Excuse me. These are the ANC decisions?

MR. PULSIFER: I am critiquing the ANC position, yes.

CHAIRPERSON REID: Okay. Be that as it may, the fact of the matter is that the vote has been taken and it has been carried, and that was --

MR. PULSIFER: Yes.

CHAIRPERSON REID: -- the majority vote.

MR. PULSIFER: Yes.

CHAIRPERSON REID: So I, for one, don't feel that it's necessary to get into why you think that it should not have. The fact of the matter is that it did.

MR. PULSIFER: Well, if you'll allow me 30 seconds to --

CHAIRPERSON REID: I don't know if

that's --

VICE CHAIRPERSON SOCKWELL: Let's say this. In support of the Chairperson, what you're asking is that the ANC process be tailored to your specific needs, and, therefore, set a precedent that no ANC majority would carry great weight. If that's what you're asking, I think you're being unfair to ANCs as a whole for a rather personal reason.

MEMBER RENSHAW: Madam Chair, I would like to suggest that we allow Mr. Pulsifer to go ahead with a short critique, if he so chooses. I think that it is valid, and I would recommend that we do so.

VICE CHAIRPERSON SOCKWELL: But without the recommendation.

CHAIRPERSON REID: I don't think -- I think it's pointless. I mean, the -- what difference does it make? What difference does it make? The vote is what the vote was, and the vote carried. So what difference does it make? Even if --

MR. PULSIFER: Well, it all depends on how you're going to address the recommendation. If you're going to just take the recommendation, I don't --

CHAIRPERSON REID: No, no. What we deal

with is what is presented to us as the position of the full ANC with a quorum and the vote having been taken. And that is the position that we are -- that we actually look to when we make a determination. And the fact that there were dissenting votes or someone didn't like it or, you know, all of that, that's not germane to how we make a decision.

MR. PULSIFER: Under the current ANC law, there are certain circumstances under which a board or agency may disregard the -- or overall the ANC recommendation.

CHAIRPERSON REID: I'm not familiar with that. I don't know anything about that.

MR. PULSIFER: Well, the --

CHAIRPERSON REID: And corp. counsel isn't here to give me advice accordingly.

Now, what I'll suggest you do -- let me --

MR. PULSIFER: Perhaps I can submit that position in writing.

CHAIRPERSON REID: Exactly.

MR. PULSIFER: And you can deal with it --

CHAIRPERSON REID: Exactly.

MR. PULSIFER: -- in that way.

CHAIRPERSON REID: My exact sentiments.

MR. PULSIFER: I will do that.

CHAIRPERSON REID: Okay. Thank you.

MR. PULSIFER: Sure. Fine.

Let me just say one thing about that, and that is that I -- the ANC position does not relieve the Board of its mandate to consider the facts of the matter, and to ensure that the university is not creating objectionable conditions in the neighboring property. And I think that should be the guiding rule --

CHAIRPERSON REID: Well, that is --

MR. PULSIFER: -- in evaluating whether --

CHAIRPERSON REID: That's a given.

MR. PULSIFER: Yes. Well, it can always be --

CHAIRPERSON REID: Yes. I mean, even though we give great weight to the position of the ANC --

MR. PULSIFER: Yes.

CHAIRPERSON REID: -- validified by their -- the quorum and the vote having been taken, that doesn't necessarily mean that we have to agree.

MR. PULSIFER: That's true.

CHAIRPERSON REID: Or give them great weight. And then we assess the entire case based on the testimony which has been submitted as -- before we make a determination.

MR. PULSIFER: As an ANC Commissioner, I am very -- I think it very important that you do give great weight to ANC recommendations, and it is not my intention to attack ANC recommendations in general. And so I'm very -- my case involves the specifics of this individual case, and I just wanted to emphasize that.

Now, let me review the principal community objections to the proposed plan, which will be elaborated on later. The proposed enrollment increases are by far the greatest community concern.

Before I get into this, though, there is one technical detail I would like to bring up, and this concerns how enrollment is measured. In the 1990 plan, and the approving order issued by the BZA, enrollment is regulated in terms of full-time equivalent, or FTE, which is computed by taking -- I believe by taking the total tuition charges of all students and dividing by the charges for a full-time student.

Now, in this current plan, the university

has changed the ball game and uses something called a traditional full-time undergraduate count, which means taking the total number of students of all types and subtracting out certain types of students. For graduate students, they still use full-time equivalent, and for medical students they use something called the financial full-time equivalent.

The concern that I have about this, that we have about this, is that this might disguise an enrollment increase, because for the only year in which I have comparable data, which is 1990/'91, the full-time equivalent count was 5,372; the traditional full-time undergraduate count was 5,055. So if you counted according to full-time equivalent, it is about eight percent higher, or seven percent higher.

So if it doesn't include an enrollment increase to change this terminology, we don't have any objection, because if the university does not change its way of doing business, it doesn't seem like this will have a big impact. But this should not be used to slip an enrollment increase in.

And I would say that the university has not provided full-time equivalent figures for the duration of its current plan, and we believe the Board should require the university to do this, so

that this issue may be evaluated properly.

CHAIRPERSON REID: Okay. Are you asking that the Board require the university to submit to us a reevaluation of the full-time equivalent --

MR. PULSIFER: Yes. The --

CHAIRPERSON REID: -- to include the -- what did -- you referred to the financial --

MR. PULSIFER: From 1990 through 1999.

CHAIRPERSON REID: -- financial or --

MR. PULSIFER: They have already submitted the traditional full-time undergraduate counts.

CHAIRPERSON REID: Right.

MR. PULSIFER: And you need the full-time equivalent counts to compare them against to see what the difference is. I asked the university for this information, and they didn't provide it.

CHAIRPERSON REID: Okay. Didn't we have records of the full-time equivalents submitted by the university? I thought -- Ms. Dwyer, don't we have that? Since we are a member --

MS. DWYER: What we have provided is the history of the enrollment under the definition that was approved by the Board in 1990, which is the traditional --

CHAIRPERSON REID: The full-time -- yes.

MS. DWYER: -- undergraduate enrollment number. And you had that in the campus plan for the last 10 years.

CHAIRPERSON REID: What about the full-time equivalent number?

MS. DWYER: We have not provided full-time equivalents. The Board created a definition of the undergraduate students, and that's the definition that the universities follow. That's the definition that applies to the cap, and it's a traditional undergraduate enrollment number.

CHAIRPERSON REID: So it doesn't take -- it doesn't consider full-time equivalents.

MS. DWYER: No, it's not a full-time equivalent. It's actually a head count with an exclusion for the non-traditional --

CHAIRPERSON REID: Okay.

MS. DWYER: -- student.

CHAIRPERSON REID: All right.

MS. DWYER: And that was the number that the Board approved in 1990. That was the definition.

CHAIRPERSON REID: All right.

MR. PULSIFER: I beg to differ. That's -- perhaps I can submit that in a written submission

as well, so I --

CHAIRPERSON REID: Okay.

MR. PULSIFER: -- don't have to spend the time to look for it in your 1990 order.

CHAIRPERSON REID: All right.

MR. PULSIFER: But it is my contention that that -- your order and the campus plan was phrased in terms of full-time equivalents, and it's in the order.

CHAIRPERSON REID: Okay. We need to --

MR. PULSIFER: We need to move.

CHAIRPERSON REID: -- check that. We will -- you said that you will submit it to us?

MR. PULSIFER: I will be glad to find it. It will only --

CHAIRPERSON REID: Okay. Well, we'll get to that.

MR. PULSIFER: Yes, okay.

CHAIRPERSON REID: Did you say today?

MR. PULSIFER: I think I can do it today.

CHAIRPERSON REID: All right. Then --

MR. PULSIFER: Just not within my 15 minutes.

CHAIRPERSON REID: -- testifying, then perhaps you can just, you know, give it -- find it

and give it to staff, and they'll see that we get it.

MR. PULSIFER: I will. I will. Okay.

Let me quickly go through the remaining points. There is serious community opposition, as you will certainly hear, as have heard, both to the graduate and undergraduate student increases. But the greatest opposition is to the increase of 389 students in the undergraduate enrollment cap.

Neighbors, all of the local newspapers, and even some of the student press have expressed opposition, and we have submitted to you some clippings, newspaper clippings, of these editorials.

The basic reason the Board should maintain the present cap is as follows. It is accepted by all parties, even the university, that large numbers of students in the community cause a negative impact because of behavior, housing, and other issues, various issues.

The many strenuous university efforts to mitigate this effort -- to mitigate this impact have helped, and you've heard quite a few of those, but they have not solved the problem because the problem is still here and you're getting letters about it.

It is, therefore, an unavoidable conclusion that increasing the cap will increase

objectionable conditions in the community because of numbers of students. The Board cannot allow this increased impact.

It may be that opening the Southwest Quadrangle, for example, will reduce the impact, as was promised, at the building of the Southwest Quadrangle. This is a matter of conjecture, but it seems reasonable.

But there is no denying that an enrollment increase after the Southwest Quadrangle opens, particularly without on-campus housing, will make things worse than they would otherwise be. And that's what you're being asked to consider.

The plan is, once we build the Southwest Quadrangle, should we increase the cap? And I think the unavoidable conclusion is that that increase will cause increased impact on the community.

Second, traffic impact is a major concern, both on the north and south campus. To the north, concerns are about medical center development exacerbating existing flow problems on Reservoir Road, and, to the south, concerns are primarily about special events in new facilities.

Overall, the community is unhappy with the poor state of knowledge about traffic conditions

around the university and the limitations this places on the university's ability to respond to any problems that do arise.

The Office of Planning has advocated openness of reporting and sharing of data, but the fact is that there is no data to share. I think that has become evident in the testimony and cross examination of both Office of Planning and DPW.

The next point is that off-campus operations by the university and the community should be known because of their close relationship to on-campus operations and their comparable impact on the community. I'm just going to run down these points now.

Medical center operations under Medstar are a serious community concern. One reason is the zoning issue, which has already been discussed. Another issue is the possible high-intensity uses which might come in with Medstar. We're not sure. They're possible, and we would like to have some restrictions or some safeguards on those.

We are concerned about the new high-density development proposed on campus, which might change the character of the north campus. We are concerned about the description in the plan of uses

of buildings by four categories, by only four categories.

Municipal and zoning regulations have far more categories than four. In fact, the degree of generality claimed in the plan is so great that the plan use categories can only be used for the plan and really for no other purpose. I would say that these categories are for the convenience of the university and to allow their maximum flexibility. They are not very useful for assessing community impact, which is what we need to do.

We are concerned about the lack of important information in the plan, and one of those things is the FAR numbers, which I understand have been submitted. And we are looking forward to seeing those at last.

And then there are other concerns, especially regarding university-sanctioned noise from university-sanctioned events.

At the conclusion of the community presentations, which will follow this any minute now, we present some measures which we hope the Board will consider to better manage current and future university impacts. Among these is the need to better assess the impacts, including those of student

numbers and traffic.

This is a difficult issue, and it's the issue that Office of Planning has been struggling with. And we might be able to give some suggestions about that.

And that's all of my time for the present. I will now turn it over to Hillendale to talk about their concerns.

MR. BRAUN: Thank you. My name --

CHAIRPERSON REID: Thank you very much.

MR. PULSIFER: Thank you.

MR. BRAUN: My name is Charles R. Braun. I'm a resident of Hillendale, living at 4030 Chancery Court, N.W. I am a member of the Hillendale Homeowners Association and of the Association's External Affairs Committee, which is responsible for monitoring developments like the Georgetown University's proposed campus plan.

With me today is Mr. Joseph Kutrauex, Hillendale's traffic consultant. Hillendale's main concerns in this proceeding are traffic on Reservoir Road and helicopter safety and noise.

Now, we're very happy to have Georgetown University as a neighbor. We support their efforts to grow in excellence, and we are happy to have them

as a neighbor. But we are concerned about the type of growth that might have an adverse effect on us in terms of traffic or other factors.

With respect to traffic, I have attended, with Dr. Stanley Talpers, almost all of the meetings that have been held on Georgetown's plan. And both Dr. Talpers and I became increasingly concerned as we attended these meetings as to whether we were going to be adversely affected by -- in terms of traffic by the Georgetown campus plan.

As the matter was initially presented to us by Georgetown in January -- and you have a copy of it as Exhibit 6 in your record -- the plan said we would not be adversely affected, but there was no traffic study to support that at all.

There was a traffic survey of some kind from the Grove Slade firm, but it did not mention the proposed north campus redevelopment and reuse, and it did not analyze it, and it relied on an environmental impact study which did not study intersections on Reservoir Road.

We became increasingly skeptical when the university did do a study and then couldn't answer questions very well about the study, which was then dated in March and which is not in your record. As a

result, in April, Hillendale retained Mr. Kutrauex to begin analyzing this and provide independent advice. And while some of our concerns were not valid, others were, and indeed there were other problems with the papers that we were being shown, which Mr. Kutrauex found, which we had -- Dr. Talpers and I had missed.

In general, the three areas of concern respecting traffic are, first of all, we are concerned about whether the measurement of existing traffic is adequate. What we understand is that it is not, that an insufficient number of traffic counts have been done, that the more optimistic numbers have been used rather than the more conservative ones, whereas I understand the proper professional procedure would be to use the worst-case analysis. That's what DPW said happened, but I understand that's not what happened, and Mr. Kutrauex will explain that further when we get to him.

We are also very skeptical about the projections of growth. The numbers that we've been given do not make sense. For example, we were told about a 90,000 square foot office building, which would only house 80 doctors. When Dr. Talpers checked his own medical office building, there were

105,000 square feet. There were 105 doctors and 68,000 square feet, showing that at least in some cases that kind of space can be used far more intensely for the purpose.

Again, there are other implausible figures. The 80 doctors are said to generate, according to the DPW report, only 540 visitors a day, which would be about six or seven patients a day. I would be surprised if doctors saw so few patients, although it's possible.

But most of all, we find that the mitigation measures have not been shown to be adequate. You heard it today in the DPW report. A lot of it is -- they've had a meeting. They are going to look into things. They're going to meet with us further. They hope to come up with things. They don't know whether it'll cost too much. Some of those things they won't have details until later in the fall or next year.

It leaves us without assurance that anything will actually be done. We don't know whether it can be done, whether the mitigation measures that are within the control of DPW are sufficient to take care of all of the traffic that may be generated.

The argument was made at the last hearing, and it has been made in correspondence to the Board from Wilkes Artis since then, that really we're getting overly into the building itself; the building will come up in a special exception proceeding all by itself. Well, that's true.

But the problem with that is that, first of all, this is the only place where the entire plan can be looked at. In a proceeding on the building, the building will be looked at in isolation.

Moreover, if even the building, which is only a part of the overall concept, cannot be shown not to produce undue harm to its -- to the neighbors, how much more so will the entire concept, of which the building is but a small part, how much more so should we be concerned about the entire concept?

We learned also from things that were not a record in this proceeding, but which are a record in the certificate of need proceeding. We learned things which are disclosed here. One of the things that you find in the certificate of need proceeding is that Medstar is contracted for 3,000 or more spaces, parking spaces on the Georgetown campus.

What you see in the Grove Slade study is the parking spaces going up to 2,500 in the early

years, and then 2,800 in the outyears. You never see the 3,000 or more, but that's what the certificate of need documents say.

When you have considered that the existing north campus requires only about 1,500 parking spaces for the whole operation, Medstar will take over the hospital and the clinical practice, and that part of the north campus will require 3,000 or more spaces, the concept, as a whole, intends a great deal of growth. That concerns us greatly because where is -- they are obviously anticipating a lot of traffic. They're going to generate traffic. And how will that traffic be taken care of? The mitigation measures are not -- have not been shown to be there.

Our other concern, before I get to Mr. Kutrauex, is helicopter safety and noise. We did learn -- we didn't know about the helicopters at first. They're not in the original application. We only found out about that from the certificate of need application, where it was said that MedStar would take over the whole thing and get exclusive use of the helicopter pad.

A few weeks later, my wife and I were awakened at night. We -- there was a huge roar in our bedroom. We got up. We looked out the window,

and we saw a helicopter landing across the street in Georgetown. That bedroom is normally quiet. It's normally not -- it faces the -- it faces in the direction of the flight path.

Normally, we do not hear, or do not hear very much, airplane noise, as long as the windows are closed. But this was a huge roar, way above the volume of conversation, way above anything that you could sleep through.

Now, once in two years, fine, I don't care. But the potential of this kind of thing to disrupt residential life is very great. An airport is not the normal thing to keep in a residential neighborhood. It's not really compatible with a residential neighborhood. And if there has to be one, it should be used sparingly.

But when we've asked about, well, what limits will there be, what limits will there be, will there be any limit on the path? No, that depends on the wind. Will there be any limit on the numbers? No, that depends on patient need. And we read that as indicating a need for unlimited helicopter use, and that concerns us greatly. We think that's excessive, and we think that should not be allowed.

I'll have more to say about that later,

but I do want to get to Mr. Kutrauex. I'd like to ask him a few questions and move that his -- that the Board accept him as an expert witness in the area of traffic, and then turn the testimony over to him.

First, let me ask him to state his name for the record, and his professional background.

MR. KUTRAUEX: My name is Joseph Kutrauex, as mentioned. I'm a traffic consultant, working out of Rockville, Maryland. I have been a professional traffic engineer for 26 years. Most of that time has been as a city traffic engineer of Rockville, Maryland, but I have extensive background in traffic impact work, including some previous stints with traffic consultants on my own and also as a reviewer of traffic impact studies for the city of Rockville.

Since I began my -- I began my consultancy in December of 1998 -- and this is my first visit to the Board of Zoning Appeals, so --

MR. BRAUN: Adjustment.

MR. KUTRAUEX: Zoning Adjustment. I'm sorry.

And, again, if there's anything else I can tell you, I have some resumes here with me today, if I can give those to the --

CHAIRPERSON REID: Yes.

MR. KUTRAUEX: -- to the clerk.

CHAIRPERSON REID: Give it to staff, please.

MR. KUTRAUEX: Should I proceed?

MR. BRAUN: Please.

CHAIRPERSON REID: Just a moment, please.

MR. BRAUN: Okay.

(Whereupon, the proceedings in the foregoing matter went off the record at 4:48 p.m. and went back on the record at 4:49 p.m.)

CHAIRPERSON REID: We have no objection to accepting Mr. Kutrauex as an expert witness.

Ms. Dwyer, did you have an objection to this witness?

MS. DWYER: No objection.

CHAIRPERSON REID: Okay. Thank you very much.

All right. Proceed.

MR. KUTRAUEX: Thank you, Madam Chair, members of the Board.

Nearly all of what I wanted to convey to you is contained in two reports, a May 24th review of Grove Slade's traffic impact study on the Georgetown

University plan, and a supplementary July 12th report responding to materials developed by Grove Slade and the District government after May 24th.

It's my understanding that both of these reviews have been entered into the public record by my client, the Hillendale Homeowners Association. What I'd like to do today is briefly highlight a few of the basic points that I've attempted to make in those reports.

First is the Grove Slade overarching assertion that there is no impact created by the Georgetown University Medstar proposals for the Georgetown north campus area. I am not so sure I can agree with that.

We believe that one of the key components in Grove Slade's projected peak hour volumes for Reservoir Road, the existing level of traffic may have been understated, particularly in the more critical a.m. peak hour. As indicated in the comparative table attached to my reports -- that's the one that looks something like this. Does this look familiar?

CHAIRPERSON REID: Your report?

MR. KUTRAUEX: Again, these are two reports I -- again, there was a review, too. But,

again, I'll summarize, in any event.

Grove Slade used the lowest of three available samples in determining existing east-bound traffic for the a.m. peak hour. All three peak hour samples were taken from a single day of data collection. We heard the word "snapshots" used before. This is what they were referring to.

In the absence of repeated samples to verify lower numbers, we believe that higher volumes for a.m. existing peak hour traffic should have been assumed. With higher existing volumes, the levels of total traffic, after newly-generated traffic is added, would have also been higher.

Would those higher volumes have caused traffic impacts at any intersections? I actually can't say for certain. Firstly, the District Department of Public Works apparently doesn't really have a clear-cut definition of what constitutes impact at this time. In addition, my role here is really not to perform a traffic impact study but to review one.

It does, however, seem that the burden of proof for stating a lack of impact should lie with the developer -- in this case, Georgetown University -- and I don't believe that Georgetown's consultant

has proven this point in this case.

A second point of analysis that continues to concern us is Grove Slade's use of Medstar's estimates for population and activity in determining the level of newly-generated traffic. This concern applies not just to the proposed new clinical office building proposed by Medstar but to existing north campus space as well.

Without some better assurance that these estimates will be abided by in the future, we feel that a more conservative approach towards estimating new traffic should have been taken. So, for example, one of the things that could have been used would have been projection of square footage. People have been talking about FAR, instead of actual -- not actual, I'm sorry, projected population. That could have been projected, but, unfortunately, the square footage figures were not available.

By casting doubt on some aspects of Grove Slade's analysis, we hope to convince you that local traffic impacts may exist after all. What can we hope to accomplish by that? We can't realistically think that GU's plan will go away, but we can hope that more positive steps can be taken to mitigate traffic conditions on Reservoir Road and nearby local

streets, and thereby help to protect nearby residential properties.

In many of the jurisdictions with which I'm more familiar, the recognition by the governing body that impacts could exist becomes the grounds not so much for defeating development proposals per se but for requiring appropriate traffic mitigation measures in conjunction with the approved development.

In this particular case, the well-intended assurances of community support that are on the table right now are just not enough.

What sort of mitigating actions am I talking about? Well, Ken Laden earlier in the day mentioned a program for improvements, possibility of improvements on Reservoir Road, including a range of projects including some small scale, some large scale. The community is also concerned about side streets, such as 38th and 39th Streets.

But because, as I think we have also heard, there really is not yet a really good grasp on what the future holds, flexibility is the key in dealing with changes in traffic conditions. That would really be the ideal approach.

What seems to be missing is an

implementation mechanism. Desired flexibility can be sustained by the establishment of a public escrow account, funded initially by GU and/or possibly Medstar down the road, to be placed at the Department of Public Works' disposal.

Using this fund, particular capital projects could be selected for implementation, in cooperation with nearby residential communities and with input from GU and Medstar. Such a fund could be supplemented in the future as later developments examined, including that which might occur on the GU campus.

We also should be clear that such funding should be in addition to, and not in replacement of, transportation management initiatives being tendered as part of GU's campus plan, which by the way I very much support.

At this late stage, it might be unreasonable to ask Grove Slade to rework its study to accommodate our suggested assumptions. Therefore, the prudent course to take, if the GU plan is approved, would be to add a condition under which a neighborhood traffic management escrow fund would be established.

I hope you agree that this would create

more of a win-win situation for all parties. In any event, the District government and taxpayers should not go away empty-handed in this matter.

Thank you.

MR. BRAUN: Thank you, Mr. Kutrauex.

CHAIRPERSON REID: Excuse me. I have a question.

Mr. Kutrauex, do I understand that you're recommending, as a part of your traffic analysis, that there be an escrow fund established for capital improvements and to be maintained by DPW?

MR. KUTRAUEX: Right. In other words, the fund would be managed by Department of Public Works.

CHAIRPERSON REID: Maybe I'm -- what's the rationale?

MR. KUTRAUEX: Basically, you would like to have some way -- one of the lines of questioning that Mr. Braun was questioning Mr. Laden about earlier was the fact that it would be nice to have mitigation out there, but where is the money for said mitigation going to come from? We would --

CHAIRPERSON REID: What mitigation are you specifically recommending?

MR. KUTRAUEX: Again, we don't know all

of the mitigation that might come up. First of all, there are some ideas for Reservoir Road. There are also 38th and 39th Streets, which might need some help. We might be talking about some traffic calming measures, for example, on those sorts of streets, things like chokers, diagonal diverters, speed humps, etcetera, etcetera. These things cost money, and that -- I'm sure, you know, that we all agree it doesn't grow on trees.

CHAIRPERSON REID: And so the figure of this escrow fund, you're saying, should be determined by --

MR. KUTRAUEX: You.

CHAIRPERSON REID: That's not something that we comfortably do, Mr. Kutrauex.

MR. KUTRAUEX: I understand.

CHAIRPERSON REID: I mean, we --

MR. KUTRAUEX: I can assure you it's been done in other jurisdictions, if that makes --

MEMBER MOULDEN: Are you saying this program should be set up by the university or the city?

MR. KUTRAUEX: The city would actually be the caretaker of it. But the contributors would be "the developers," in this case Georgetown, and

perhaps later Medstar.

MEMBER MOULDEN: And this will cover the cost for improvements to the streets --

MR. KUTRAUEX: Yes.

MEMBER MOULDEN: -- and so forth? Okay.

MR. KUTRAUEX: Yes.

MEMBER MOULDEN: Well, you know, the District of Columbia has a capital improvements program.

MR. KUTRAUEX: Yes, that's right. And, in fact, what normally happens is this type of thing winds up in the capital improvements program.

MEMBER MOULDEN: Right. And it's open to the community for comments on it every year. The specific projects, they can be addressed to the city to be included in the capital improvements program.

MR. KUTRAUEX: Right. However --

MEMBER MOULDEN: That's the normal process.

MR. KUTRAUEX: -- in capital improvements programs, as I'm sure you're aware, there always is -- governments are usually looking for sources of funding, sometimes federal obligation bonds, sometimes pay-as-you-go funds, but very often developer funds. And if you look on the funding

lines for many capital improvement projects, you will see D-E-V --

MEMBER MOULDEN: Right.

MR. KUTRAUEX: -- meaning developer.

MEMBER MOULDEN: Right.

MR. KUTRAUEX: And that's what we're suggesting in this particular case.

MEMBER MOULDEN: What type of funding -- what should this probably -- this is probably non-governmental funding.

MR. KUTRAUEX: Part of the problem right now, as far as what type of funding, for example, we're talking about a concept plan at the moment. And I'll be honest with you, I don't have any particular experience on how one prices traffic mitigation for a concept plan. But there are fairly good guidelines out there for dealing with particular types of uses, like medical office buildings, for example.

Figures I've seen out there, for example, would be, for example, 50 cents to a dollar per square foot.

MEMBER MOULDEN: Yes. Well, typically, I handle the federal capital improvements program for the National Capital Planning Commission, and I also

review the District government's capital improvements program. And, typically, the funding for public improvements, such as streets, highway improvements, and bridges, are strictly government funding.

I haven't known of any private funding that was used for --

MR. KUTRAUEX: Yes. I'm aware that that may not be --

MEMBER MOULDEN: Right.

MR. KUTRAUEX: -- how life has occurred in the District over the years. That's why I'm hoping that, you know, this may now float this up as a trial balloon, and I hope somebody salutes it at some point.

MEMBER MOULDEN: It's a new idea.

MR. KUTRAUEX: It may be. It may be. I really wasn't aware of whether it was or it wasn't. But, again, I think in terms of experiences in other jurisdictions, these things do work quite well.

VICE CHAIRPERSON SOCKWELL: If I might add something here, with regard to some projects in the District where traffic mitigation devices became an issue between the community and the developer, agreements that the Department of Public Works participated in have been made, whereby the developer

would promise a mitigation measure if required by further study, etcetera, sometimes a year period of examining the traffic problems created by a certain development project.

If such measurements over a period of time proved that device A was not sufficient, that device B was required, the city didn't have the money to install device B. The developer would promise to, in fact, pay for such installation. In response, the community would release the project from a certain level of its objections, a certain number of its objections, and then let the project go forward.

Now, these things have been done, but I have not been familiar with a situation where the Department of Public Works, in fact, managed as a caretaker any particular funding. They will manage the storage of certain devices, public works, public space devices, that are required for replacements of things that the developer may be doing in public space, but what you're talking about I haven't seen. I'm not saying it doesn't exist --

MR. KUTRAUEX: Mr. Sockwell, the approach you're talking about I think is just as valid in this particular case, and may very well prove to be -- again, I think you have to find something that works

within your particular system. But you may have identified that.

CHAIRPERSON REID: I don't think that -- the point I was making was this is, to my knowledge, the first time that we've heard such a recommendation. And I don't think that it's within our purview to impose that condition on George Washington University -- I mean, Georgetown University, where there would be a monetary amount. And, of course, that would have to then be determined, what amount as a -- for any type of mitigation of adverse impact. I don't think we can do that.

MR. BRAUN: Madam Chair, may I make a suggestion?

CHAIRPERSON REID: Well, let me finish. That is an area that we've never explored. And, again, when someone makes proffers to us -- well, an escrow fund, you know, that is open-ended, without giving, you know, any amounts, then he says, "We will then have to determine how much," that goes over and beyond what we are typically empowered to do.

MR. BRAUN: May I make a suggestion, Madam Chair? There is a legal technique that you might consider, which I have seen this Board use in

the past, which might provide a bridge. The technique would simply be to ask the parties to get together, allow them a certain amount of time, and to report back on whether an agreement has been reached between the parties concerning mitigation measures.

That would then create the reports back, would then advise you whether there was such a fund created or not, and that would be just a fact that you would consider in ascertaining, as you view the whole record, whether adequate mitigation had been provided, and that, therefore, the project was not likely to create conditions.

You wouldn't actually make it a condition of an order that this be done, because it sounds like the order -- I mean, there may be legal questions about whether that could be done directly by -- because you don't have the authority to order the DPW, or there may be other legal doubts as well as to what kind of conditions you can place in the order, but you certainly can order the parties to get together to see what they can -- allow a reasonable amount of time for them to consult with each other on this, and see whether they -- and require them to report back within a certain time, and then consider whether that has developed any additional mitigation

that strengthens the case for granting the application.

MEMBER MOULDEN: Madam Chair, I don't think this is the appropriate forum to be discussing that issue. This is not data that they have presented to us. I think --

CHAIRPERSON REID: I agree.

MEMBER MOULDEN: -- we can consider that and move forward.

CHAIRPERSON REID: Yes. I think that that's an idea. I think that while we always encourage mitigation and reconciliation between opposing sides; nonetheless, I don't want to give the impression that, by innuendo or otherwise, that we are saying that you should meet to come up with some type of resolution of -- or a figure or -- to establish a fund.

We wouldn't do that. We would not do that. That is something that, if it were to be taken, that would be taken up solely on your own with the applicant, without any participation by this Board whatsoever. I think --

MR. BRAUN: I have seen this Board order that the applicant and opponents meet and see if they can reach an agreement on something and report back

to the Board on whether they have.

CHAIRPERSON REID: I said that. I said that, and that's fine.

MR. BRAUN: Okay. Good.

CHAIRPERSON REID: But I don't want to, even by innuendo, to infer that we are sending you to try to come up with some type of figure, or some type of fund, as a mitigation measure. I want to be very clear about that.

MR. BRAUN: Oh. So that would be for the parties to work out.

CHAIRPERSON REID: Okay. All right. Let's move on, then. Let's -- okay.

MR. BRAUN: To conclude, we early strong consideration of Mr. Kutrauex's recommendations. We think they're very constructive. And the other types of recommendations that would meet our concerns, in terms of either get into things like attaching conditions to the order or rejecting the campus plan proposal, or rejecting the north campus part of the plan, an option which may have to come up anyway because of the fact that the variance relief -- use variance relief has not been requested.

But other types of conditions that we would hope that you could consider would be, first of

all, shortening the term of the approval. There's so much that's uncertain about the campus plan. There's so much that's speculative that 10-year approval does not seem warranted, if any approval is warranted, and that approvals for only three to five years would have more warrant in the record, at least at this time.

We think there's a need to have -- that another reason for doing that is to in some way stagger these campus plans, so they don't all come up at the same time, and the fact that there is a new Georgetown administration coming, which could take a fresh look at many of these issues.

Other mitigating conditions, we think an order could require regular and adequate traffic studies by an expert consultant that is selected by Georgetown and Medstar, but with neighborhood consent as well, with reports to be provided at quarterly or annual meetings, so that we would not have the situation that we've had with this campus plan where a proposal comes forward, no traffic study has been done, whatever, and the thing is filed at the Board and without any traffic study having been recently done.

We think also that in view of the many

questions about the -- whether the traffic impacts of Medstar can be mitigated, and the fact that information is still to be developed, Mr. Laden says he won't have information until the fall or the end of the year, end of the calendar year, that it would be appropriate not to allow new construction on the north campus until we have better information to support that that kind of expansion could be done without adversely affecting traffic.

We think that helicopter use should be restricted to medical emergencies, and we think that there should be a numerical limit as well. They've projected not more than 12. The OP says that's reasonable, 12 flights a week. Perhaps to give some day-to-day flexibility, that should be translated into a monthly or quarterly number.

We think also that there should be records of -- the Board order should, if it's one of approval, should require that records be kept and reported in the regular quarterly meetings that have previously been provided by Board order, so that the community is kept informed of how that helipad is used and to ensure that it's understood that this is for sparing and occasional use, and is not a regular feature of this wonderful residential neighborhood.

CHAIRPERSON REID: Thank you very much. When you submit your testimony to us, be sure that staff gets the -- your conditions that you're recommending from the organization.

MR. BRAUN: I've only got notes, not prepared testimony, I'm afraid. But I can -- certainly, when the proposed findings come, we would articulate those, so you'll have them in front of you.

CHAIRPERSON REID: Please do.

MR. BRAUN: Would you like them earlier? I mean, I think I can write that up if --

CHAIRPERSON REID: Oh, no. No. Proposed findings are --

MR. BRAUN: I assume we'll have time to read the transcript and prepare proposed findings and submit them, and that will be our best thought-out recommendations.

CHAIRPERSON REID: Thank you.

MR. BRAUN: Thank you.

MR. KUTRAUEX: Thank you.

MR. BRAUN: I think Mr. Kutrauex should -- I would like to ask that Mr. Kutrauex, so that he's not kept here all night at our expense, that cross examination be allowed now.

CHAIRPERSON REID: Well, the Board members have asked questions.

Do you have any other questions of Mr. Kutrauex before he leaves?

Ms. Dwyer?

MS. DWYER: No questions.

CHAIRPERSON REID: No questions. Okay. Thank you very much.

MS. SCOLARO: Okay. Madam Chair, and members of the Board, my name is Patricia Scolaro. I'm president of the Burleith Citizens Association, and I want to thank you for this opportunity to present our position. Quite frankly, much of it you have already heard today, in other testimony and in cross examination.

I want to call your attention to two exhibits that we brought down last week. One is a book of photographs of Burleith, which would give you some idea of the impact that Burleith has, and in some instances West Georgetown, from the excessive number of students and group houses in our community.

And in addition to that booklet, there was a binder of newspaper articles in the local newspaper about various situations, again, in our community. I will say, formally and officially, that

the Burleith Citizens Association opposes any increase in undergraduate enrollment, and we oppose aligning 38th Street with entrance number 1 of the university; and, further, we are opposed to the use of only four categories to identify the land and/or the building use of the facilities.

I think in prior conversation, and in prior testimony, you have a pretty good idea of where and what Burleith is -- a community of 550 townhouses, it's 75 years old, and of the communities represented here today it is the most impacted because we are directly across from the university.

Student housing is a major concern, and we cannot support any increase in undergraduate enrollment because there is serious community impact from the excessive numbers of students living off campus.

In addition, I gave you a -- you received a red booklet, which has my testimony in it -- official -- and Bonnie Hardy's. And then following our testimony there is a list of exhibits, and starting with number 3 -- yes, Exhibit Number 3, it outlines -- and I think you've received this before -- the number of students who are living in Burleith.

Currently, we have 538 undergraduates,

162 graduate and medical students, right in Burleith, plus, in zip code 20007, there are 301 non-traditional students. These are the part-timers, people brought here for special programs, special meetings, things of that sort. So we are talking about a numbers game.

To give you some idea -- and also, we have to consider that the graduate students and the non-traditional, although they are not recognized as part of the plan by the university or BZA, they have a direct impact on the community.

I want you to take a look at a poster. I wish you could see it. And also, in your booklet, it is Exhibit Number 4, which indicates the number of houses in Burleith that are student-occupied. By our personal count, and by this we asked people on every block to identify the houses on their block that are undergraduate Georgetown University students, and there are over 100.

You will probably notice that there are some blocks that don't have any red marks. I can identify about four blocks that I did not know who to call on that block because we wanted to come from the community, and we wanted our count to be as accurate as possible.

So I think roughly it's about 103, 104 houses that have been identified. The houses are in all four quadrants, and practically every block has student houses.

The student-occupied group houses pose serious behavior problems. We have excessive noise, loud parties, groups of drunken revelers roaming the streets looking for or returning from a party, and over the years we've had very serious vandalism.

We have some people who will be in later, who are here already, I might add, to testify -- residents of the community, who can be more specific of some of the experiences they have had. And also, I think there is quite a folder of letters from Burleith residents, who are opposing the plan because of the problems and the very specific situations they have encountered.

There are four -- three posters. The one on the top, when we talk about parties, these are daytime parties. Several -- that garden that you see was grass in the morning. By 11:30, it was mud. Pat Burke talked about the swimming pools. There's one in the picture up on the right.

There is one on the left, down on the lower left. That, too, is a swimming pool, and you

can't see it too clearly, but there are two people who obviously spent the night because I took the picture at 6:00 in the morning. And we have what remains of their party on the lower right.

There are two posters there of pictures of trash that have been taken, some this year, and other years. When I put out the call for photographs, they came from, again, all quadrants of the community. And everybody has stacks of photographs that they have taken.

Pat talked about the beer kegs. I think there is one down there with about six beer kegs left outside of the gate, in the alley, and I think they were there for several weeks because it happened to be my block.

In five minutes? Okay.

Parking is a serious problem. Our backyards have been turned into parking paths, and you can see in one alley the photographs, and that is Exhibit Number 8.

We have worked hard with the community over the -- with the city agencies over the years. You heard what we have done with Pat Burke. We've tried to get an overlay, which the Zoning Board threw out. We've tried to get -- work with agencies on

legislation on housing inspection, all to no avail.

And Exhibit 9 in your book has all of the correspondence and the work that we have done with city agencies, and we have never had successes or a response.

It's a blue binder. It's the blue binder. We put it all in one separate binder for you.

Much has been said about the Southwest Quadrangle, leading us to believe that when it is opened all student-related problems will end. Please note that I've heard people say, "We anticipate, we assume, that when the Southwest Quad opens, this will happen. We have visions of moving vans going down 37th Street," but it's not going to happen.

The building is going to be for sophomores. You have -- we have three years before it opens. It won't be until 2003. In the meantime, the university is going to bring in probably another 111 students, undergraduates, to reach their cap, and we have 200 students who live outside of 2007. And don't you suppose if they had their choice to live either on campus or in a community closer to the campus, they would choose that, rather than have to take a bus from Rosslyn or DuPont Circle.

My seven minutes are up, according to Peter.

I have to say that in reviewing all of the testimony and documents, it is ironic that just about everybody who has spoken has acknowledged that there are problems in Burleith and also in West Georgetown, the Office of Planning.

Even the real estate consultant has implied that there are problems in our community as a result of group houses and the negative impact by students.

We would ask that the only thing that we feel could mitigate this situation would be that the Board does not allow any increase in enrollment, and we look to your stewardship to exercise your good judgment and consider our neighborhood's quality of life important and vital.

There are some things I could not mention in here. Exhibit Number 11 addresses the 38th Street entrance, and it also addresses the classifications of land use categories. And that's what I have to say.

CHAIRPERSON REID: Thank you very much. I have a very quick question.

MS. SCOLARO: Yes.

CHAIRPERSON REID: In regards to this particular -- the I guess kind of plat map that --

MS. SCOLARO: Yes.

CHAIRPERSON REID: -- you have here, you're saying that that's outlined in red indicates where the student housing is --

MS. SCOLARO: Yes.

CHAIRPERSON REID: -- but not entirely, because other areas where it's shown all white may or may not have additional student housing.

MS. SCOLARO: Right. That's correct.

CHAIRPERSON REID: You just don't know?

MS. SCOLARO: I could identify some of the blocks.

CHAIRPERSON REID: So this is all you could identify.

MS. SCOLARO: Yes.

CHAIRPERSON REID: So --

MS. SCOLARO: These were all we could identify, yes.

MR. PULSIFER: And this is only Georgetown University undergraduates. There are other houses with Georgetown University graduates and with non-Georgetown University -- young professionals, and so on -- that are not in red on

that map. So the problem is -- I mean, there is more to it than that.

MEMBER MOULDEN: How was this survey completed?

MS. SCOLARO: I called personally and spoke to people on the blocks where we had identified some of the red houses.

MEMBER MOULDEN: Okay. You called people on the block and they told you.

MS. SCOLARO: Yes. "Could you identify for me" -- and some people were very cautious about --

MEMBER MOULDEN: So it wasn't a door-to-door survey.

MS. SCOLARO: It was not a door-to-door survey.

MEMBER MOULDEN: So there may be some percentage of error in what's --

MS. SCOLARO: Possibly, yes.

MEMBER MOULDEN: -- actually student housing and what's not.

MS. SCOLARO: It could swing either way. We have at least four or five blocks that I did not talk to anybody to identify whether or not they have student houses. 35th Place, for example, I know

they're there, but I didn't know anybody there. The 1900 block of 37th Street, the east side, I did not know anybody on that side, so I could not ask them.

MEMBER MOULDEN: Because a more accurate land use survey would be -- to check actual records, land records, and actually go door to door and knock on doors --

MS. SCOLARO: Well, that would be -- it would be great.

MEMBER MOULDEN: Yes, right.

MS. SCOLARO: But it is time-consuming. Even this --

MEMBER MOULDEN: So this is by word of mouth, then?

MS. SCOLARO: It was, yes, by people who live on each block.

MEMBER MOULDEN: Oh, okay.

MR. PULSIFER: The Citizens Association.

MS. SCOLARO: Yes.

MR. PULSIFER: The Citizens Association has been around for 75 years, and we have connections throughout the neighborhood. So there's a network of people that know what's going on in our neighborhood.

VICE CHAIRPERSON SOCKWELL: I might ask two questions. One, your map, you said, is known

undergraduate student --

MS. SCOLARO: Yes.

VICE CHAIRPERSON SOCKWELL: -- group housing.

MS. SCOLARO: Yes.

VICE CHAIRPERSON SOCKWELL: And the second question is, with regard to an overlay district, did you make reference to a proposed or suggested --

MS. SCOLARO: Yes. Several years ago -- and it is detailed in the material that you will have, that you have -- we worked very hard, and, in fact, it was Bonnie Hardy who organized it, to have a zoning overlay where the number of individuals in group houses would be restricted to three.

Currently, I think, from everything we hear, the law says six unrelated individuals in a house would be max. We know in some of our houses we can have six, seven, eight. Living rooms have been turned into bedrooms.

But we asked for the overlay to restrict three unrelated individuals in a group house. And the Board of Zoning chose not even to hear our case, and a lot of work and effort was put into it, and I think you have all of that material there.

VICE CHAIRPERSON SOCKWELL: Were there any other --

CHAIRPERSON REID: Go ahead.

VICE CHAIRPERSON SOCKWELL: Were there any other specified conditions that you can recall for the overlay suggestion?

MS. SCOLARO: Bonnie?

MR. PULSIFER: What do you mean by --

VICE CHAIRPERSON SOCKWELL: In other words, was the overlay predicated strictly upon reducing the number to three --

MS. HARDY: Yes.

VICE CHAIRPERSON SOCKWELL: -- unrelated adults?

MS. HARDY: Looking at a group house, we wanted to have three unrelated individuals in the house. That's correct. There were no other specifications on it.

There were some recommendations that came out of that process, which we will make reference to later.

VICE CHAIRPERSON SOCKWELL: Fine. Thank you.

CHAIRPERSON REID: I think that, in reference to what you are stating, that that was a

resort to -- I think that would usurp the community-based residential facility regulations, if you -- I think this is what you probably ran into, you know, the fact that there are already regulations that permit more than three unrelated persons to live in a house and --

MR. PULSIFER: Actually, those facilities were specifically excluded from the overlay.

CHAIRPERSON REID: Oh, it was?

MS. HARDY: They were, right.

CHAIRPERSON REID: What you're asking for, you're asking for a special one that was exclusive of the community-based residential facilities?

MR. PULSIFER: Yes.

MS. HARDY: That's correct.

CHAIRPERSON REID: All right. Thank you.

MEMBER RENSHAW: Madam Chair, a question, please.

Ms. Scolaro, has your community association asked the university if it requires the group homes to register with the community office or the office that deals with students off campus?

MS. HARDY: I didn't understand the question, Ms. Renshaw.

MEMBER RENSHAW: I wanted to know if your association asked the university if it requires the group homes to register with one of the university offices dealing with students living off campus.

MS. HARDY: The answer is no to that. No.

MEMBER RENSHAW: Is there something that you plan to do? I'm asking the question because I recognize how time-consuming it is for residents to go on the warpath through the community asking whether or not you've got a group home on your block. So I'm just wondering, are these statistics about group homes being gathered by the university?

MS. HARDY: Ms. Renshaw, if I could comment on that, obviously, it should be the university should be responding on this. But as far as I know, one of the problems we have had over the years is finding out addresses of the students who live off campus. It is still a problem. It has gotten better.

In speaking to Ms. Lord informally about two or three weeks ago, they go until the end of September before they have any addresses of off-student houses.

CHAIRPERSON REID: All right. Thank you.

Let's see, the next witness --

MS. HARDY: Oh, here we go.

CHAIRPERSON REID: Okay.

MS. HARDY: Pick up where I left off.

Thank you very much. My name is Bonnie Hardy, 3724 T Street, past president of the Burleith Citizens Association. I'm going to talk about the Office of Student Affairs.

The Office of Student Affairs is pivotal in the university's request for this Board to allow an addition of 389 students to live off campus after the dorm is built. We must argue that this office is not as successful as the university would like you to believe.

Ms. Lord's testimony and the campus plan spend a great deal of time telling you about the good deeds the university students do throughout the city, but it has really nothing to do with the daily lives, or should we say nightly lives, of our neighborhood.

Ms. Lord speaks of the office -- speaks of the job of the Office of Student Affairs, which is to educate their young people to be responsible and thoughtful citizens, but on the job -- but on-the-job training cannot be at the expense of the surrounding neighborhoods. Unfortunately, it is our expense --

the homeowners, taxpayers, who have roots in our community, who work hard, and are entitled by law to a tranquil life in this busy city.

The issue before this Board is the disruptive effect of student misconduct in the neighborhood and the minimal efforts of the Office of Student Conduct to deal with the problems. The Burleith Citizens Association has made the following suggestions to the university, and, as far as we know, none have been adopted.

Number one, require registration of parties for off-campus group houses. The students who live in university-owned townhouses outside the gates of the campus are required to register a party. Why not the same for us?

Two, parental notification by the university if their children are involved in an off-campus arrest or are issued a noise violation by the Metropolitan Police.

Three, students can live off campus only if they have a clean record, from this or from their own campus living. Off-campus living should be considered a privilege, not a guarantee.

Four, juniors who have proven not to be good citizens in their off-campus living experience

should be returned to campus for their senior year.

Five, and this is something Patrick Burke referred to earlier, varsity athletic teams should be required to live on campus. They make a lot of the so-called -- they make up a lot of the so-called problem houses in the campus life, where training and studies can be monitored.

Six, the university recognizes that alcohol abuse is a serious problem, and that the Office of Student Conduct has "a comprehensive alcohol education program." Quite frankly, this is not enough. Please refer to Exhibit Number 2 and the section of newspaper articles dealing with student drinking.

This past March, the Burleith Citizens Association and the Citizens Association of Georgetown wrote separate letters giving specific suggestions as to what the university can do to help deter this alcohol abuse that we constantly witness in our neighborhoods. A response to these letters has not been received.

Excuse me? Exhibit 13 is the one I just made reference to.

CHAIRPERSON REID: Where --

MS. HARDY: It's in your red book, is it

not?

CHAIRPERSON REID: Exhibit 13?

MS. HARDY: Correct.

CHAIRPERSON REID: Oh, okay.

MS. HARDY: No? Shows how clear I'm speaking.

CHAIRPERSON REID: All right. This is the letter.

MS. HARDY: The athletic team letter is Exhibit Number 12, and Number 13 deals with the alcohol letters that we wrote.

CHAIRPERSON REID: Okay.

MS. HARDY: I will carry on. As Pat mentioned in her testimony, we must work closely with D.C. agencies and believe the university ought to be involved. The DCRA is a perfect example. You would think the university would be proactive to make sure the houses their students live in are up to code and in a safe and secure environment.

Please remember, in this last decade, an early morning fire in the 1700 block of 37th Street took four houses and the life of a young man who was asleep in his basement apartment, and who could not escape because the fire began at the back basement door. The stairs to the first floor had been

illegally removed.

To my knowledge, the university has never requested a DCRA inspection of any neighborhood properties, nor has the university ever sought an annual licensing inspection for group houses, which it so heartily endorsed when they helped defeat the zoning overlay process in November of 1997.

This licensing procedure was a measure we all, except the landlords, could accept. Surely, the lobbying efforts of the university are more persuasive than those of a small citizens association.

We need to address the hotline, which is a very important part of the Office of Student Conduct and an important means of appeasing the neighbors. Two requests we have made over the years -- extend the hotline to Thursday night, and improve the hotline process with followup calls to inform the neighbors what actions were taken, if any.

Since Jean Lord became an assistant dean a year ago, her duties have grown. Also, she has been operating with temporary help ever since her full-time assistant, Greg Maripole, left in November of 1998. That's Exhibit 15.

We do hope that the university will see

its way clear as to how important Ms. Lord's office is, and to give her the support we feel she needs. With the new dean starting up next month, we have no idea how neighborhood conscious he will be. We can only hope for the best, which brings me to my last point.

Living the way we do, from semester to semester, not knowing what new groups of students will fill our houses, does not make for a stable neighborhood. Unless this university houses its students, we are in a state of containment and a constant hope for the best.

Thank you for your attention.

CHAIRPERSON REID: Thank you. Those recommendations and conditions will also be contained in the findings of fact or the draft order that --

MS. HARDY: Yes.

CHAIRPERSON REID: -- you will be compiling for us? Okay. Thank you.

Are there any questions? Ms. Dwyer?

MS. DWYER: No questions.

CHAIRPERSON REID: Okay.

MS. ZARTMAN: Can we do cross examination at the end of all of the panels?

CHAIRPERSON REID: I'm sorry?

MS. ZARTMAN: Can we do cross examination at the end of the presentations?

CHAIRPERSON REID: Well, I think that this is, other than -- who else has to come up after you, in this particular presentation?

MR. PULSIFER: We have about three more presentations, I think.

CHAIRPERSON REID: All right. Okay. You can.

MR. POLK: Thank you. I'm Scott Polk. I'm an Advisory Neighborhood Commissioner from Foxhall, ANC-2E-01. I'm the past president of Foxhall Citizens Association, from 1995 to 1998. I'm currently a real estate agent. I've worked as such since 1994. I specialize in residential sales, top five percent nationally. I tend to specialize in the homes in my area, Foxhall, Burleith, Glover Park, and Georgetown.

I'm wanting to address specifically the graduate student numbers, the proposed 1,284 increase or 49.6 percent increase. Just to put a little history to this, twice during the information sessions that we had with the university, starting in November, I asked very specifically if they had planned on any increases in graduate numbers, and I

was told no, that they were not planning on any increases in numbers.

I submitted that same question in writing and received in writing that there would be no increases in graduate student numbers. Lo and behold, you know, here we are and it's a request for 49.6 percent increase.

I feel that this is a rather large number. I don't think it's really merited or justified. I don't think the university can actually justify those numbers. I feel that an increase in enrollment of that sort would have a very large adverse effect upon our neighborhoods.

The Georgetown University real estate expert testified that a decrease in student rental homes within the community would increase property values. Looking at that from a different angle, it is saying the student rental homes do have an adverse impact upon the community. And what I say to you is a group home is a group home; it doesn't matter if it's a graduate group home or if it's an undergraduate group home. The appearance is pretty much the same.

There is high density. There's a lot of trash and garbage accumulation. The facade doesn't

look particularly good because it's a rental home. The grass isn't cut because the graduate students or the undergraduate students don't cut it. And, additionally, I guess in the case of graduate students there tend to be more cars. The effect of parking is even I guess more dire on the neighborhood.

So, in short, what I'm saying is that graduate housing does have an effect. We can't just say that graduate students -- it's different. You know, it is pretty much the same.

I will point out one thing. In the case of Fannie Mae and FHA lending guidelines -- I bring this up just kind of as an aside, but it has relevance -- in a condominium, they will not lend to somebody wishing to make a purchase if the ratio -- and ratio, I'm talking about the owner-occupied versus rental -- if the owner-occupied is less than 60 percent, in the case of Fannie Mae.

Looking at this chart right here, we can see that Burleith would probably have some difficulty, new, you know, or prospective owners trying to secure a loan in a neighborhood like that.

Fannie Mae, FHA, they have these guidelines for a reason. They are concerned about

the balance within a building. A high investor ratio has rapid depreciation, and it's a high-risk loan for the lender.

Looking at it from the neighborhood perspective, we're looking at that same depreciation, rather face to face.

What gains we have made in the last few years in improving our ratios -- you know, there have been a slight decrease in the number of rental homes. We would like to be able to keep those. We do not look forward to a large increase in student population, graduate and undergraduate, and the continuing of group homes in the neighborhood.

My observation -- and, again, you know, 1,284 grad students would create a lot of demand. And, you know, given the opportunity to live, you know, in Rosslyn or in DuPont or the opportunity to live close by, close by is always better.

My observations in my neighborhood, and also, I believe, as Georgetown's testimony, is that med students and the MBA students tend to like to live in my neighborhood, in Foxhall, also in Glover Park and, you know, West Georgetown. They tend to shy or shun from Burleith.

And, you know, they're smart kids. They

understand why Burleith doesn't obviously support them in their quality of life, you know. Please remember, med students and MBA students are going into debt at the rate of about $28,000 a year, and, you know, they're doing that with the opportunity to earn a better living upon graduation.

So, basically, what I say, it's current performance equals future earnings. And the neighborhood doesn't support their current efforts, you know, for their future earnings.

So what we do find, though, is that, you know, they do come to our neighborhood. Any increase I think would push over in our way.

Also, I think -- and I would say that, you know, with any diminishing of undergraduate students in Burleith, it would become a prime spot for graduate students. So whatever gains Burleith would hope to make with any decrease in undergraduate housing, I think it would be made up for in graduate housing. It's very convenient, as we know.

We are concerned about the increased demand for rental housing with our community that would occur with such graduate student increase. We're not trying to, you know, come up with more group homes. We'd like to keep it where it is.

You know, we've managed to cope with what we've had over the years, and that -- you know, we're not trying to do away with rental housing, you know, but -- you know, enough is enough, and a certain balance, you know, we can hold on to.

The problem, of course, with group homes is that they have held our communities back in appreciation. The physical appearance of these homes, the trash problems, the clustering of automobiles, they are a burden on our community. And the other fact that I should point out is that every home that is a group home is a non-performing asset within the neighborhood.

It's non-contributing. They are people that don't come to neighborhood associations. They don't come to help us with the various problems.

So although, you know, we're not trying to do away with rental housing, rather like Fannie Mae and FHA, we're trying to maintain a balance and to avoid the depreciation of our neighborhood. We don't need any more rental housing.

The real estate expert from Georgetown University, Mr. Bolan, painted a very rosy picture of real estate in northwest Washington, based upon current price trends. They're true. Those trends

are definitely there. But what I will also point out is that, in 1990, we had a 20 percent across-the-board fall in prices, and in some neighborhoods even more. Burleith I think was one of those neighborhoods.

That market remained flat until about 1998 when prices picked up. It was a prime time for investors to buy -- you know, to add to their inventory and get investor homes, and, of course, you know, to fill them up. You know, the rental inventory increased drastically in our neighborhoods during this period of time.

The other part of this is that in a fall back like this, people who have purchased homes more recently, if they have to move, you know, they're transferred, whatever, they're stuck. They've taken 20 percent depreciation in value. They can't sell their home, and they're forced to rent it, which further adds to the rental inventory.

In short, a failing real estate market burgeons the rental inventory. And, you know, again, although we've had a run up, you know, you can't say that, you know, what is currently there will continue forever. You know, the stock market makes corrections, and so does the real estate market.

Well, this scenario, as I was just describing, where prices collapsed, you know, nearly caused the ruin of Burleith. And I have to congratulate the leaders in Burleith and surrounding neighborhoods who helped them. Only their perseverance and resurgent real estate market kept Burleith from an imbalance that would have meant the demise of the neighborhood. You know, as an agent, I was hesitant to show properties within the neighborhood, I'm sorry to say.

Again, the rosy picture painted by the GU real estate expert is based on the last two years' trend. As community leaders, we are concerned not about the last two years but the next 10. The recent past and the near demise of Burleith is very vivid in our mind. We are very strongly opposed to the increase of 1,284 graduate students and the 389 undergraduates at Georgetown University.

The number of Georgetown University graduate students should be capped. We, I believe, as communities have agreed to an increase of 200 graduate students during the next five years, and then to review the effects of the many changes being brought to bear on our community before considering any further increases.

Thank you.

CHAIRPERSON REID: Thank you very much.

Let's see. Cross examination, Ms. Dwyer?

MS. DWYER: I have none.

CHAIRPERSON REID: All right.

Now, there are three more people? Wait. Let me see. The opposition -- let's stay with that. The opposition had two hours, and I think that you have just a few more minutes. Now -- it's the first hour. Oh, I'm sorry.

MR. RIXEY: There are four more presentations.

CHAIRPERSON REID: Okay. Do you think that you're going to consume the entire hour?

MR. RIXEY: I think we may finish in this hour.

CHAIRPERSON REID: Okay. All right. Okay. Then, proceed.

Now, the cross examination, I'd ask for each person -- and Ms. Zartman asked could you do it individually -- I think that I'm going to ask after each person, and I did, and Ms. Dwyer is the only one I think that wants to cross examine. Or did you as -- well, no, the ANC -- where is the ANC representative? Would you care to cross examine any

of these witnesses?

(No cross examination signalled.)

CHAIRPERSON REID: Okay. All right. Then, continue.

Did you have questions? Do you wish to -- okay. All right. Then, let's just keep going, and then we can come back and ask them, if you have to.

Okay. Mr. Crockett or --

MR. RIXEY: We're next.

MS. DOWNS: I think we're next. I'm Barbara Downs, President of the Citizens Association of Georgetown. I live at 3321 P Street, about three blocks from the university. The Citizens Association has always supported Georgetown University. We believe that the mission of educating young people, both at the graduate and undergraduate level, is an important one.

We want to continue the positive and constructive relationship we have enjoyed with the university. However, if the residential community is to continue to trust the university, we need more precise information on the university's master plan.

Our association has made numerous requests for clarification. We received a great deal

of data, but we have yet to receive adequate answers to our queries.

My colleague, Douglas Rixey, is going to discuss some of these discrepancies and the problems that we believe that they foretell.

CHAIRPERSON REID: Thank you.

MR. RIXEY: Hello, I'm Douglas Rixey. I live at 1317 35th Street, diagonally across the street from a portion of the east campus of the university.

The Citizens Association has three general areas of concern with the plan. One is traffic and parking. One is enrollment and housing. And the third is -- are some issues regarding east campus development.

On the issue of traffic and parking, our primary concern is that there is no traffic or parking study for West Georgetown in the plan. Without an existing traffic and parking baseline, it is, therefore, impossible to assess the further negative impacts that will result from the proposed plan. Some examples of our concerns are that the plan proposes three major additions or expansions of public assembly space that will have significant parking and traffic impacts.

The new performing arts center, with a capacity of 500 people; the McDonough gym expansion, with a capacity of 3,000 people; the Harben Field expansion, with a capacity of 1,300 people -- and these numbers are the best we can glean from what we've extracted from the university -- for a total of 4,800 additional occupants.

These facilities, under normal zoning, would require at least an additional 480 parking spaces, which are not provided for in the plan. Instead, the plan suggests that the traffic and parking demand will be alleviated via scheduling -- the scheduling of the use of these facilities, though no specific schedule has been provided for proposed events.

We're also very concerned that these facilities may be used for public events for people off campus, such as concerts and things like that. It's not specified.

Another item regarding traffic and parking is that the plan projects a parking deficit of 1,150 parking spaces, apparently based, since it wasn't based on these other public facilities, apparently based on the occupant load of the balance of the 1.3 million square feet they're proposing to

build. Again, there is no provision for accommodating this shortage of parking spaces.

Inexplicably, the plan simultaneously predicts "no increases in parking demand. In fact, the expectation is that campus traffic and parking demand may decrease." That's in their Appendix L.

This sort of contradictory information is not uncommon in the plan. And, in fact, it's an excellent example of why we found it so difficult to trust the information that the university has given us.

Another example that Scott already referred to was the university assurance that they weren't anticipating increasing graduate enrollment. And the way we found out that, in fact, they were planning on increasing graduate enrollment was that it was buried in the second submission of the traffic study.

Other traffic and parking issues are that the plan does not address recently disclosed information that Medstar has absorbed approximately 706 parking spaces from the south campus allotment. Alan Brangman had earlier assured the community that there would be no redistribution of parking spaces between the north and south campus.

We have also just learned that GU has added 465 parking spaces, which are 404 over their allowable cap of 4,080, to accommodate temporary overflow from Medstar.

The university has already moved two major facilities off campus -- the Business School in the Car Barn and the Public Policy Institute -- which they're now proposing to relocate to the Wormley School. Those two facilities have the potential capacity of 2,000 students in the Business School and 170 students in the Wormley School, plus faculty and staff, and assumes that at least some of these -- the plan assumes that at least some of these students, faculty, and staff will park on campus.

This demand is not accounted for in the plan, because the university does not consider such off-campus impacts relevant. In fact, won't give us information about those off-campus impacts, and, also, because there is no traffic study within which those traffic impacts could be accommodated.

Finally, the plan does not address the impact of proposed increase GUTS bus traffic and erroneously states that those buses currently only use the Reservoir Road and Canal Road entrances. In fact, they also use Prospect Street, and we don't

know what the impacts will be when they increase their bus traffic.

On the category of enrollment and housing, the community is very concerned that the university has abandoned their goal of housing 100 percent of their students, their undergraduate students on campus, as well as their commitment to the surrounding neighborhood to move student residents -- residences out of the local community and onto campus, as no sites are provided for for future dormitories.

The fallacy of the Southwest Quad, which I think we've discussed at length today, is not part of the proposed plan. And I think we've discussed that enough that we don't need to beat it to death.

Another issue of credibility with the university is that they own many single-family rowhouses, both on campus and off campus, in the east campus area. Trying to find out which properties they own has been extremely difficult.

In fact, at the last testimony, they at first said they didn't own any. Then they retracted it and said they, in fact, owned some. Then their attorney submitted a letter saying that they owned some on 36th Street, and maybe some others, but they

still won't give us specific addresses.

Fortunately, we've been able to find out by other means, and have determined that they actually own 18 rowhouses on 36th Street, which at a capacity of five students per house is a potential for 90 occupants.

Thirteen houses on Prospect and 37th Street -- and I need to remind you that these are off campus -- with a potential capacity of five students per house of 65 occupants, and also six condo units in the CORA Building at 1301 33rd Street, which we've only assigned four students per unit, which could be possibly 24 or more.

And those properties are shown on the first exhibit board. The yellow area is actually the campus proper. The dotted red line area is the so-called east campus. And Prospect Street and 36th Street properties are shown there. The CORA Building is the red dot far to the right.

This totals 179 or more potential off-campus beds, not the 100 that they've told us they've already included in on-campus numbers. So, of course, that credibility issue is major with us.

These group houses have a very significant impact on the community, including

disruption of community development due to the transitory nature of the inhabitants. Moving every six months or more is very disruptive. The Exhibit Board 2 that says "Moving and Trash" shows what our streets look like at least twice a year when the students are moving in and out.

There is also a photograph of a moving van parked in a fire lane, which is the only place the parents could apparently find to park while they were moving their student in for three days.

Deterioration of historic fabric and housing stop due to absentee landlords and lack of tenant care. I don't think we really expect the students to take care of these houses, but the fact that the university is in our community results in group houses.

Exhibit Board -- the third board, which is also in your packet, shows the condition of some of the properties in our neighborhood. It's not great. Massive trash problems due to higher than desirable occupancy. When you have six or seven students living in a house, they generate a lot of trash. Behavior problems due to immaturity, lack of accountability, and alcohol. I think that's been well discussed.

Unfortunately, one of our members, Tom Schneiderman, who lives on O Street, his attorney was going to present his position regarding noise and play a tape. Due to the hour of the hearing, they weren't available. That was the applicant or the testimony I was trying to get. And they're going to have to submit it tomorrow.

Life safety issues due to illegal rental units.

The last category is east campus. The so-called east campus actually includes a significant amount of public space, as well as some privately-owned properties. I think you've gotten letters from some of those privately-owned property owners.

This may be being used. The fact that they've got this extra amount of lot area, and very small FAR on those lots, since they're all -- most of them are historic houses -- may be allowing the university to have a higher-than-normal FAR on their actual campus proper.

All we're asking is that we be allowed to have the information, so that we can determine whether that is the case or not. The university will not give us that information, at least they haven't to date.

The university has acquired two properties -- 3517 and 3519 Prospect Street -- during the current plan that caused their total site area to exceed what was allowed by the previous BZA order. I mentioned this in cross examination with Office of Planning, I believe.

While the area was modest, 2,325 square feet, the precedent of allowing GU to acquire houses in our neighborhood to be used for any purpose the university wishes, without public hearing, is quite alarming.

By the way, of those 179 or more potential off-campus beds, we think that some of those rowhouses off campus are actually being used for other uses such as offices or seminar rooms, but we have no way of proving it. But that appears to be the case when there are banks of computers and things inside the first floors of these rowhouses.

In conclusion, Georgetown University currently has an unacceptable adverse impact on the community. The proposed plan will only increase those impacts and should not be approved. The various community groups involved in this lengthy and difficult process with GU are unified in their positions and should be supported by BZA.

Our proposal includes a variety of things that Barbara Zartman will go over in summary. But I think two of the most important ones are limitation of the length of the plan to a reasonable timeframe, so that all of these massive changes that are going to take place, such as the Southwest Quad and Canal Road entrance, Medstar, the loss of the president, or changing of the president, can be fully assessed. We're suggesting a five-year term limit.

The other thing that I think is critical is that we truly pin down these assessment methods that everyone is talking about, but no one can seem to substantiate. I would prefer to see that these assessments be established before the approval of the plan. If that's not possible, perhaps we can establish those assessment methods, so that when the next plan is reviewed in five years, hopefully, we will actually have a good baseline of data that we can use to judge what the real impacts are.

Thank you for your consideration.

CHAIRPERSON REID: Any cross examination questions of this witness?

(No cross examination signalled.)

E-V-E-N-I-N-G S-E-S-S-I-O-N

(6:00 p.m.)

CHAIRPERSON REID: Okay. Who's next? Ms. Zartman?

MS. ZARTMAN: Actually, I'm going to split myself in two and do a very brief -- the Cloisters in Georgetown president, Steve Hopkins, could not be here. So I am very briefly going to be Steve Hopkins in drag and --

(Laughter.)

-- identify some of the north campus issues, and then I think Mr. Crockett will speak about legal matters, and I'll close.

Cloisters in Georgetown, because of its location at the corner of 35th and Reservoir Road, is impacted significantly by the changes on the Georgetown campus, and we wanted to specifically speak of some of the north campus changes.

As has been discussed extensively today, we believe the zoning regulations do not allow matter of right operation of the hospital and medical facilities by a non-university entity. We believe the potential for disproportionate trauma and transplant caseloads at the new Medstar Hospital will bring particularly high levels of activity to the

campus and be particularly disruptive.

The potential for tripling or quadrupling the amount of physicians office space on the north campus, as is anticipated in -- potentially in this plan, as well as the size and intensity of use of those buildings, is, again, a very destabilizing factor that concerns us.

Expanding the commercial and unrelated operations on the north campus is another condition we seek protections from. Increasing the cap on parking spaces on campus is something that, in the letter of the plan, is assured. However, we see two additional parking garages being constructed, and it raises concerns.

Limiting the bulk of proposed garages on Reservoir Road and the impact thereof on the Cloisters community is significant. At times, there have been multi-story ramp garages on a parcel that backs up on residential rowhouses, and that would be problematic. These are all matters of concern, in addition to the problems caused by increasing undergraduate and graduate enrollment at unreasonable levels.

In conclusion, Cloisters asks -- says that the protection of residential neighborhoods from

adverse impacts of non-residential use, in keeping with Sections 1107 and 1104.1 of the comp. plan, requires careful and articulated language in the BZA order that accompanies any change in the campus plan for Georgetown University.

In light of the number and significance of the changes, we believe a long plan life brings only risk to the adjacent communities that are already negatively impacted.

We hope that the suggestions we'll make at the end of this presentation will offer some protections that are acceptable to the Board. We know they will help the community.

Mr. Crockett?

CHAIRPERSON REID: Thank you, Ms. Zartman. Thank you very much. It would be very helpful to us if somehow you were to get together and compile and combine these various conditions and recommendations, so that it would be easier for us to be able to absorb them and to analyze them in our consideration of this particular application. We'd appreciate that very much. Okay?

MS. ZARTMAN: Thank you.

CHAIRPERSON REID: Ms. Dwyer, any cross examination of this witness?

MS. DWYER: No questions.

CHAIRPERSON REID: Okay. Mr. Crockett?

MR. CROCKETT: Thank you, Madam Chair.

I'd like to take a look at this from a different perspective, a historical perspective, and a legal perspective, by taking you back to the order which this Board issued back in 1990. That particular order was, in my opinion, well thought out. It was the product of serious negotiations between the same organizations and the university that resulted in a document to which all of the parties agreed, which is called Appendix H to the Board's 1990 order.

Appendix H is entitled "Georgetown University Undergraduate Housing Program." It is the document which reflects the agreement between the community and the university as to what was going to happen over the course of the next 10 years, what the university was going to do in order to alleviate the acknowledged adverse impacts of student housing in the residential neighborhoods.

The parties came in with this agreement, Appendix H, which specified basically that over the next seven years the university would create 925 new housing units.

CHAIRPERSON REID: Mr. Crockett, excuse me one second.

Do you have that, Exhibit H? The Exhibit H that I see is a traffic report. What --

MR. CROCKETT: This is Exhibit H to the 1990 order, not the proposed plan, but to the 1990 order.

CHAIRPERSON REID: You didn't submit a -- you're not referring us to an Exhibit H now.

MR. CROCKETT: No, this is the Exhibit H to the Board's order.

CHAIRPERSON REID: That was previous, and we don't have -- you didn't submit a -- you did not submit that. That was not submitted with the --

MR. CROCKETT: Well, I'll be glad to submit a copy of the plan in Appendix H if that would be helpful.

CHAIRPERSON REID: Right. That would be.

MR. CROCKETT: Okay.

CHAIRPERSON REID: Because, I mean, we can have staff pull the -- that order, but --

MR. CROCKETT: I'm sorry. I --

CHAIRPERSON REID: -- I thought you were referring us to the -- your submission with Exhibit H. It was kind of throwing us off guard.

MR. PULSIFER: Actually, Madam Chair, I already submitted a copy of Appendix H to the Secretary in connection with my statement about the full-time enrollment -- full-time equivalent enrollment.

CHAIRPERSON REID: Today, do you mean?

MR. PULSIFER: Today, yes.

CHAIRPERSON REID: With your testimony. Oh, okay.

MR. PULSIFER: About an hour ago, yes.

CHAIRPERSON REID: Okay. Well, they'll make copies and make sure that we get it. But just -- go ahead, Mr. Crockett.

MR. CROCKETT: I'm sorry. I had just assumed that the Board would have access to the '90 order.

CHAIRPERSON REID: We do.

MR. CROCKETT: Okay.

(Laughter.)

CHAIRPERSON REID: I mean, you have to understand that we have a voluminous amount of materials that we're working with.

MR. CROCKETT: I know you do.

CHAIRPERSON REID: And when you're saying Exhibit H, it's just kind of throwing us.

MR. CROCKETT: Okay. I mischaracterized it. It's actually Appendix H.

CHAIRPERSON REID: Appendix H.

MR. CROCKETT: To the Board's order.

Basically, there were two basic promises made, commitments made in that appendix, in that 1990 appendix. The first was the university's commitment to construct 925 new housing units by 1997. The other, which was concomitant with that, was the university's commitment to housing 100 percent of its normal undergraduates on campus, in the long term, and the long term was basically defined as 1997.

So a reading of Appendix H, if it had been carried out as planned, by 1997, 925 new housing units would have been created; 200 additional beds for undergraduates would have been created by moving graduate students out, and using those beds as undergraduate beds, for a total of 1,125 undergraduate beds addition by 1997, which, according to Appendix H would, under the then current enrollment figures, bring the university up to 100 percent of its normal undergraduate students being housed on campus.

This Board agreed and adopted that approach, and, indeed, in their order -- in its

order, at paragraph 66B, made the following requirement, 66B, "To further ensure that there will be no adverse impacts, the Board incorporates as a condition to its order a limitation on enrollment, so that by the end of 1997 the university will be providing beds on campus for essentially 100 percent of those undergraduate students requiring housing."

Now, that was what the Board anticipated, what the Board ordered, and what we all expected would happen, that, by 1997, the problem would be ameliorated because we would have 100 percent of the undergraduates basically living on campus.

This, unfortunately, did not occur. The university conditioned its promises on three basic factors -- the ability of the university to get bond financing, and another factor that -- and a third factor, which was the approval of the cogenerator facility, which was being proposed at the same time.

They completed the first project, creating a couple hundred beds by renovating the LXR and adding to the LXR. This created some new beds. They moved the 200 graduate students off campus and used those beds for graduate students -- for undergrads. And at about that time, that was as far as they went. That's as far as they got.

By 1997, thus, out of the 925 new beds they were going to construct, they had only done 225. Then, in 1997, instead of renovating and expanding St. Mary's to 415 beds, as they had promised they would, they closed St. Mary's, and the existing 214 beds became empty. And this forced 214 students out back into the community.

So, by 1997, instead of having achieved the goal of 100 percent, what we had was a wash. They created 225 new beds at LXR, and closed 214 beds at St. Mary's. So things were just as they were.

And the percentage of students on campus -- on campus housing at that time, instead of being 100 percent, went down to 78, 77 percent, where it is today. And that's essentially where we are.

Now, later on, the university saw its way to attempting to correct this situation, and attempting to keep part of its promise with the Southwest Quadrangle project, which is now due to be completed in 2003, but it is still several beds short of what was promised. It was 1,125 beds. It was the 925 new and the 200 graduate beds that were converted. This will bring the university short of that. So even in 2003, they're not going to meet the 1,125-bed goal that they had for 1997.

The university is now asking this Board to forget all about the order in 1990, to put that aside and let's just forget that and go on and try something new. We don't believe that's right. We think that the promises that the university made back in 1990, and which this Board accepted as the basis for their 10-year campus plan, which has now been -- is over and done with, that they should be held to those promises.

The one excuse which they offer for not having done what they promised to do is that the -- their claim that they didn't get the cogenerator. Well, if you'll look at the documents -- and this is a legal argument now that I'm going to make, and this is what you have to do when you get down to these types of things -- is to look at what the promises were and what the conditions of those promises were.

And the condition -- one of the conditions was that the university's cogenerator be approved. Well, it was approved. The BZA approved it in the order approving the campus plan. That particular order, well, with respect to the cogenerator was taken to court, and the court affirmed the decision of this Board with respect to the cogenerator, so that condition was met and it was

fully met.

This Board approved it, and it was upheld by the Court of Appeals, and it was approved. Subsequently, however, the District of Columbia government made allegations -- filed a complaint making allegations of fraud, which brought the cogeneration -- cogenerator project to a halt. That was subsequently settled.

As far as we know, the terms of the settlement between the government and the partners in the cogeneration project are secret. We don't know what the terms of that was. We just know that the cogenerator was never built.

The university has now come to this Board, I believe, with requests to renovate its -- or to rebuild or replace its generating capacity on a much less -- a much smaller scale, which will accommodate its needs in the future.

So we take the position that there is nothing in Appendix H, or in the Board's order, which excuses the university's failure to build these on-campus beds as it promised to do. And there is nothing -- no reason why this Board's order, which required a bed for every new enrollment, should not continue.

I mean, it was made in good faith. It was reasonable at the time. And it's even more reasonable today to condition any new enrollment at Georgetown University on new beds, up and above the figure that they agreed to, which was the 925.

And so that's basically what we think the legal status is here, that the Board ought to enforce the terms of its own order, require the university to carry through with what it promised. It will come pretty close to that by building these 780 units.

When it gets to that point, then there should be absolutely no further undergraduate enrollment until they build more beds to house them. And if they don't -- if they choose not to build any beds to house any more undergraduates, there should be no more undergraduates at this particular campus.

Now, this brings us to the practical reality of the situation that Georgetown, historic Georgetown, and Georgetown University find themselves in today. This is one of the oldest sections in the country. Georgetown University has a history about as long as Georgetown itself.

Both of them have been there forever. But over the years, Georgetown has become landlocked. It is there, and it has no way to expand within the

context of Georgetown.

And the Court of Appeals has stated -- we have a law that we're dealing with today, which allows universities in residential zones, but only with the approval of the Board under the circumstances that we're all aware of. And the Court of Appeals has held that the zoning regulations afford no privileged position to colleges or universities. Indeed, other jurisdictions exclude colleges and universities entirely from residentially zoned districts.

Under our zoning regulations, the college has no right to locate in a residentially zoned district unless it conforms to all of the requirements outlined in the zoning regulations. So that's where we are as a legal matter, and that's why we're here.

Then, the question before the Board is the same question that you have in every other exception case. You must refer to Section 3108, the criteria there, which are that the operations of the university under this plan will not tend to adversely affect the neighborhood.

There is also a more specific -- more specific requirement in Section 210 itself, which

basically comes to the same conclusion. The Board is authorized only to approve plans that will not have adverse impacts on the surrounding neighborhoods.

Now, we think that the Board, in 1990, approved such a plan. It approved a plan that, if it had been carried out, would not have had an adverse impact, and, indeed, would have remedied some of the adverse impact that has occurred over the years. And we think that it is only fair and right that the university be held to those promises.

We heard testimony from the president of the university who candidly admitted that -- who candidly admitted that the reason they needed the enrollment was because they needed the money, they had suffered a $218 million loss in two years on the medical center, other financial problems. We sympathize with this.

But, then again, this is not the residents' problem. This is the university's problem. They have to solve their financial situations. It's not up to the Board to evaluate, well, does the university need the money more than the residents need their peace and quiet? That's not the standard.

The simple standard is, will there be

adverse impacts? If the Board finds that there are, then it has to deny those proposals that are going to create those. And we believe that what we should do, what the Board should do in this case, is to stick with its 1990 order, not allow any undergraduate enrollment increases whatsoever, unless the university builds beds over and above the 780 that are coming online in 2003.

Now, that takes me to one final point, which is -- many may look at as a minor point, but it has great potential for damage if it's accepted by the Board. And that is the fact that the university in making -- in proposing its plan, has only four categories of uses -- residential campus -- the first is residential campus life and athletic. The second is academic and administrative. And the third, medical health care. And four is commercial investment properties.

In our view, those vague descriptions do not meet the specific requirements of Section 210.4(d) that a proposed plan contain, and I quote, "a description of all activities conducted, or to be conducted, on the campus, and of the capacity of all present and proposed campus development."

We need to know on the plan where the

band is going to practice. We need to know where the athletes are going to practice. We need to know where these facilities are going to be in order to assess whether or not there will be impacts. And the Board should insist that all of the activities and uses currently on the campus be described, and any changes that they may propose for those uses also be described, which they are not, only in the vaguest of general terms.

And that basically concludes my presentation. Thank you.

CHAIRPERSON REID: Thank you, Mr. Crockett.

Would members -- do you have any questions of Mr. Crockett, Ms. Dwyer?

MS. DWYER: No.

CHAIRPERSON REID: Okay. Thank you.

Does that -- now, does that conclude the parties in opposition? One more? All right. Come up, please. Who is -- oh, you're the one. Now you're wearing the other hat.

MS. ZARTMAN: Yes.

CHAIRPERSON REID: Okay.

MS. ZARTMAN: I am back being me.

Thank you for your attention over this

long, warm day, ladies and gentlemen. We've tried to focus our presentation along some consistent lines. I think there's no disagreement among the presentations.

Some of you who have heard me before know that I view the zoning regulations as a social contract between a people and its government. The zoning regulations tell us where we may or may not invest in buying a home, raising a family, helping to nurture a good school system. They are promises made by our government that certain things won't happen in our immediate neighborhood and that our investments will be protected.

The tension between town -- when a campus is located in a residential community is a tension, and it should not be disparaged for that. But we are here to seek the protections that the zoning regulations give the residential community, and we ask you to help us. We are also prepared to do our part in terms of reasonableness in viewing the proposals.

You have heard speaker after speaker say that we believe there is already harmful impact, and this new plan will exacerbate that impact. The analogy I attempted to use earlier was that, to us,

it seems like there's an overflowing wash tub, and we're arguing about how much farther to open the spigot.

That's an intolerable condition for us. We are hoping that the mitigations we suggest, have suggested in earlier testimony, and will suggest now, will help alleviate the overflow impact and certainly will not add to the volume of water coming into that tub until we dry up the floor a little bit.

We are hoping that, for all of the reasons that have been stated, the Board will not adopt this 10-year plan as presented by the university. We don't believe they've met their burden of proof, and a 10-year timeline will simply put too much risk behind the changes that the community is facing.

And yet, as I say, we don't want to be absolutists and to oppose all that may be needed to keep the university operating to recover from the apparently disastrous recent losses at the hospital.

We ask, instead, that the BZA adopt the more limited option that we placed on the table during mediation with a series of protections that will limit this harm. The elements of the compromise plan are these: that a five-year timeline be

adopted, bringing the plan back to the BZA, or to the Zoning Commission I guess I have to say, after the Southwest Quadrangle is operational and its impacts can be measured. This same timeline will allow a new university president to assess this plan and his own goals for the university.

Father O'Donovan allowed that his own experience was to reject major elements of the campus plan that had been adopted shortly before his own assumption of the presidency. A clipping I attached to my testimony shows that Harvard's Neal Rudenstein similarly commented that he will leave Harvard in order to allow his successor to control the planning process at that institution. And presidents do make differences.

The changes proposed for the north campus in this plan, similarly, will need careful assessment as the medical center engages in very different operations under Medstar leadership. To make decisions now that control so many variables for what Medstar's own leaders say is an incredibly fluid field of health care makes no sense. Indeed, at our first meeting, Medstar said it could not plan for longer than a three-year time horizon.

It has been said a new vice president for

student affairs has just joined the administration. His understanding of, and commitment to, enhanced campus life and protections for neighboring communities will not be known for some time.

The second major element is that undergraduate student enrollment be capped at its present level -- 111 students above current enrollment. With a five-year timeline, this will not disadvantage the university as we see it.

Under the terms of the present campus plan, no increase in enrollment is possible until new beds are available on campus for new heads. We believe that that protection should be continued, that you should not lift the conditionality of those 111 additional beds that are placed in the current order.

By allowing the increase to begin only after the Southwest Quadrangle is completed, the university could add 55 students in each of the last two years of a five-year plan, and be in the same position it would be in if it began a slower number of increases now.

In that way, the impact of the additional students, as well as the success of other elements of campus operations, could be assessed before any new

increase in enrollment is authorized, along with any requirements for housing on campus that seem essential then.

In the interim, Georgetown University, the Office of Planning, and the community, can adopt objective measures of impact of the increasing enrollment before these new hire enrollment numbers are considered.

We certainly believe the community has a voice in developing those standards. It was left out of the Office of Planning recommendations, which proposed bilateral action between the university and OP. We believe these standards will help us evaluate whether the campus life enhancements planned by Georgetown are working to limit the impacts of students on community residential life.

We can learn how committed the new president and new vice president for student affairs are, and how the policies and programs they adopt are working.

With regard to undergraduate enrollment, is there a need to say more than the witnesses have about the harm that has been done to the quality of the life in our neighborhoods? Do these photos not speak loudly enough?

The next element is that graduate enrollment be limited to 200 additional students over this five-year period. The detailed plans proffered by the university indicate that this is a realistic number over five years. The 1,300-student increase is unreasonable on its face, we argue. It constitutes a 50 percent increase over present levels, and it follows a considerable number of graduate students who have been moved off campus and into the community over the life of the present plan.

Again, objective standards to assess the harmful impact of the community can be employed over the next five years, and judgments can be made about further increases based on objective experience. Since most of the graduate facilities that are planned in this 10-year plan are phase 3 and 4, it would seem not to be a harmful limitation on flexibility.

The next element, that the Medstar facilities on the north campus be limited in the five-year plan to the new parking garage for approximately 500 vehicles, nearly all underground, on the site to the west of St. Mary's Hall, and the new physicians office building with occupancy by 80 full-time equivalent physicians and 220 support

staff, give or take a 10 percent variance.

We think the community is being generous in not opposing either of these new facilities, since, A, no additional parking spaces are to be allowed on campus, and this allowance for greater convenience and more efficient garages should not, by the BZA order, be followed by a new request for increased numbers of parking spaces; and, B, the additional clinical facilities Medstar argues are needed for integrated patient care could simply become private doctors' offices unrelated to medical school operations.

Community vigilance will be required as will careful language in a BZA order. But we are pleased that we have been able to come to agreement on this facility's use with Medstar. They believe that these are reasonable conditions to put on the new physicians office building.

The additional expansion space sought in the Georgetown proposal -- 100,000 square feet each at the hospital and the Lombardi facility -- present unacceptably vague potential -- an unacceptably vague potential to become still more commercial office facilities.

We have attempted to reach a voluntary

agreement with Medstar about the uses to which they would not put this space. That is to say, we were willing to accept their proffer that certain activities would not occur in these -- in this space, not for doctors' offices, not for conferencing and other traffic-generating activities.

Having been unable to successfully accomplish this, we are left with no option but to oppose the expansion over the next five years. And since the facilities are slated for phase 3 and 4, leaving them out of the five-year plan should not prove financially burdensome for Medstar.

We are hopeful that we will reach agreement with Medstar about these facilities as well, in preparation for the next plan.

The helipad -- we proposed that the helicopter pad be capped at the intended use, measured on a quarterly basis. Medstar seeks unlimited use of this aircraft facility in a residential neighborhood, which is unacceptable. Again, seeking to be reasonable about urgent medical needs, we ask for protections against the danger and noise of excessive non-emergency helicopter over-flights of residential space.

We have proposed that Medstar's request

for an increase from eight to 12 flights a week -- that is, 48 flights a month, or a 50 percent increase -- be the cap, the limit of usage, reported to the community at quarterly meetings with specificity. We would review that usage at quarterly meetings, and any overutilization would be reported back to the BZA at all second stage applications.

We take Medstar at its word that it will not disproportionately increase the amount of travel or transport care at the facility, and that will certainly help make this a reasonable standard for helicopter use.

The next element, that the zoning of the north campus be appropriately dealt with in a variance procedure. I don't think I need to say more about that.

The next element, that a careful and articulated program of assessment and mitigation be adopted for the north campus, the east campus, and the Canal Road/M Street corridor, to measure the impact of traffic and parking before a final BZA order is issued, and that it require reports back to the BZA with each second-stage project that is brought forward for approval.

The steps tentatively mentioned by

Georgetown University and Medstar hardly constitute a mitigation program. Messrs. Brown and Kutrauex, and earlier Andrew, effectively described the woeful unreliability of the background data, the non-existing quantification of the present Georgetown University contribution to the traffic burden, and the ephemeral basis on which future projections are offered.

We are prepared to work with OP, DPW, and the university to establish a series of site-specific measurements that need to be taken at least annually at the university's expense by a mutually agreed upon professional. These objective data can be used to determine the impact and the degree of further mitigation necessary to reduce harm from increased levels of activity, or they may serve as the basis for rejecting further development. But they will be objective analyses.

The next element would be that DPW be asked to carefully reassess the changes in parking allocation proposed in the new Georgetown Medstar University division of authorized 4,080 spaces on campus, in light of Georgetown University's acknowledgement of more than 1,100-space deficit for its operations.

The short shrift that has been given this critical matter in government reports, as well as in Georgetown University's own papers, is nothing short of shocking. The menu of potential mitigations is an earnest start on remedies, but there is nothing to indicate that any, much less all, will be successful.

Moreover, the reallocation between north and south campuses appears to violate the directive of the current campus plan. Further, Georgetown University denied the size of the change until confronted with public documents very late in the campus plan. The community, for good reason, feels it will be pressed for a significant increase in on-campus parking in the near future.

As I mentioned, we have trouble understanding why there is a need for two additional parking garages if there is to be no increase in parking.

The next element is that private parking should not be subsidized. We have not had a chance to discuss this, but it's reported that Medstar is planning to provide its employees with fully subsidized on-campus parking. The BZA should require that the same policies to promote carpooling, mass transit, and other environmentally constructive

programs be enacted by Medstar and be universal across the Georgetown University campus.

The next element is that the new campus facilities planned in phase 1 and phase 2 for the main campus be limited to use for student productions, games, and activities, and that these facilities not be rented for public events, concerts, and the like.

These facilities receive support from the community because we believe they will increase the quality of campus life for students at Georgetown University. For student productions, these facilities will be manageable in terms of traffic brought to campus. If, however, they become venues for commercial operations, the burdens on neighborhood streets and parking will increase greatly and will serve no university purpose other than revenue generation.

With this caveat, we would also offer early support for the sports facilities planned for later in campus development, phases 3 and 4, since we believe they will continue to the quality of student life on campus.

The last elements, that off-campus university facilities in the immediate vicinity be

identified, their utilization volumes recorded, and their impact on campus traffic assessed. While current campus plan rules do not require inclusion of off-campus properties, we strongly argue that because they generate traffic to and through the community and the campus, there is a clear impact on the residential community. They require administration, oversight, and often parking on the campus or on our streets.

The next element, that the community liaison process be enhanced and made independent of year-to-year inconsistency through advance funding. Others have testified in great detail about specific ways to strengthen this program, but equally critical, we think, is to avoid the pressure to curtail adequate funding for the Office of Off-Campus Affairs, especially in financially stressed times.

If their budget is announced a year in advance, the community will know that there is a continuing commitment to these programs, and will have time to lobby if it should cease.

The last two elements, that objective measures be adopted as part of the final BZA order. We are committed to creating a series of indices, including summonses, police citations, arrests,

documented violated, DPW citations, DCRA citations, and the like, in addition to traffic data, that can be used to measure impacts on the community of university operations.

After our consultation with the university and the Office of Planning, we ask the Board to include such recommended measures in its final order.

And, lastly, that the quarterly meeting process be continued with clarification about the meetings being open to the press and the community. If we can keep these meetings from becoming wrestling matches, as, in fact, sometimes they have been, they are helpful avenues for exploring plans and resolving concerns.

They are, of course, no panacea. But several years of tension on the wire have produced at least a workable series of events. They should be continued, and with any luck the years ahead will forge them into still better vehicles for effective liaison.

That, we hope, is a reasonable proposal for helping us work together through the next five years and prepare for what may be a longer-lived campus plan when some of the great turmoil on this

campus has settled, the dust has cleared, and we can see what the real impacts are on our community.

I'd be happy to answer any questions in our remaining time.

CHAIRPERSON REID: Well, I must say, Ms. Zartman, that that was an earful. Thank you very much. You laid that out very nicely for us.

Are there any cross examination questions? Ms. Dwyer?

MS. DWYER: No.

CHAIRPERSON REID: Board members of Ms. Zartman?

(No cross examination signalled.)

CHAIRPERSON REID: Thank you very much.

Okay. We now have persons in opposition, correct? I think we have four persons still remaining to speak? Or do we? All right. Persons in opposition, how many people? Well, how many is that? One, two, three, four, five, six. Okay. Come up three at a time, please, three minutes. Three minutes each.

Now, let me just say, as you're coming up, that we -- obviously, during the course of this very lengthy hearing, we have ascertained through testimony as well as written submissions the

problems. The problem areas are very clear to us, as far as the impact is concerned with the students and the noise and the helipad, and so forth.

So we ask that you not -- unless you have specified instances or something that's special or different that you want to air, not reiterate that, those things. We have been made very well aware of the problem areas.

So you should use the time to give us additional information that we may not have.

All right. Who wants to go first? Who wants to go first?

MR. CROCKETT: I believe this gentleman wants to go first for family reasons.

CHAIRPERSON REID: All right.

MR. CROCKETT: Proceed.

MR. COOPER: Okay. My name is Lane Cooper, and I live at 3716 T Street. I bought the house a couple of years ago.

I am literally surrounded by students, and I guess if I'm going to contribute to the body of knowledge a little bit here, let me just tell you about one quick anecdote of what happened when we kind of took it to the next level, and actually participated in a student disciplinary meeting that

was supposed to address the problem.

Bonnie and myself and a couple of other neighbors had complained, I guess repeatedly, over infractions from the same house over and over again. And met with the students, actually, at Georgetown to basically address this issue.

What came back to us from the students was basically, "Well, why did you invest here? Didn't you know that there's a university here? Don't you know that you're supposed to expect us?" That was the basic feedback I think, actually to the officials at Georgetown's horror.

That was the feedback and the attitude that was coming back, so there's this insolence, this arrogance, this desire to fight for their right to party, that basically comes back to us, that goes beyond -- you're not dealing with -- you feel like you're dealing with children, but you're not their parent, and they're just misbehaving.

As a result, predictably, the behavior continued after some time. They graduated or left or moved on, so there were no long-term impacts on their lives. But there was some impact on ours. I have a two and a half year old child who needs his sleep. I need my sleep. I'm a small businessman. And did not

get any kind of consideration there.

I guess that's the -- I guess if I'm going to say something new, there doesn't appear to be any recourse for us as individuals when we deal with these kinds of issues. And that's it. That's kind of the anecdote that I would share with you. It's a common one. I call the police almost every weekend. They must have other things to do besides deal with my middle-class complaints.

But there they are. If you'll excuse me, I have to relieve my day care.

CHAIRPERSON REID: Thank you. Thank you very much.

MS. PRUITT: Mr. Cooper? Did you turn in a witness card?

MR. COOPER: I did.

MS. PRUITT: Thank you.

MEMBER MOULDEN: I'm going to have to leave, so I'll read the rest of the record before we make a decision.

CHAIRPERSON REID: As well as the record from Mr. Crockett's presentation.

MEMBER MOULDEN: Yes. As well as Mr. Crockett's presentation.

CHAIRPERSON REID: Thank you.

MR. GWYNNE: I'm speaking for the Federation, so do I have five -- Madam Chair, do I have five minutes? I'm speaking on behalf of the Federation of Citizens Associations.

CHAIRPERSON REID: Okay. I had asked for parties. Are you -- you're --

MR. GWYNNE: We decided not to ask for party status this time. I'm authorized to, but I declined to.

CHAIRPERSON REID: Do you have a letter authorizing you to represent your organization?

MR. GWYNNE: I'm the president.

CHAIRPERSON REID: All right. But do you have a letter authorizing you to represent your organization?

MR. GWYNNE: Well, no one brings that kind of identification, Ms. Pruitt. You know that.

MS. PRUITT: Mr. Gwynne, right?

MR. GWYNNE: Yes.

MS. PRUITT: Generally, the Board does ask for authorization from --

MR. GWYNNE: I have never at this Board heard of that.

MS. PRUITT: Well, it's been a while since you've been here.

VICE CHAIRPERSON SOCKWELL: I have to state that during my tenure here on the Board for the past nearly 10 months, it has been requested and required and submitted. And if you don't mind submitting it at a later date, if you don't have it today --

MR. GWYNNE: I'll do that.

VICE CHAIRPERSON SOCKWELL: -- we'd more than appreciate that and not trouble you for this evening or tonight.

MR. GWYNNE: I'll be glad to. Under those circumstances, five minutes? I will be brief, and I will skip over redundancies.

CHAIRPERSON REID: Thank you.

VICE CHAIRPERSON SOCKWELL: State your name and address, please, sir.

MR. GWYNNE: Guy Gwynne, resident of Burleith for 30 years, former foreign service officer and president of the D.C. Federation of Citizens Associations.

And I just want to make this point, the Federation's consortium of impacted communities are deeply concerned about this first of five campus plans, all to be presented in the near future. I have a reason for saying this. At least 15 of the

city's key communities will be directly affected by these 10-year plans as they are decided.

Some of these neighborhoods are already painfully impacted by the past university expansion and activity and are faced now with additional major impact of ambitious expansionist campus plans for -- all for requested approval. My own community of Burleith is, arguably, impacted by Georgetown University housing policy to the point of saturation.

And I've made this point over and over, as others have here, too -- very briefly, no other problem exists between universities and nearby residential community that even approach in importance that of off-campus students that are forced into the communities by lack of off-campus housing. If there were adequate on-campus housing, I dare say most of these universities would exist in peace and tranquility with their neighbors.

I'm not going to go through all of the problems that come from large numbers of students in the neighborhoods that I list there, but I will add additional on-campus housing, not additional students without housing, is the solution.

Now, this is something that I would like to bring up, and I haven't heard anyone else

emphasize it. We note that several universities have advanced, or reportedly will advance, the notion that the correct measure of off-campus student populations in residential communities should be the percentage of total students on and off campus.

For impacted communities, however, this is not a major consideration. What matters is the actual number of students occupying the actual number of houses and apartments, driving and parking the actual number of vehicles, and the actual number of frustrated taxpayers who sell out and abandon the impacted area.

Percentages are relativities only. The numbers in real terms are what the Federation urges the Board to concentrate on. The effective community impact lies in these.

There's a minor point here. Stop me if this has been covered when I was out of the room. But regarding the rather minor issue of aligning Georgetown University's north campus entrance number 1 with short 38th Street in Burleith, the Burleith and the surrounding communities recommend against this because making that short street a continuation of the Georgetown University north campus area would unduly increase campus departing

traffic into our densely-inhabited residential streets, particularly S and T.

The present arrangement is a working one, and such an alignment would necessitate the installation of a traffic island in the middle of Reservoir Road, which was discussed at the mediation plans.

Now, we don't need even the present arrangements made worse by removing the barriers between the north and south campuses, because that would just flood additional traffic out of whichever entrance is there.

Now, I'd like to bring up what we've all been hearing about and have not discussed here today. Mayor Williams clearly stated at the May Federation banquet that he recognizes that some communities are drowning under university impact, and that future expansion should be dispersed about the city. I want to hurry on beyond that, but I think this solution should be considered by both the universities and by the Office of Planning in its reports.

Now, another point here that I believe is important, the Board is being urged to give up front 389 student permission to the university. Possible recruitment could start immediately. What we need to

do is -- and then with conditions after that to be worked out.

I think basically what we need to do is work out the conditions in advance, in order to -- these would assist in the universities to qualify for future expansion of enrollments, construction, housing, possible branching out into other parts of the city.

So in closing, I want to say we urge the Board -- could I continue my final point? We urge the board on the university -- Georgetown will be back on others.

Georgetown University campus plan, to include the following, retain the current 1990 undergraduate enrollment cap until long-planned additional on-campus housing for currently off-campus students is completed; disallow the request before the Board for 389 additional undergraduate students until on-campus graduate housing has been built to accommodate them; include graduate students, in a way to be worked out by the Board itself, in this Board's consideration of student enrollment numbers and their impact on surrounding communities; disallow any requests for a realignment of the north campus entrance number 1 with 38th Street in Burleith; and

consider requiring that projected new measure and traffic engendering sport and theatrical facilities be located in other needful parts of the city.

Thank you very much for my time.

CHAIRPERSON REID: Mr. Gwynne, we'd appreciate it if you would submit to the record conditions that you are recommending.

MR. GWYNNE: All right.

CHAIRPERSON REID: And then, although you are not a party to the case, they will not be -- they will handle this a little bit differently. Nonetheless, I would like for you to -- well, I guess it will be just these. These are the conditions that you are recommending, or is --

MR. GWYNNE: Yes.

CHAIRPERSON REID: Or do you want to submit them later?

MR. GWYNNE: Well, they are part of my submitted testimony.

CHAIRPERSON REID: Okay. All right.

MR. GWYNNE: If you'd like, I will do a shorter version of that for you.

CHAIRPERSON REID: Well, just the conditions. I mean, like the testimony -- I would just like for you to just give us a page or two of

just the conditions --

MR. GWYNNE: All right. Sure.

CHAIRPERSON REID: -- that were germane to your presentation here today.

MR. GWYNNE: And could you advise me, please, or Ms. Pruitt, how do I prove my authenticity?

CHAIRPERSON REID: Oh. Just a letter from the --

MR. GWYNNE: Just a letter. I would have to sign it.

CHAIRPERSON REID: -- organization, signed by -- do you have a board?

MR. GWYNNE: I have a vice president. I'm president of the board.

CHAIRPERSON REID: The officers that you have -- it's just a formality that we have to --

MR. GWYNNE: All right. Thank you.

CHAIRPERSON REID: -- take care of.

All right. Now, three other people to testify as persons.

MS. CRUSE: Well, I'm only one, but --

(Laughter.)

CHAIRPERSON REID: No. We have just -- are these the last three persons? One other? Two

other? Okay. All right. So after these three, then there are two more, correct? And then that's the -- okay. All right.

MS. CRUSE: Good evening. My name is Karen Tamany Cruse, and I live on 35th Street, directly across from a university dorm. I'm here today because I am concerned about Georgetown University's plans to greatly increase its student enrollment over the next 10 years. In this regard, I would like to make a few brief comments on one specific item in the university's presentation.

Several assertions were made by Mr. Bolan, Georgetown's real estate witness, that require examination. Mr. Bolan stated that with the opening of the Southwest Quad, student demand per housing in zip code 20007, particularly in Burleith and West Georgetown, would dry up. This assumed weakened demand would, in turn, lead to the sale of rental properties to resident owners. However, Mr. Bolan offers no logical rationale for this position.

His assumption that the students who remain in the community would shun those neighborhoods closest to the university, preferring instead to live outside 20007, goes against common sense. It is obviously to a student's advantage to

live as near as possible to campus.

By doing so, he avoids dependency on the use of Metro and university buses and schedules. Even a student owning a car would find it more convenient to live in close-in housing with garage or alley parking, thereby avoiding the problem of residential parking restrictions faced by the commuter.

Moving one's car every two hours is certainly not conducive to class, study, and extracurricular activities. A student's social life also benefits from living near school. Visiting with friends is more convenient, and a party a few blocks from campus would obviously be more easily and better attended than one across Key Bridge.

Finally, many parents would feel more confident knowing that their children live in the relative safety of the university's environs, rather than in more distant parts of the city, particularly when late-night travel becomes an issue.

With such reasoning, it makes sense that those students who will live off campus after Southwest Quad will continue to seek housing in those neighborhoods closest to the university. A personal illustration of this is the fact that it's very

common for me to open the door and have a student asking me, is there anybody on the -- do I know any house on the block that is for rent.

Mr. Bolan further asserts that a strong housing market in three or four years will induce owners of rental properties to sell their units. However, there is no way for him to predict what the market at that time will actually be. Furthermore, his contention that there are numerous property owners who are waiting for just such an opportunity to divest themselves of their property does not mesh with fact.

While a few owners were caught in a down market and turned to renting their homes until they could be sold, the vast majority of houses were purchased as investment property. In fact, several landlords in the Georgetown-Burleith area own multiple dwellings. These properties are not assets waiting to be liquified. They are income-generating businesses.

The house next to mine has been sold three times over the past 20 years, each time as a rental property. There is no reason to expect this situation to change.

I believe that the opening of the

Southwest Quad will greatly improve the student housing situation in the community. However, any benefits so derived would be undermined by the influx of students generated by increased enrollments. When and if our neighborhoods stabilize is the time to revisit this issue.

Thank you for this opportunity to express my concerns.

CHAIRPERSON REID: Thank you, Ms. Cruse.

All right. Next?

REV. RADLEY: Yes. I am the Reverend Perrin Radley, an Episcopal priest living at 3701 R Street, N.W., just north of Georgetown University.

The house that my wife and I live in Madam Chair, is the house that I went back to live in having been born there many years before. We moved back because there was the sense that there was still a neighborhood feeling there, like the one that I remembered from my childhood. And when we would go there to visit during the time that the house was rented out, this feeling was maintained. And so in December of last year, we returned to this house.

But things have changed, and I won't go over the drunkenness, and so on, that everyone else has spoken of, except to say that it is one thing to

hear people running up and down the street shrieking and yelling, and not knowing exactly how to call the police about it, because they're gone by the time the police -- I've been in touch with the police. And so it's a very different thing from a party going on at someone's house.

I have had several occasions where I've opened the door to take my dog for a walk or something and seen a young man urinating in front of the -- on the sidewalk. Frequently, I have to go out the day after a series of parties cleaning up half-used beer bottles or containers of beer that have been left all over the yard.

There is a habit of some of the young men in the neighborhood of throwing balls, footballs, baseballs, whiffle balls, and when I ask them to stop doing that they don't. And then they give me lip in the process.

The garagemen tell me that I ought to see to the neighbors up the street, who are students with their trash, because I'm going to be discovering lots of rats. That has already happened.

When I call the students to say that there is noise going on for a party, when they tell me that they will deal with it, what I get is an

answering machine, not a response from them.

What I'd like GU to do is to take care of their students. One of the studies that keeps coming up in the academic world is that the quality of campus life is increased immeasurably if the students of all four years live together and enjoy the four years of college together. And I think that would be a wonderful addition to life in Georgetown, if that were to happen.

Thank you very much for letting me have a chance to speak.

CHAIRPERSON REID: Thank you. Did you say that what you want us to do is to take care of the student --

REV. RADLEY: Oh, no. No, no, Madam Chair.

CHAIRPERSON REID: Who is the "you" that you're referring to? GU?

REV. RADLEY: GU. I guess I lapsed into --

CHAIRPERSON REID: Oh, okay.

REV. RADLEY: -- colloquialism. Georgetown University.

CHAIRPERSON REID: Okay. All right. I was wondering.

REV. RADLEY: Excuse me.

CHAIRPERSON REID: When you said "you," you mean --

REV. RADLEY: GU.

CHAIRPERSON REID: Okay. All right.

REV. RADLEY: But I retract that.

CHAIRPERSON REID: Okay. I just wanted to be clear. Thank you.

All right.

MS. DEMPSEY: I'm Holly Dempsey. My husband and I live at the corner of T and 37th. We own the house at 3700 T.

As a U.S. Government civil servant, I want to thank you for your patience. I arrived a couple hours ago. I don't think anyone has said thank you, and I think that's really important.

I also, on a personal side, work at the Agency for International Development, in the Africa Bureau, and we support a lot of democracy and governance programs overseas. And it's wonderful to participate in governance issues here in the United States.

I'm not an engineer. I'm not a traffic safety expert, so I can't report to you any conclusions based on data projections with technical

terms. I am, however, a pretty careful observer, so I can relate to you some qualitative findings related to traffic in Burleith.

First of all, the traffic in Burleith is already at an unacceptable level. I think traffic seems to be like water. We all are searching for those wonderful zippity doo-dahs, so that we can get wherever we need to be faster. So the key to understanding the traffic situation in Burleith has two principles.

Number one is that drivers are trying to seek shortcuts, going down Wisconsin Avenue, by going up or down 37th Street. And one accomplishes this when you're going south on Wisconsin by just taking a nice little cut right by Calvert and just going all the way down to Reservoir.

Truck drivers seem to particularly like those shortcuts, despite being in excess of the weight limit.

Going north, the reverse holds true. So we're already experiencing the use of 37th Street as a Wisconsin bypass, so to speak.

I mean, I would, too, if I were traveling that. You have traffic for Fresh Fields, you have traffic for Safeway, I mean, all these stoplights,

all these businesses. We're all in a hurry in Washington.

For ambulances coming to Georgetown Hospital and going south, they use 37th Street to get to Reservoir. I'm not going to address the siren issue. That's not why we're here today. What I'm saying, though, is that we're already bearing enough -- we're already bearing too many negative impacts from hospital traffic.

The second principle is that limiting the amount of time on Reservoir Road has become exceedingly popular. And what I'm referring to is the intersection at 37th and T is something that every driver seems to wish to avoid. So what happens -- you need to bear with me for a minute -- is that you go down 37th Street, you make a right -- if you're going south, you make a right onto T, and then you go down 38th or 39th.

I think that there's a disproportionate ratio of cars to residents, because probably 50 percent of the license plates that go by are Maryland and Virginia. And I don't think they necessarily live in Hillendale or Burleith.

So what has happened is that the use of T Street as a shortcut has turned our neighborhood

into a thoroughfare. We are plagued by many vans and SUVs.

And the conclusion I'd like to make -- I've got all sorts of wonderful little qualitative findings. But what I was trying to make is that we can't change the entrance to the hospital because it's highly improbable and quite illogical that Georgetown Hospital visitors and staff will not take the advantage of Burleith as a shortcut.

Thank you.

CHAIRPERSON REID: Thank you very much.

Ms. Dwyer, I did not ask you for the last three or four witnesses if you had --

MS. DWYER: I have no questions.

CHAIRPERSON REID: Do you not want to do any cross examination? We can just cut to the chase with this.

MS. DWYER: I know you want to finish tonight, so I'll --

CHAIRPERSON REID: Okay. All right. Thank you very much.

Okay. Now, the final three persons in opposition? I think we have three more. Is it just two? Three? Okay. All right. Is it two persons? Where is the third person?

All right. Please proceed.

MS. STEININGER: My name is Francine Steininger. I live at 3618 T Street. I've been a resident of Burleith for the last two years, and I just want to state that I'm very concerned about and opposed to Georgetown University's plans to increase student enrollment, and particularly when they have no plan for where to house these new students, and when they have been ineffective in handling the problems we've had with students in the past.

Depending on what kind of students end up in the group houses that switch out every year and summer, we can have either a relatively peaceful term or a nightmare term. Nightmare terms involve things you've heard about before, weekly occurrences of very loud parties, roaming student groups until very late hours of the night, trash on the lawns following the parties, broken beer bottles, cans, etcetera.

Driving -- a lot of drunk drivers that come out after those parties, which I didn't hear mentioned before, and there doesn't seem to be any police interest in trying to catch some of these drivers that drive quite dangerously, and obviously quite drunk.

Drunks -- I've had drunks pass out on the

lawn next door to my house when my in-laws were visiting for the first time. That wasn't very appealing.

On occasions, when I've tried to speak with students, they have been too drunk to take me seriously, or too unconcerned to pay any attention to me, since they know that really nothing is going to happen to them anyway. It creates a lot of frustration and anger for us, and it often sort of puts a black cloud over our weekend when we have a lot of these huge parties. And sometimes we even get in fights between us, me and my husband, since I want to go out and do something and he says, "Just ignore it."

The process of trying to contain the problem is totally inadequate, as far as I've seen in the last two years, to get out of -- to be required to get out of bed between midnight and 4:00 a.m. to go out and try to find the house, so that you can report it to Georgetown University Student Conduct Office, when they answer the phone, or the police, is not the way I like to spend my weekends.

Furthermore, it's impossible, as mentioned earlier, to track down those roamers -- I call them -- loud groups of noisy, shrieking, hooting

students, in time to quiet them down. There's no point in calling the police when they'll be gone by the time and perhaps a new group will be by.

The Georgetown hotline is rarely effective, only works on weekends and during term. And also, I've had -- I've been very persistent in calling them over and over and over again. It can take a couple hours to close down a party, with the result of between -- that can involve between 50 and 100 drunk people being dispersed out into the alleys and streets until they find another place to go or are dispersed. That's also not a very pretty site.

It's also usually accomplished by the police, and I believe they have better things to do than to babysit Georgetown students, since the university can't keep them under control.

There is no satisfactory process for us residents for serious action to get rid of students in problem houses. There is supposedly some kind of probation that the Student Conduct Office can put them on, but by the time they have had their three probations that might lead to some kind of serious recourse, their year is filled out and a new bunch of students come in.

Whether or not we can enjoy living in our

house in each given year is up to the luck of the draw, basically.

My last point just regards this timing and turnover issue. Most students stay in the neighborhood for only one to two years. By the time a student might be disciplined, he will probably be graduating, he or she. While some students are perfectly fine neighbors, the ones that are not clearly have no interest or incentive in being considerate neighbors, since they're only going to be there a short time.

MR. NYARKU: Time up, please. Time.

MS. STEININGER: Okay. And just the last point, the response to complaints I think for a bad house at minimum have to be swift, effective, and decisive, and that has not taken place. There needs to be an effective system in place that the neighbors can rely on the university to know that if there is going to be a problem that they will take care of it, and it's not something that will be drawn out for the whole year, and then at that point we'll have a new problem at the end of the year.

Thank you very much for listening to my comments.

VICE CHAIRPERSON SOCKWELL: Let me ask

you a question. First of all, forgive me, how do you spell your last name?

MS. STEININGER: Oh, sorry. Steininger, S-T-E-I-N-I-N-G-E-R, 3618.

VICE CHAIRPERSON SOCKWELL: All right.

MS. STEININGER: T. Sorry.

VICE CHAIRPERSON SOCKWELL: Steininger. I got most of it. Didn't get all of it.

You're one of several people having mentioned the roving groups of students.

MS. STEININGER: Yes.

VICE CHAIRPERSON SOCKWELL: Loud noises, and the fact that by the time the police are called, and can respond, they're gone.

MS. STEININGER: Right.

VICE CHAIRPERSON SOCKWELL: Among the issues that have been brought up by neighborhood residences, the parties, and yet there are other things that -- these roving groups may be coming from other areas. Most often, do they seem to be coming from nearby parties?

MS. STEININGER: Oh, yes.

VICE CHAIRPERSON SOCKWELL: Most often.

MS. STEININGER: Very much so, yes.

VICE CHAIRPERSON SOCKWELL: So you --

MS. STEININGER: Usually, they're coming out of the house and going to their cars and screaming and yelling at each other from across the sides of the streets as to where they're going next and that kind of, you know, hooting like coming out of a football -- or shrieking. At 3:00 in the morning, you know --

VICE CHAIRPERSON SOCKWELL: Okay. You don't think that much of the problem is caused by groups coming back from the commercial strips.

MS. STEININGER: I don't think so, no. And often it's people who are -- no, that just doesn't seem to make sense in terms of the way they're going in groups and seem to be going to somewhere to have, you know, fun or coming back from somewhere.

And I've seen people -- one car, one small car had, oh, I don't know, about 10 people piled into it. And they were very drunk, and I went out and told them, don't you think maybe -- and they had five people packed into the back trunk, and it was open and they were sort of hanging out of the back of it.

And I was too intimidated -- it was all guys -- to really say, you know, quiet down. I was

like, don't you think maybe that might not be a safe thing to do? And they just laughed at me and jeer at you. And it's just not -- it's not something that's easy to approach, even on a personal basis.

VICE CHAIRPERSON SOCKWELL: Well, my friends were able to get 11 people in a Volkswagen when I was in college. And that was a Beetle, a real Beetle.

MS. STEININGER: Were they all drunk at 2:00 in the morning?

VICE CHAIRPERSON SOCKWELL: Yes.

(Laughter.)

MS. STEININGER: And did they take off in a wild --

VICE CHAIRPERSON SOCKWELL: Right. Well, not exactly. The Volkswagen didn't move fast.

CHAIRPERSON REID: Thank you very much for your testimony.

(Laughter.)

Let's move on.

VICE CHAIRPERSON SOCKWELL: Thank you very much.

MS. STEININGER: I mean, I was a student. There are certain --

CHAIRPERSON REID: Let's move on to the

next -- the last -- I think the last testimony here this evening.

MR. COONAN: My name is Thomas R. Coonan, and I'm a 26-year old occupant homeowner at 1720 37th Street, N.W., and we're two blocks north of Reservoir Road, the northern boundary of GU. The following is a brief summary of situations in my block and my specific to my residence.

At my residence, a 10-foot Juniper tree, one of two ornamental trees, three feet of hedge, three feet of fence, were yanked out after 3:00 a.m. I doubt any BZA member has suffered this senseless destruction. At my residence, a concrete bird bath and statuary were destroyed with a large rock at 3:30 a.m. I'm sure no BZA member has had this experience. But, hey, this is just a bird bath. But it was my bird bath and not that of a BZA member.

At my residence, a large concrete urn containing geranium flowers was taken after 3:00 a.m. This urn was one of a matching set. Do BZA members have matching sets of urns, or is one missing? Are you wise enough to sense a pattern here? Or could it be that you're just another appointed city agency cipher who does not want to be confronted with such dastardly facts and simply chooses to side with

prestigious institutions over the pleas of tax-paying residents.

CHAIRPERSON REID: Okay. Mr. Coonan, now this is what you need to do.

MR. COONAN: May I stop the clock?

CHAIRPERSON REID: We have no problem with your giving us your testimony. Nonetheless, I would suggest that you modify it so that you don't make disparaging remarks in regard to the BZA, because, at this late date, I can assure you that our time and our patience is very thin. And while we would like to hear what you have to say, do so without the insults.

MR. COONAN: That is in the eyes of the beholder. After living there for 26 years and dealing with --

CHAIRPERSON REID: If you would like to tell us your problems, or you --

MR. COONAN: You want to throttle and gag, is that the idea?

CHAIRPERSON REID: If you want your issues to be aired, you are perfectly welcome to do that. Nonetheless, I, for one -- I don't know about my other Board members -- do not want to hear you sit up there and make disparaging remarks about the BZA.

Use this time wisely to give us the issue that you have. I have no problem with that.

VICE CHAIRPERSON SOCKWELL: Mr. Coonan, sir, do you believe that anyone here was a member of the BZA 26 years ago?

MR. COONAN: Is that a rhetorical question? Or is that a serious question?

VICE CHAIRPERSON SOCKWELL: This is a serious question.

CHAIRPERSON REID: Give us the facts that --

VICE CHAIRPERSON SOCKWELL: If we are not those people, and if you have not participated in hearings before any of us, why would you want to give anything but factual information to us?

MR. COONAN: The answer is I've been doing this for about three decades, and I have not seen any improvement. We are losing the war. This is terrible.

CHAIRPERSON REID: We understand that.

VICE CHAIRPERSON SOCKWELL: That I can relate to.

CHAIRPERSON REID: We understand that.

VICE CHAIRPERSON SOCKWELL: But you have to understand that if you're asking for the Board to

hear you, and to resonate with your issue, you should do it in a positive manner, I think, and --

MR. COONAN: There's nothing positive about this hearing. The people are losing a battle.

VICE CHAIRPERSON SOCKWELL: May I ask you why you're here?

MR. COONAN: Because I want you to know that people are not happy --

VICE CHAIRPERSON SOCKWELL: No, you're -- that's not why you're here.

MR. COONAN: -- with the requirements of your organization here.

VICE CHAIRPERSON SOCKWELL: That's not why you're here.

MR. COONAN: Yes.

VICE CHAIRPERSON SOCKWELL: No, it isn't why you're here. You're here to --

MR. COONAN: Are you a mind-reader?

VICE CHAIRPERSON SOCKWELL: I am reading your response.

MR. COONAN: Good.

VICE CHAIRPERSON SOCKWELL: Which is on paper. And, of course, I'm not asking you to befriend us. I'm just asking for a certain amount of civility and very directness about your problem.

If I am interested in your problem, I don't care who you are, how long you've had the problem, but if I'm interested in your problem, then I want to hear what the problem is. Nothing more, nothing less.

MR. COONAN: The problem is what I am stating.

VICE CHAIRPERSON SOCKWELL: Good.

MR. COONAN: And I will not back down from what I have --

VICE CHAIRPERSON SOCKWELL: I'm not asking you to --

MR. COONAN: -- suffered through --

VICE CHAIRPERSON SOCKWELL: Just take out the extra words and make it straight. I assume that you can do this in any other situation. Try to do it for me.

MR. COONAN: Can I get a guarantee from you that you are going to read this?

VICE CHAIRPERSON SOCKWELL: You can have a guarantee from me that I will not only read it, but I will understand it.

CHAIRPERSON REID: I've already read it, and I --

VICE CHAIRPERSON SOCKWELL: I've looked

at it.

CHAIRPERSON REID: Excuse me one second.

VICE CHAIRPERSON SOCKWELL: But it's laced with things that make it difficult for the point to be established.

MR. COONAN: Do you want the damage report to continue?

CHAIRPERSON REID: Well, we can read the rest. Just give us the report and make your issues here today, and do so without necessarily causing any alienation. That doesn't, you know --

VICE CHAIRPERSON SOCKWELL: Yes, we're not asking for love. We're just asking for the facts.

MR. COONAN: I'm asking for impartiality that we haven't found in the previous BZA that's been talked about here, with the finest, most cogent, most politically diplomatic comments --

CHAIRPERSON REID: Mr. Coonan, the previous BZA is not here. We're here.

MR. COONAN: Yes, they are. No, this is a living government. It continues. If you're pretending we just created a new government, a new BZA, somebody doesn't understand Government 101.

CHAIRPERSON REID: Do you want to

continue your testimony here?

MR. COONAN: I'm sorry?

CHAIRPERSON REID: Do you wish to continue? Do you want to give us the issues or not?

MR. COONAN: Well, if I want to give them the way you want them, then I guess I should shut up and let you go on.

VICE CHAIRPERSON SOCKWELL: Well, why don't you give them the way you'd give them in a professional situation outside of the BZA.

MR. COONAN: I find myself not in one.

VICE CHAIRPERSON SOCKWELL: Well, how do you know that?

MR. COONAN: Because I don't expect anything better than I've seen in 26 years of this --

VICE CHAIRPERSON SOCKWELL: Okay. I understand. You have --

MR. COONAN: -- the dance we do --

VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

MR. COONAN: -- every 10 years, or done every three years.

VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

MR. COONAN: There's the issue.

VICE CHAIRPERSON SOCKWELL: Mr. Coonan, you have low expectations. You have very low

expectations.

MR. COONAN: Definitely.

VICE CHAIRPERSON SOCKWELL: Good. Then why don't you just submit your testimony and go home.

MR. COONAN: Well, I think that's what you would like.

VICE CHAIRPERSON SOCKWELL: I would like you to do that.

MR. COONAN: Okay. Well, you win, because you won every time before. And don't think you are a new group. You are just a continuation of an agency. This is not a new --

VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

MR. COONAN: -- situation.

VICE CHAIRPERSON SOCKWELL: Mr. Coonan, you have agreed to my request. Thank you.

MR. COONAN: Do you want some more? You --

VICE CHAIRPERSON SOCKWELL: No, this is fine.

MR. COONAN: -- keep on, like to egg on, obviously.

VICE CHAIRPERSON SOCKWELL: No, this is fine. No, you have to understand.

MR. COONAN: Okay. Good luck.

VICE CHAIRPERSON SOCKWELL: No. You should hope for luck. Good-bye, Mr. Coonan, and thank you.

MR. COONAN: Good-bye, BZA. Brand-new agency just created out of the whims of your imagination.

CHAIRPERSON REID: Thank you.

Now, we move to the conclusion, which is closing remarks by the applicant.

MS. DWYER: What the applicant would like to propose is that we submit our closing remarks and our rebuttal testimony in writing, in the interest of time and the hour that we find ourselves. And in doing that, there would be opportunity for any response to that by the other parties.

CHAIRPERSON REID: No. Once you give your closing remarks, your rebuttal, that's it. That concludes this particular proceeding for today. There is no opportunity for the -- unfortunately, for the opposing side to have any other remarks.

MS. DWYER: All right. Well, we --

CHAIRPERSON REID: However, I do have a couple of questions.

MS. DWYER: Certainly.

MS. PRUITT: I'm sorry. Just for

clarification, then, Madam Chair, are you willing to take their closing remarks in writing?

CHAIRPERSON REID: Board members, are you amenable to accepting the applicant's closing remarks in writing?

MEMBER RENSHAW: Yes.

VICE CHAIRPERSON SOCKWELL: Certainly, if that's --

MS. DWYER: Great. We'd be happy to do that, rather than call the witnesses that we would --

VICE CHAIRPERSON SOCKWELL: I mean, don't feel that just because Mr. Coonan was upset that you should feel obligated.

CHAIRPERSON REID: And the question I have for you --

MS. DWYER: Yes.

CHAIRPERSON REID: -- is, could you respond to the assertions that were made here today by Mr. Crockett in regard to your client not having complied with the previous Board order of 1990?

MS. DWYER: Yes, I would be happy to. And, in fact, let me bring this order up. And I would also like to clarify some statements that were made.

I think the statement that was made was

that in the 1990 order everyone came to agreement on this Appendix H, and supported the university's campus plan at that time. And the suggestion is that they would like that same commitment to continue.

And I would just like to point out, we did file the order in the record. And if you turn to page 27 of that order, it lists the parties in opposition to the campus plan at that time, and the parties that opposed it were the Citizens Association of Georgetown, the Burleith Association, the Glover Park Citizens Association, the Foxhall Community Association, and the Committee of 100.

So the statement that everyone came together at that time and supported the campus plan because of that housing commitment is not true, as evidenced by the Board's order.

What the Board did at that time, and the actual conditions will be found beginning on page 35 of the Board's order, it, first of all, approved the campus plan for a 10-year period.

Secondly, it required the university to submit a revised campus plan based on some changes that were made at the hearing, and we did that, so we complied with that condition.

The third condition was that the

boundaries were as we testified to, and we complied with that.

The fourth was that for each building the university would submit a special exception or further processing. We've complied with that.

The fifth condition was the housing program, which was in Appendix H. And what the Board said at that time was that the university could -- had an outside limit on its enrollment of 340, and we have demonstrated in the record that we are less than that number. I think we're at 229. So we're 111 less than what was approved.

It also said that the university, for every student that it added, would have to provide a bed on campus. And the university could provide the beds by moving graduate students and faculty off campus, which the university has done; rehabilitating existing buildings, which the university has done; and constructing new dormitories. And the university, over the course of the last 10 years, even though it only increased enrollment by 229, it, in fact, added 303 beds. So it more than met the requirement of one bed for each student.

It also imposes a condition that the university require all freshmen and sophomores to

live on campus, which the university did.

Number 6 was a condition that the university provide the parking spaces that were its cap, which the university did.

Number 7 was that the university incorporate the terms and conditions of an agreement reached with the community on traffic and transportation issues, and the university did, and, in fact, I should point out that one of the agreements reached on transportation in the 1990 campus plan was the realignment of 38th Street.

And that was, in fact, supported by the Burleith Citizens Association at that time, subject to working with DPW to ensure that there would be no cut-through traffic. And that was one of the terms and conditions of the traffic agreement.

Eight was a requirement that the university implement a transportation management plan, which the university has done.

Number 9 was a requirement that if the university went ahead with a building that was called, at that time, Building F, that it go to the BZA for further processing. We've complied with that.

Number 10 was an agreement that was

reached with the community on the quarterly meeting process. The university has fully complied with that.

And number 11 was that the cogeneration facility was approved in concept, but that the university would have to come back to the Board for further processing, which it did.

So we have complied with all of the conditions.

Let me go back to one of the conditions that referred to Appendix H. Within Appendix H, the university committed to provide, over the life of the 10-year plan, 925 beds on campus. But as Appendix H clearly says, and as we showed in the letter that we filed in the record from the 1990 campus plan, the commitment to provide the 925 beds was conditioned on the university having the financing and also the approval of the cogeneration facility.

And I would point out, since some of those who testified as to what happened with the cogeneration facility were not here in 1990, and didn't work on the case, what happened with cogeneration is that the Board approved it in concept in the campus plan, the university then went forward for the further processing, and the Board approved

the cogeneration facility building, with a condition that there be satisfaction of the environmental review by the DCRA.

And when the environmental review process was entered into by the university, DCRA did not issue the permit for the cogeneration facility. So the university had no ability to go forward with that project. It was not any fault of the university. It pursued that project through several years of agency hearings and in court, but ultimately the city did not issue the permit, and then there was a lawsuit to try and get the city to issue the permit.

Again, since the cogeneration facility was one of the express conditions of Appendix H, what the university has said, and I think what the Office of Planning acknowledges, is that the conditions that were supposed to have taken place back in 1990, that would have provided the financial ability for the university to provide those beds, did not take place and were not met.

What the university is proposing in this plan is not simply, again, the 1990 campus plan. There was some testimony that the university had certain housing goals and commitments in the 1990 campus plan, and those should be continued. And I

think, as the witnesses have said and the Office of Planning has pointed out, circumstances and conditions have changed. And what the university has said is that its new housing goal is the 84 percent.

I think that hopefully answers your question as to whether the conditions were met under the 1990 campus plan.

CHAIRPERSON REID: Thank you very much, Ms. Dwyer.

MS. DWYER: And if I could just make one other statement. If we were to simply take the 1990 plan and say, "Well, gee, let's do that again today," the 1990 plan, as we pointed out, also approved 2.3 million square feet of development, nearly twice what we are now proposing in this plan.

And the off-campus student affairs program was not in place in 1990. It was a brand-new program, and one of the reasons why the university -- the Board tied the provision of beds to the increase in students was that it didn't know back in 1990 whether that plan was going to work.

And I think a lot of testimony that the off-campus student affairs program, while it could possibly be strengthened, and the university has proposed that, has provided a mechanism over the last

10 years to address some of the issues from students living off campus.

It doesn't mean that there isn't more that can be done, but, as I said, back in 1990, there wasn't anything. And that was a brand-new program, and for that reason the Board said that, given the fact that there will be years for the program to start working, we're going to tie the increase in students to a bed on campus.

CHAIRPERSON REID: Thank you very much, Ms. Dwyer.

Let's see. Having heard now two days of testimony, and having just a voluminous amount of materials, I think that it goes without saying that Georgetown University is, indeed, an excellent university, and that it definitely enjoys a renowned reputation in this country. As a matter of fact, it is an asset to this city. We're very proud to have it here.

And I know it is not without problems. And I -- I just am absolutely appalled at the level of complaints that I have heard in regard to the students and the behavior of the students off campus.

Now, I understand that there have been some "mitigating measures" that have been put in

place. Nonetheless, these do not seem to be effective. The hotline for complaints, with the voice mail, or not being answered, does not help the community. The Office of Student Conduct -- well, many of the people in opposition said here today that they understand that there is much being done, and that the person who is the Director -- I think her name is Jean --

MS. DWYER: Jean Lord.

CHAIRPERSON REID: -- Jean Lord has done a reasonable job. But the fact of the matter is, in order for this particular campus plan to be approved, whether it's -- the main test is adverse impact, and the adverse impact goes to -- and I mean numerous, numerous complaints of the noise from the students, and the drinking problem, and the public -- the underage drinking, the public drinking, the partying, the driving under the influence, the unseeming behavior of the students, the parking problem, the trash problem, the profanity, the obscene and decadent behavior, the urinating in public, and the sexually explicit conversations that have taken place, and over 100 police complaints, and the lack of supervision, and the reference to the "Animal Houses" in the neighborhoods.

And this all goes to the deprivation of the peaceful enjoyment of the people -- of the homes of the people who live there. And I just think that Georgetown has to be aware of these problems. This is something that is not new.

And for you to come to get approval on a campus plan, I would think that there would have to be for me -- I don't know about the other Board members -- but I'm speaking for myself, the Chair, that you would have to demonstrate to us that there is something being done. It just -- it seems to me that it is just out of control, just totally out of control.

But to the --

(Applause.)

And, as such, there's a responsibility of Georgetown, not just as an educational institution, but also you're supposed to be molding the future generation, and giving them guidance and supervision, and showing them correct and proper behavior.

I know that when I was in undergraduate school -- it was quite some time ago, it is true -- nonetheless, we were not allowed to conduct ourselves like that. Period. And I think that if you -- what my suggestion would be would be the creation of an

off-campus student housing management plan, in conjunction with the community organizations, to address some of these concerns satisfactorily.

I don't mean put a bandaid on an open wound. I mean serious surgery that would then mitigate the problems that -- the problems are just so overwhelming and numerous that I know that Georgetown has to be aware of the fact that it can't continue.

MS. DWYER: Madam Chair, I hear everything that you're saying, and we have listened carefully to the testimony. And we will --

CHAIRPERSON REID: Excuse me one second. There's a letter --

MS. DWYER: And read the letter --

CHAIRPERSON REID: -- one letter that we received was from a Tom Schneiderman, 19 pages, double -- I mean, single spaced. And we've received several letters and several submissions that were like five and 10 pages single-spaced typed that we have to read. That didn't make us happy --

(Laughter.)

-- to have to read all of that.

MS. DWYER: I know.

CHAIRPERSON REID: These people -- I

mean, they were bearing their souls.

MS. DWYER: Right.

CHAIRPERSON REID: And I felt the pain, quite frankly.

MS. DWYER: I agree with you, and we have read the same letters. And on behalf of the university, I can say that some of the letters are embarrassing to read. What the university knows is -- and what it really believes, is that it is a minority of the students that are creating problems for the larger population of the students, but that doesn't mean that they can't address the issue.

And we will be coming back to you with changes to the off-campus student affairs program. But, clearly, there has to be a mechanism, as the ANC has suggested, where if there is a particular problem house -- and I think in some of the photographs, and some of the letters, you can identify the house on the corner that is the problem. And if it is a problem house, then a student may lose their right to live off campus.

VICE CHAIRPERSON SOCKWELL: Ms. Dwyer, may I --

CHAIRPERSON REID: Ms. Dwyer --

VICE CHAIRPERSON SOCKWELL: May I -- let

me interrupt just --

CHAIRPERSON REID: Let me finish --

VICE CHAIRPERSON SOCKWELL: -- please.

CHAIRPERSON REID: -- and then I'll let you -- I'll let you get your chance.

VICE CHAIRPERSON SOCKWELL: Well, I'm going to say a few words.

CHAIRPERSON REID: What I am saying is that what needs to be in place is a proactive, rather than reactive, such that before they even move into these homes from the university, there is a clear-cut procedure, policy, procedures, where there are sanctions, there are penalties that are made clear to them as to what is expected and what would happen if, in fact, these rules were violated in any way.

Again, like I said, I don't know what all of the answers are, but I do know that Georgetown University is a great university with great minds. And I'm sure they can come up with a plan that would mediate -- I mean, ameliorate, if not completely eliminate, as much as possible these problems that they are plagued with, as far as the behavior of these children are concerned.

MS. DWYER: We will do that. And what I was starting to say is if a student knows that living

off campus is a privilege that can be revoked, and that is one of the sanctions, and that's one of the messages that the university has to make very clear, but we will come back with a comprehensive plan with the university and the off-campus student affairs program and office to respond to -- to address the issues that we've heard and to put in place conditions and restrictions and sanctions.

CHAIRPERSON REID: You have to do something about the drinking, something about the excessive partying, the time ranges for having social activities, perhaps Georgetown might have more activities on campus. You know, I mean, like I said before, great minds are there, and I'm sure that they can come up with a plan that we would like -- I would like to see prior to our making our determination.

MS. DWYER: Yes. We will definitely do that.

CHAIRPERSON REID: Because that would be -- that would be what would give me the basis for being able to determine if, in fact, I feel that it is -- it is wise to give a positive approval, give an approval on this particular campus plan.

And I have not been confronted with this before, but I feel that it is part of my

responsibility as a Board member to try to ensure that if, in fact, this campus plan is approved, that the citizens in the community can expect to live in reasonable -- I mean, and I don't think that anything they asked was unreasonable.

They were willing to contend with students. They didn't mind that. They didn't mind the socializing. But it is just the extent of the behavior and the decadence and the disrespect that I don't think anyone should have to contend with in the community.

Mr. Sockwell?

VICE CHAIRPERSON SOCKWELL: I'll start -- well, maybe I'll say more than a few words.

(Laughter.)

Just to say, first of all, recently I was fortunate enough to experience a weekend of living in a group house occupied by undergraduate students at Syracuse University, where the conditions within the house were deplorable, because the students could care less; where, for the evening fire, they came back to the house with DPW Syracuse street construction signs to burn in the fireplace, thinking it was all a good thing.

In this instance, I sat back and just

watched to get a feeling for how that situation was working. The trash that they were throwing out the back door, the discussions of the parties, the drinking the fun, this is all the things that -- these are all the things that undergraduate students very often feel are part of their freedom, their last level of freedom before going into the work world.

And the community in which these particular young people were living was heavily impacted by group homes, four, five, six in a row, that sort of thing. And I can very easily see what the Burleith neighborhood is going through, what the West Georgetown area is going through.

And the university, which has strict controls on the campus, has virtually no control off the campus. And the circumstance of knowing what the problem is and doing nothing about it effectively is the deplorable part of this, because it's not new. Georgetown is extremely impacted because it is such a tight community.

The university has been there forever. And the circumstance of the way students think has changed probably over the last 25 or 30 years. That thought of freedom, the lack of respect for the police, or any other authorities outside of the home,

some inside of the home, creates the atmosphere where the students actually just are in anarchy and think nothing of any controls outside of the classroom.

The university has to find a way to make the students not necessarily understand, just conform.

(Laughter.)

Understanding will come once they go to work for Xerox and --

(Laughter.)

-- Bell Atlantic, and whomever. But conformance to the rules, where there are jurisdictional issues that affect the guard forces on the campus from being able to enforce certain things off the campus. But the point is there has to be a way. The university should be desperately seeking a way.

The Burleith community that rents houses to the students may not be the ones to make the call, as long as they get their rent, as it appeared in Syracuse. However, the university has no choice but to work within the neighborhood that it resides, to fix the problem.

The problem is not unsolvable. These students are there for an education. No education,

no students. No students, no university. No university, happy community. Hmm, doesn't all work that way. They should all be able to coexist in the same space at the same time, and they can't.

Mr. Coonan, who had a terribly strong objection to the university, has legitimate -- regardless of his feelings about the BZA, has legitimate issues. His issues, by and large, were no different from anyone else's. Some of them may have been exacerbated for him personally by certain personality things that may be part of what happened to him.

But the point is, the university students are the cause of the problem. The university is part of the solution, but hasn't participated effectively, and hasn't needed to participate effectively except every 10 years when they come before us. When they come before us, the universities are always going to do this, have this program in place, that program in place, will put additional programs in place; 10 years later, they'll come back, same programs in place, no action.

And if the university intends to realistically see the problem as being theirs, and can communicate that to this Board, then they can

communicate that to the citizenry and get something done. Otherwise, it's business as usual, or maybe not.

CHAIRPERSON REID: Okay. Ms. Renshaw?

VICE CHAIRPERSON SOCKWELL: That's all I have to say.

MEMBER RENSHAW: Yes. Madam Chair, and our guests in the audience, participants, I am very saddened that Georgetown University allowed the conditions that we have heard today to continue.

This, it seems, according to the infamous Appendix H, has been going on for years, and I read that in 1973 this business of the issue of the impact of students living in surrounding neighborhoods was raised, and in 1973 it became a relatively controversial issue between the university and the community. Here we are at year 2000.

Now, the neighbors, the neighborhoods deserve the best from its -- their community partner, Georgetown University. And I expect a campus plan to reverse the adverse impact that has been articulated in the past, and, unfortunately, was again articulated today.

It is not up to the neighborhoods to police. The city has played a role in this problem

that has continued, because there has not been the appropriate enforcement from the appropriate agencies. But it is up to the university, from now on, to control and to lay out a standard of conduct from those who have used the university, and make sure that there are the controls in place to protect the neighbors and the neighborhoods.

And, again, I would hate to come back in whatever year that is set by the BZA and to find that these controls have not been met, and that we hear, once again, the adverse impacts that we have heard from the communities today. It has to stop now.

And this Board, in its deliberation, will be discussing that further. But, again, I'm saddened that the university -- a great institution, a powerful institution -- has been humbled by the conduct of the very students that it is preparing for the world of work and to participate in communities like ours in the future.

The students have set a terrible example for other students coming after them, and has been a shame to that university, which is in the process of preparing them for the world of work.

So, again, we've learned a lot from today. I thank you for all of your presentations,

both on the side of the applicant and on the side of the communities. And we certainly have had a long day, but it's been worth it. Thank you.

CHAIRPERSON REID: Thank you, Ms. Renshaw.

So, Ms. Dwyer, there you have it.

MS. DWYER: I do.

CHAIRPERSON REID: Basically, this situation -- and it's very serious, because it's putting your campus plan in jeopardy. And it's --

MS. DWYER: We understand that.

CHAIRPERSON REID: And if there is any inkling of this campus plan being approved, as well as for 10 years, because several people asked for five, and those are the kinds of things we're going to be looking at.

So we're going -- your client is going to really have to convince us that -- and, like I said, there are so many different aspects, notwithstanding the traffic and the parking -- we didn't even get into that -- that will have to be presented to us, in such a way that it demonstrates that there will be no more, or very little. We don't expect perfection. We know that kids and students will -- but this is extreme.

MS. DWYER: We hear you.

By what date should we file our closing and rebuttal, and then what date for the proposed findings of fact?

MS. PRUITT: I'd just like to kind of go over -- I believe there are three items that the Board has requested to be submitted to the record, and that was the first item from Lieutenant Burke, to submit the budget for the noise patrol program, and the number of noise complaints they had within the last year.

Mr. Gwynne is to submit a condensed version of his conditions, along with a letter of authorization.

And then, the applicant is to submit a plan to address the off-campus housing problems in a more proactive way.

Right now, it looks for a decision for -- or at least to put this on the agenda for September 5th. The submission should be due August 10th, with your closings on the -- your closing in writing on the 17th, and findings of fact due on the 24th.

So let me review the numbers again. August 10th for any outstanding submissions as the

Board requested. The applicant's closing in writing is due on August 17th, with findings of fact from parties and the applicant due on August 24th.

MS. DWYER: All right. If in going through the -- my notes or the transcript there were other things that needed to be filed in the record, they would also be due August 10th.

MS. PRUITT: Correct. This is what I could remember from my --

MS. DWYER: All right. And that may be it. I just haven't gone through it. Okay.

MS. PRUITT: Madam Chair, I believe there's --

CHAIRPERSON REID: I'm sorry. Come up quickly. Questions? Procedural questions, or questions -- okay.

MS. ZARTMAN: Just for the list, I believe the ANC -- Peter Pulsifer was also to provide the arguments behind his --

CHAIRPERSON REID: That's right.

MS. ZARTMAN: -- presentation, the element of his presentation. And, of course, the Zoning Administrator was to get an opinion to you.

CHAIRPERSON REID: Yes. Yes, in regard to the issue of the use -- the variance.

MS. ZARTMAN: Correct.

CHAIRPERSON REID: Okay. Definitely.

MS. ZARTMAN: If there are other -- obviously, we won't see the closing argument. Is there any ability to comment about anything factual that may be in the closing?

CHAIRPERSON REID: I think so. I think that --

MS. PRUITT: That was discussed -- you were saying that there's usually no rebuttal, or, rather, there is no response to applicant's closing.

CHAIRPERSON REID: I'm not speaking of response to. I think that the parties have a --

MS. PRUITT: Oh. Of course, it'll be served on them, yes.

CHAIRPERSON REID: Yes. You will see the closing arguments.

MS. PRUITT: You just won't be able to comment.

CHAIRPERSON REID: We know that there is no -- but, yes, all parties will be served -- all of the parties will receive whatever is submitted.

MS. PRUITT: And, in fact, we would ask that in -- if any findings of fact are given to us, that you also serve it on the other parties.

MS. ZARTMAN: Okay. And the one other element, I believe all of the organizations supported a five-year timeline. If we did not make that clear, it was universally supported across the organizations.

CHAIRPERSON REID: Okay. Well, we understand that, but I had also asked that each of you -- each entity submit the conditions that -- or if you could compile them, that would be great -- that you --

MS. ZARTMAN: We shall.

CHAIRPERSON REID: -- a recommendation, as well as the ANC.

MS. ZARTMAN: We shall. Thank you.

CHAIRPERSON REID: All right. Is that it? Thank you very much.

MS. DWYER: Thank you for sitting so late and letting us finish.

(Whereupon, at 7:46 p.m., the proceedings in the foregoing matter were adjourned.)