

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY,

JULY 18, 2000

+ + + + +

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

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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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APPLICATION OF GEORGETOWN UNIVERSITY:

16566 ANC-2E

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 1666 K Street, N.W.
 Suite 1100
 Washington, D.C. 20006-2897
 (202) 457-7800

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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,

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1 closing remarks by the applicant.

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

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

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

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

25 Due to the extremely large number of

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 Thank you very much.

10 MS. ZARTMAN: Thank you.

11 CHAIRPERSON REID: Good morning, Ms.
12 Pruitt.

13 MS. PRUITT: The only case on the day is
14 16566, Application of Georgetown University, pursuant
15 to 11 DCMR 3104.1, for a special exception for the
16 review and approval of the university's campus plan,
17 years 2000 to 2010, under Section 210 in an R-3 and
18 C-1 District, bounded by Glover Archbold Parkway to
19 the left, National Park Service along the
20 Chesapeake & Ohio Canal, Canal Road to the south,
21 35th Street, N Street, 36th Street, and P Streets to
22 the east, and Reservoir Road to the north. Square,
23 1222, Lots 62, 801, 802; Square 1223, Lots 85, 86,
24 804, 805, 807 through 810, 812, 815, 821, 824, 826,
25 827, 831, 843, 846, 847, 852, 853, 855, and 857;

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1 Square 1226, Lots 91, 94 through 101, 104, 105, 803,
2 804, 806, 811 through 815; Square 1248, Lots 122
3 through 125, 150 through 157, 800 through 802, 804
4 through 806, 829 through 831, 834, 835; and, finally,
5 Square 1321, Lots 815 through 817.

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

8 (Whereupon, the witnesses were sworn.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 And there has certainly been a lot of

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1 discussions about new approaches to campus planning.

2 The roundtable is coming up, and there will be a lot
3 more specific discussion of that.

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

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

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

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

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

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

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

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

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

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

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1 It includes -- it excludes a certain
2 category of graduates, and that's, actually, in a
3 table on page 28, Attachment H, from the university.

4 Initially, the Board has looked at what's called the
5 traditional undergraduate, so that's what we're
6 dealing with here.

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

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

17 And the area that has been used as a
18 general framework is zip code 20007. And on the map
19 that's on display, and on -- and which we've given
20 you small copies of, you see the outline of zip code
21 20007 -- the Potomac River on the south, Chain Bridge
22 Road on the west, Garfield Street on the north, and
23 Winding Run Observatory Circle and over to Rock Creek
24 Parkway on the east.

25 You see how Georgetown University falls

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

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

13 What we did in first looking at this, as
14 indicated in the June 12th report, was simply to say
15 what percentage of students live in 2007 of these
16 undergraduate students. And, at present, it's 84
17 percent, meaning, of course, 16 percent live either
18 elsewhere in the city or in the suburbs.

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

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

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1 2003 is a result of the university adding 37, or an
2 average of 37, undergraduate students each year for
3 the next three years; that is, the fall of 2000, the
4 fall of 2001, and the fall of 2003; and then
5 proposing -- and this is part of their addition of
6 389 new students over the -- beginning in 2003 --
7 they would add 55, or an average of 55, new students
8 in 2003.

9 In that year, because of the opening of
10 the Southwest Quad, the number of students living in
11 the community or in zip code 20007 drops
12 significantly. I mean, it obviously drops just on
13 simple arithmetic. And as you can see there, there's
14 629 students, just by subtraction, living off campus.

15
16 And applying the same 84 percent -- and
17 this was our assumption in doing this, it's not --
18 you know, we don't claim that that's cast in stone,
19 but we apply that 84 percent, both in 2003 and 2010.

20 And the result is, as you can see, that there would
21 be 528 undergraduates living in zip code 20007 in
22 2003, and, of course, the corresponding number, 101,
23 elsewhere.

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

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

6 So what we did here, then, was to take
7 the 84 percent and apply that to the numbers for
8 2010. And doing that, what you get is 809
9 undergraduates living in the community in 2010,
10 assuming, as the university position, of course,
11 there's no new on-campus housing.

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

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

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

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

5 They see, as we do -- and I think,
6 obviously, the community, too -- a major impact from
7 the opening of the Southwest Quadrangle in fall of
8 2003. The university assumes that the Southwest
9 Quadrangle, because they will be able to target it
10 somewhat, will, in fact, draw more students out of
11 zip code 20007 than just using the straight
12 percentage. And they feel that the number, in fact,
13 would drop to about 430 in 2003.

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

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

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

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

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

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

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

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

16 And if this same ratio of residency
17 location -- that is, previously for graduate students
18 30 percent -- and, of course, this is a different
19 ratio -- 30 percent of graduate students in zip code
20 20007, would mean an additional 240 graduate students
21 in zip code 20007 over this period, if that full
22 number were actually reached.

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

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

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

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

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

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

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

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

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

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

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

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

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

25 A repeat that if, in fact, the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 CHAIRPERSON REID: Is that it, Mr.
7 Fondersmith?

8 MR. FONDERSMITH: Yes.

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

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

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

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1 12:00. If the Board members have questions, if we
2 have questions, do you want to go first?

3 Okay. Cross examination, then -- yes.

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

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

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

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

21 CHAIRPERSON REID: Sure.

22 MS. MCCARTHY: -- we could be available
23 to answer questions --

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

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

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

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

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

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

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

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

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

9 MS. MCCARTHY: That really wasn't how we
10 read this fact.

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

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

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

23 MS. MCCARTHY: Right.

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

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

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

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

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

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

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

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

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

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

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

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

6 MR. FONDERSMITH: Oh, no.

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

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

15 MS. DWYER: And let me just --

16 MS. MCCARTHY: Let me just make it clear.

17 The reason that we have taken the approach that we
18 took is because we felt it was important to give the
19 university the benefit of the doubt, because of their
20 efforts. One alternative that had been proposed was
21 simply setting a limit on the amount that the
22 university could expand, or requiring a one-for-one
23 increase in housing for every student that the
24 university added.

25 We figure -- what the university is

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1 saying is it's entirely possible when the new
2 dormitory opens in 2003 there will be a substantial
3 reduction in group homes, people will go move in the
4 dorms, the rental houses in Burleith and West
5 Georgetown will convert, and it won't go back again.

6 And we hope that's the scenario, the university
7 hopes that's the scenario, everyone does.

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

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

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

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

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

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

15 MS. MCCARTHY: Yes.

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

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

24 MS. MCCARTHY: Yes. We are very
25 conscious of the fact that every university and every

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

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

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

17 MS. DWYER: All right.

18 Let me go to a couple of questions about
19 your proposal. In essence, what you're recommending
20 is that there be a boundary drawn around zip code
21 20007, which, if you look at that map, is creating
22 sort of an -- essentially, an overlay zone around
23 Georgetown University.

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

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

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

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

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

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

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

9 I mean, it's not like you're going up to
10 700, and then you hit the ceiling that -- that the
11 university and the community and the Board and the
12 Office of Planning will be able to see what is
13 happening over a period of years. That flexibility
14 is built in.

15 MS. DWYER: Right. But, still, what
16 you're suggesting is that no more than 700 could live
17 within this area. And if it was a number higher than
18 that, that the university would have to provide
19 housing elsewhere in an area outside of zip code
20 20007.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 MS. DWYER: Yes.

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

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

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

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

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

25 MS. DWYER: All right. I will go ahead

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1 and do that.

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

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

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

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

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

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

13 MS. MCCARTHY: With other large -- yes,
14 with other large institutions as well.

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

20 One final question. In looking at your
21 chart, without your most recent proposal, but just
22 looking at without this restriction, in the year
23 2010, your chart shows that there would be 809
24 students projected to be living in zip code 20007.
25 And under your proposal, you would suggest a cap of

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

2 If we assume that they live in group
3 homes, and, let's say, five to a home, we're talking
4 20 homes out of this entire area. Do you know how
5 many homes there are in zip code 20007, and what
6 percentage, therefore, we're targeting with this
7 proposal?

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

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

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

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1 the character of the neighborhood began to change
2 back.

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

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

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

15 MR. FONDERSMITH: Yes.

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

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

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1 students.

2 MS. DWYER: Right.

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

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

10 MR. FONDERSMITH: That's right.

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

12 VICE CHAIRPERSON SOCKWELL: Just a
13 second.

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

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

19 Then we would take parties in opposition
20 to cross examine.

21 You've all been sworn in at this time?

22 (Several indicate they have been sworn.)

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

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1 repetitious questioning. Thank you.

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

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

6 Mr. Fondersmith, I'd like to ask you
7 whether in making these recommendations you kept in
8 mind the commitments made by the university in the
9 1990 plan, which essentially was to move forward so
10 as to house 100 percent of its undergraduate students
11 on campus by 1997, and the concomitant requirement
12 that the Board placed upon the university limiting
13 the number of enrollments for each new bed that was
14 -- each new bed that was created. Did you have that
15 in mind in making your recommendation?

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

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

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1 clear in the order.

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

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

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

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

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

4 MR. FONDERSMITH: Right.

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

10 MR. FONDERSMITH: The undergraduate.

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

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

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

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1 house 100 percent on campus?

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

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

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

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

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

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

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

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

25 There's some flexibility there. You want

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

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

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

11 MS. ZARTMAN: Of course.

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

14 VICE CHAIRPERSON SOCKWELL: Turn on your
15 microphone right there.

16 MS. DWIGGINS: Right here?

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

19 MS. DWIGGINS: I will be very brief.

20 VICE CHAIRPERSON SOCKWELL: You've been
21 sworn in?

22 MS. DWIGGINS: Yes. I was here.

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

25 MS. DWIGGINS: Hollin Dwiggin, 3413

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2 VICE CHAIRPERSON SOCKWELL: Thank you.

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

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

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

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

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

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

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

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

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

25 VICE CHAIRPERSON SOCKWELL: Thank you.

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1 Does anyone wish to cross examine this
2 witness?

3 (Laughter.)

4 (No cross examination signalled.)

5 VICE CHAIRPERSON SOCKWELL: Or her little
6 one?

7 (Laughter.)

8 I assume that her noises were in support
9 of Mom.

10 (Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 We are now down, as I understand it, to
21 77 percent of the student body being housed on
22 campus. And the highest level proposed to be
23 attained under the life of the new plan is 84
24 percent, once again, which seems to have taken 20
25 years to return to the same percentage level of a

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1 larger number.

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

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

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

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

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

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

13 If a house rental goes from \$3,000 to
14 \$4,000 a month, you add two more \$500 a month
15 renters, and you cover your cost. It's one of the
16 faults that I think many of us found with Mr. Bolan's
17 analysis at the last hearing. It simply does not
18 match the experience we've had.

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

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1 community for rectifying that.

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

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

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

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

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

25 MR. FONDERSMITH: I think that's

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

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

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

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

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

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

3 MS. ZARTMAN: Thank you.

4 MS. MCCARTHY: So you caught us.

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

13 MS. ZARTMAN: Thank you.

14 MR. JOHNSON: Thank you.

15 MS. ZARTMAN: I have no further
16 questions.

17 VICE CHAIRPERSON SOCKWELL: Thank you.

18 MS. ZARTMAN: Or testimony.

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

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

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1 questions have been answered.

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

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

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

11 MR. FONDERSMITH: I'm sorry. We got the
12 basic numbers from the university. We've looked at
13 them. And the interpolation, so to speak, which is
14 just -- you know, it's just straight arithmetic, the
15 84 percent. And, incidentally, let me just make sure
16 that it's just a coincidence that you've got two 84
17 percents on there. They don't necessarily --

18 MS. SCOLARO: No, I --

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

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

25 MR. FONDERSMITH: That's right.

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

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

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

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

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

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

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

13 MS. McCARTHY: No.

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

18 MR. FONDERSMITH: Yes.

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

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

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

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

17 MS. SCOLARO: Okay. Thank you.

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

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

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1 students who are living off campus live outside
2 20007, you know. And, as we know, 20007 is -- I'm
3 sorry, you're talking about the other 84 percent
4 number, the percentage housed on campus.

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

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

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

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

4 MS. SCOLARO: And the 16 percent --

5 MS. MCCARTHY: Sixteen percent would be
6 perfect ladies and gentlemen. Yes.

7 MS. SCOLARO: Okay. Ms. McCarthy, when
8 you started your testimony, your presentation, you
9 used words like, "There has been a dramatic change in
10 the communities. There have been major strides in
11 controlling student impact in the community since
12 1990." How did you measure that? I would like to
13 know.

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

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

19 MS. SCOLARO: Under what measure?

20 MS. MCCARTHY: Well --

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

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

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

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

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

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

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

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

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

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

21 MS. SCOLARO: But --

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

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

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

10 MS. MCCARTHY: Yes.

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

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

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

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

10 Is there something you wanted to add?

11 MR. FONDERSMITH: Well, I'd just say the
12 -- it's part of the city's history over the last
13 decade or so that our -- our big revenue loss is that
14 we have as a city not -- broader than just this area,
15 20007 or something, but as a city we have lost, you
16 know, many thousands of residents for various
17 reasons.

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

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

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

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

8 VICE CHAIRPERSON SOCKWELL: All right.
9 Thank you.

10 Next? Identify yourself, please.

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

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

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

25 MS. MCCARTHY: I don't think we ever said

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1 that in our report.

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

8 MS. McCARTHY: Yes.

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

12 MS. McCARTHY: Unacceptable is a pretty
13 loaded --

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

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

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

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

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

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

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

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

3 MR. RIXEY: Well, for instance, the
4 university said they need more students to generate
5 more revenue. Are financial need or financial
6 impacts bases for being granted a special exception?

7 I know that they're not supposed to be considered as
8 part of a variance. I didn't know if procedurally
9 they were part of a special exception or not.

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

18 MR. RIXEY: Okay. Regarding what I think
19 is pretty well established now as the fallacy of the
20 benefit of the Southwest Quad, when specifically in
21 2003 do you expect that to come online?

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

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

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1 MR. FONDERSMITH: Yes.

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

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

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

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

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

3 MS. MCCARTHY: Well, I think John could
4 better answer that.

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

12 We're still concerned about the increase
13 in graduate students indicated -- as I indicated in
14 further discussions with the university -- this was
15 back before, because it's in the first report -- when
16 you work through those numbers, the likely impact of
17 graduate students in 2007 is considerably smaller
18 than what might be seen from just the total number.
19 Not to say that there couldn't still be some, but we
20 focused on the undergraduate.

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

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1 I won't even ask you to answer that.

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

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

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

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

25 MR. RIXEY: And when --

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1 MR. FONDERSMITH: -- under the timeline.

2 MR. RIXEY: When would that be
3 established?

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

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

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

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

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1 there.

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

4 MR. JOHNSON: Excuse me.

5 MR. RIXEY: All right.

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

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

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

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

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

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

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

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

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1 '89 and '99. But apparently, without any sort of
2 public review, and then presumably added into their
3 gross lot area for FAR calculations.

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

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

14 (Laughter.)

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

19 MR. RIXEY: Right.

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

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

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

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

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

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

25 MR. JOHNSON: But in response to your

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

9 MR. RIXEY: Thank you.

10 Just one last --

11 MS. DWYER: Mr. Chairman?

12 MR. RIXEY: -- group of questions.

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

15 MR. RIXEY: Pardon me.

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

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

25 MS. DWYER: Right. I just wanted to note

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

5 VICE CHAIRPERSON SOCKWELL: Okay. Sounds
6 good.

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

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

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

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

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

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

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

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

9 MR. FONDERSMITH: The traditional
10 undergraduate student.

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

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

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

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

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

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

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

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

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

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1 university is claiming?

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

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

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

12 MR. RIXEY: And that's based on?

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

15 MR. RIXEY: I see.

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

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

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

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

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

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

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

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

25 MR. RIXEY: Yes, sir.

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1 VICE CHAIRPERSON SOCKWELL: Okay.

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

5 VICE CHAIRPERSON SOCKWELL: All right. I
6 think this is a good time for us to break for lunch.

7 We are 20 minutes past the prescribed break time,
8 but I think that's normal. So I would suggest that
9 we return at 1:15.

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

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

18

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

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1 fields and the arts fields.

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

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

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

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

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

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

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

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

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

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

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

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

14 MR. HART: Time, please.

15 MR. ARSENAULT: Thank you.

16 CHAIRPERSON REID: You can finish your
17 sentence.

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

23 CHAIRPERSON REID: Is that a question?

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

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1 CHAIRPERSON REID: Rhetorical?

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

6 CHAIRPERSON REID: In whose plan?

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

8 CHAIRPERSON REID: Are you referring to
9 the Office --

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

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

15 Do you have a question for him?

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

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

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

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

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1 of activities?

2 VICE CHAIRPERSON SOCKWELL: Recreational
3 activities.

4 MR. ARSENAULT: Yes.

5 CHAIRPERSON REID: Parties.

6 VICE CHAIRPERSON SOCKWELL: Parties.

7 MR. ARSENAULT: I was at a wonderful --

8 (Laughter.)

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

11 VICE CHAIRPERSON SOCKWELL: Okay.

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

14 VICE CHAIRPERSON SOCKWELL: But dinner
15 parties being one of the type of parties that might
16 be held. Have you participated in the typical more
17 --

18 CHAIRPERSON REID: Beer kegs.

19 VICE CHAIRPERSON SOCKWELL: -- birthday
20 parties?

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

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

25 MR. ARSENAULT: Yes.

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

3 (Laughter.)

4 Just kidding. But thank you.

5 MEMBER RENSHAW: A question, Madam Chair.

6 First of all, would you spell your name?

7 And then I'll ask the question.

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

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

13 MR. ARSENAULT: Yes.

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

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

22 MEMBER RENSHAW: Do you plan to?

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

25 MEMBER RENSHAW: All right. And within

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1 what timeframe?

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

6 MEMBER RENSHAW: All right. Thank you.

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

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

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

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

25 As Jacques said, it is -- over 55 percent

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

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

14 Many students -- I would definitely agree
15 that many students partake of other sorts of
16 recreation, which was said before, but I think in a
17 survey that was done recently I heard that there were
18 over 52 percent -- you can correct me if I'm wrong --
19 51 percent of students at Georgetown have never even
20 been drunk, which I find incredible.

21 CHAIRPERSON REID: What is that
22 percentage?

23 MS. KLEIN: Fifty-one percent.

24 CHAIRPERSON REID: Where did you get that
25 statistic from?

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

10 CHAIRPERSON REID: Now, this is a survey?

11 MR. CARNEY-WATERTON: Yes.

12 CHAIRPERSON REID: Okay. Continue.

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

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

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1 parties that everyone assumes.

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

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

11 That's all I have to say.

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

17 MS. KLEIN: Fifty-one.

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

24 CHAIRPERSON REID: And so the other 49
25 were?

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

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

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

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

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

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

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

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

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

18 But may I respond?

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

22 (Laughter.)

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

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

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

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

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

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

21 CHAIRPERSON REID: Thank you.

22 MS. KLEIN: Madam Chairman?

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

25 VICE CHAIRPERSON SOCKWELL: You're quite

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1 welcome.

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

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

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

18 MR. CARNEY-WATERTON: Yes.

19 CHAIRPERSON REID: Okay. All right.

20 MS. KLEIN: May I answer also?

21 CHAIRPERSON REID: Yes.

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

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1 living off campus are the noise and the public
2 drunkenness.

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

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

11 (Laughter.)

12 CHAIRPERSON REID: I agree. Thank you.

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

18 CHAIRPERSON REID: Are you done?

19 MS. KLEIN: I have finished.

20 CHAIRPERSON REID: Thank you. Thank you
21 very much.

22 Next witness?

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

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

3 CHAIRPERSON REID: Okay.

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

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

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

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

11 (Laughter.)

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

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

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

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

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

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

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

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

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

23 CHAIRPERSON REID: Thank you.

24 MR. CARNEY-WATERTON: Thank you.

25 CHAIRPERSON REID: Thank you very much.

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1 Thank you very much.

2 All right. We go now to the DPW report.

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

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

10 (Laughter.)

11 MR. CARNEY-WATERTON: Thank you.

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

16 CHAIRPERSON REID: Not the community --
17 parties.

18 MS. PRUITT: She is a party.

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

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

24 CHAIRPERSON REID: Yes. Okay.

25 MS. SCOLARO: All right.

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1 CHAIRPERSON REID: That's fine.

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

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

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

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

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

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

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

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

9
10 This comes in the 10-year plan in two
11 areas. One would be the redesign of Harben Field,
12 and the expansion of McDonough Gymnasium.

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

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

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

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

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1 additions above the bookstore.

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

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

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

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

14 MR. ARSENAULT: I'm talking about
15 students.

16 MS. SCOLARO: Okay.

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

25 MS. SCOLARO: Okay. Fine.

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

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

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

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

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

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

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

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1 things of that sort?

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

6 MS. SCOLARO: So they support that?

7 MR. ARSENAULT: Right.

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

10 CHAIRPERSON REID: Thank you.

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

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

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

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

11 MEMBER RENSHAW: Okay. Thank you.

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

18 MEMBER RENSHAW: I would rather move on.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 would be expected from this campus plan adjustment.

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

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

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

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

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

3 And if everything goes according to plan,
4 that's something that we might be going to
5 construction on sometime in the spring or summer of
6 2001. And, again, we think improving the
7 accessibility along Canal Road may help ease some of
8 the traffic congestion on the northern portion of the
9 university.

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

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

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

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1 to try to answer any questions you may have.

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

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

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

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

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

25 MR. TUMMONDS: Great. That's all we

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1 have.

2 CHAIRPERSON REID: All right. Next?

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

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

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

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

16 CHAIRPERSON REID: Are you posing a
17 question?

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

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

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

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

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

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

25 MR. ANDREW: My other question is about

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

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

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

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

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

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

6 CHAIRPERSON REID: Thank you very much.

7 Okay. Next?

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

12 Do you have -- Mr. Laden, good afternoon.

13 Do you have a copy of your June 8th memo handy?

14 MR. LADEN: Yes, I do.

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

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

20 MR. BRAUN: Let me see. Yes.

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

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

25 MR. LADEN: Well --

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1 CHAIRPERSON REID: Is this the last
2 paragraph?

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

6 MR. LADEN: On page 3 of my testimony.

7 CHAIRPERSON REID: The third paragraph
8 under that heading?

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

13 MR. BRAUN: Fifth line.

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

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

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1 that traffic which is university-generated.

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

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

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

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

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

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

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

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

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

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

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

13 MR. LADEN: Correct. Yes, I do.

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

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

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

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

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

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

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

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

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

25 MR. BRAUN: But you don't independently

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

3 MR. LADEN: Correct.

4 MR. BRAUN: Thank you.

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

10 MR. LADEN: Which paragraph?

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

13 MR. LADEN: Okay. Yes.

14 MR. BRAUN: Do you see it?

15 MR. LADEN: Yes.

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

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

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

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1 various options would cost?

2 MR. LADEN: No, we do not have that yet.

3 But that is something that would be looked at. And
4 a lot of these we would be looking at fixes that
5 wouldn't have any appreciable budget impacts first --
6 as a first course of action. And then, if those were
7 not adequate, we would ratchet up.

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

11 MR. LADEN: Correct. That is a
12 possibility.

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

19 MR. LADEN: Well, again, some of the
20 things that we would be looking at might have an
21 impact and could be done within our existing budget.

22 For instance, changes in signalization patterns,
23 restriping or redesignating traffic lanes for turning
24 motions or through motions, changing traffic
25 regulations to prohibit or allow more turning

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1 motions, taking parking away during certain hours of
2 the day by regulatory means to give additional lanes.

3 Those are all things that could be done within the
4 existing budget.

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

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

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

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

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

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

7 CHAIRPERSON REID: How many more
8 questions do you have?

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

11 CHAIRPERSON REID: Okay.

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

15 MR. LADEN: Well --

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

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

25 My guess is we're probably looking at, at

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

7 MR. BRAUN: Thank you very much.

8 CHAIRPERSON REID: Thank you.

9 All right. Do you have questions?

10 MR. RIXEY: Yes.

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

13 MS. ZARTMAN: Possibly briefly.

14 CHAIRPERSON REID: You?

15 MS. ZARTMAN: Possibly briefly.

16 CHAIRPERSON REID: Possibly three more?

17 MS. ZARTMAN: Possibly briefly.

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

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

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

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1 Georgetown?

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

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

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

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

25 I don't think we can be in a position

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

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

8 MR. LADEN: I understand.

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

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

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

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

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1 traffic counts.

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

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

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

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

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

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1 in the Georgetown area, at least around the
2 university.

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

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

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

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

25 MR. LADEN: We would expect most of those

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

9 MR. RIXEY: What are the peak travel
10 hours?

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

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

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

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

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

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

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

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

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

14 MR. LADEN: Okay.

15 MR. RIXEY: So we've got a deficit of
16 1,157 parking spaces. We have over 700 additional
17 spaces that have been taken away from the university
18 for Medstar's benefit. And yet there is not going to
19 be any negative impact on traffic or parking.

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

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1 from using carpools and mass transit.

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

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

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

19 MR. LADEN: Correct. But --

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

22 CHAIRPERSON REID: How many more do you
23 have?

24 MR. RIXEY: Excuse me?

25 CHAIRPERSON REID: How many more

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1 questions do you have?

2 MR. RIXEY: Just one more general --

3 CHAIRPERSON REID: One more? Okay.

4 MR. RIXEY: -- category of questions.

5 And it goes back to this issue about --

6 CHAIRPERSON REID: One more category?

7 MR. RIXEY: Yes. It has specifically to

8 do with --

9 CHAIRPERSON REID: How many questions?

10 MR. RIXEY: -- the three public

11 facilities the university is proposing --

12 CHAIRPERSON REID: Okay.

13 MR. RIXEY: -- to expand and --

14 CHAIRPERSON REID: But how many questions

15 are in the category of questions?

16 MR. RIXEY: Let me try and make it one

17 big question.

18 CHAIRPERSON REID: All right. Thank you.

19 MR. RIXEY: Do you know what the occupant

20 load is going to be, the increased occupant load is

21 going to be, on campus, for the Performing Arts

22 Center, the McDonough Gym expansion, and the Harben

23 Field expansion? And is there anywhere in the plan

24 that addresses the likely increase in parking demand

25 related to that increased occupant load?

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

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

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

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

20 MR. RIXEY: Thank you.

21 CHAIRPERSON REID: Thank you.

22 Ms. Zartman?

23 MS. ZARTMAN: Exactly one area of
24 questions.

25 CHAIRPERSON REID: Okay.

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1 MS. ZARTMAN: Barbara Zartman, The
2 Cloisters.

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

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

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

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

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

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

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1 shift would coordinate with the rush hours.

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

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

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

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

20 And, again, looking at the data here,
21 hospital clinic staff was increasing from 2,437 to
22 2,957, an increase of 500 or 21 percent. With, you
23 know, a 500-person increase staggered over possibly
24 three shifts, of which only a percentage -- I think
25 if I remember correctly about half would be driving,

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

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

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

10 MS. ZARTMAN: That's fine.

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

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

15 MR. LADEN: I understand.

16 CHAIRPERSON REID: Okay. Thank you.

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

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

23 (Laughter.)

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

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1 hearing.

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

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

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

10 Sure, come forward, please.

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

13 CHAIRPERSON REID: Okay.

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

17 (Whereupon, the witness was sworn.)

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

25 During my tenure there, I've served in

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

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

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

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

25 As those were primarily the community

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

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

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

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

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

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

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

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

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

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

14 (Laughter.)

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

18 (Laughter.)

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

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

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

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

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

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

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

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

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1 for a noise complaint to the police department,
2 because there are so many things happening, a lot of
3 times when these parties are, when people are
4 visiting the bars -- Thursday, Friday, Saturday
5 nights specifically -- usually between 9:00 p.m. and
6 3:00 or 4:00 a.m., the police department is so
7 strapped to handle other calls for service,
8 priorities, burglaries, robberies, people screaming,
9 or anything else that could happen, if you were to
10 call with a noise complaint, a lot of times the
11 police department won't respond for a few hours.

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

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

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

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

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

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

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

13 So I guess just so you can ask questions
14 and I can sum up things for you, are there problems?

15 Absolutely, especially with a number of houses.
16 However, on the other side -- a lot of my answers
17 will be yes, but, on the other side, I would
18 characterize Georgetown and Jean's efforts and
19 Linda's efforts as exceptional, and their outreach to
20 be exceptional.

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

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

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

11 Thank you.

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

14 MR. BURKE: Patrick Burke.

15 CHAIRPERSON REID: Burke?

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

17 CHAIRPERSON REID: Okay. Thank you.

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

20 CHAIRPERSON REID: Sure.

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

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

25 MEMBER RENSHAW: Transferred to

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1 headquarters.

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

3 (Laughter.)

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

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

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

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

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

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

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

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

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

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1 Commander Cockett, who is now Chief Cockett, and
2 Commander Nusham, to ensure that we did have overtime
3 personnel to augment our existing staffing.

4 And normally we would run those -- a
5 number of the programs we ran were about three months
6 in length. And usually four officers a night,
7 staffing would be usually six-hour tours of duty,
8 10:00 p.m. until 4:00 a.m. A lot of times when the
9 bars are letting out, or when people are walking
10 through the streets, are the typical times you'd have
11 parties, your Thursday, Friday, Saturday nights. So
12 we'd be out there to address those issues.

13 MEMBER RENSHAW: And in your crime
14 statistics, do you have any numbers for us of the
15 number of complaints over a year's period?

16 MR. BURKE: I don't have anything with
17 me, although I've given out a few things from our
18 last initiative that Linda may have, or Bonnie or
19 some people in the audience, to show you some of the
20 numbers from one of those details.

21 MEMBER RENSHAW: Could we get those? Or
22 could you make --

23 MR. BURKE: Sure.

24 MEMBER RENSHAW: -- sure that we would
25 have those --

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1 MR. BURKE: Sure.

2 MEMBER RENSHAW: -- numbers?

3 MR. BURKE: Sure.

4 MEMBER RENSHAW: Thanks.

5 CHAIRPERSON REID: Okay. Thank you very
6 much.

7 Okay. You do have a question?

8 VICE CHAIRPERSON SOCKWELL: Yes.

9 CHAIRPERSON REID: Sure.

10 VICE CHAIRPERSON SOCKWELL: Two
11 questions, Lieutenant Burke. One, when did you leave
12 the program that the university and the police
13 department were participating in?

14 MR. BURKE: It wasn't one set program. I
15 guess it was an evolution of a number of innovative
16 ideas that were worked with the university, the
17 police department, and community groups together.
18 I've been reassigned about three weeks now.

19 VICE CHAIRPERSON SOCKWELL: Then the
20 second question is, to the best of your knowledge,
21 these activities, which we'll say are a part of an
22 evolutionary or an evolved set of responses to
23 problems, these activities are ongoing at this point?
24 Or has there been some cessation of some of these
25 activities?

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1 MR. BURKE: The overtime has ceased since
2 I've left the District. I'm not aware of any current
3 efforts to reinvigorate any overtime efforts,
4 although there is an annual summer detail, which is
5 not so much to deal with anything on the side streets
6 or toward the university. It's primarily for the
7 overflow of traffic with the summer tourist season
8 around Wisconsin and M area and the commercial
9 corridors.

10 VICE CHAIRPERSON SOCKWELL: And the cell
11 phone patrol -- patrol car situation, is that --

12 MR. BURKE: Right. That was part of the
13 overtime initiative. That ceased a few months back.

14 VICE CHAIRPERSON SOCKWELL: All right.
15 So some of this is not ongoing --

16 MR. BURKE: Correct.

17 VICE CHAIRPERSON SOCKWELL: -- at the
18 present time.

19 MR. BURKE: Right.

20 VICE CHAIRPERSON SOCKWELL: But has had a
21 history.

22 MR. BURKE: Correct.

23 VICE CHAIRPERSON SOCKWELL: All right.
24 Thank you.

25 CHAIRPERSON REID: Thank you very much.

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1 MR. BURKE: Thank you.

2 CHAIRPERSON REID: Was there any cross
3 examination of Officer Burke? You, sir? Okay.

4 MR. CROCKETT: Don Crockett with the GRA.
5 Pat, could you tell us basically how many
6 noise complaints the MPD had in the last year from
7 student group houses?

8 MR. BURKE: In the last year, I can't say
9 specifically from student houses, but I would guess
10 that we've responded to at least 100 complaints.

11 MR. CROCKETT: Over the year? Has that
12 been pretty consistent in years past, or is that
13 better than in years past?

14 MR. BURKE: I'd say that we're better --
15 the amount of arrests that we're seeing, and I see
16 the amount of addresses we're responding to, are
17 better than in years past.

18 MR. CROCKETT: And roughly in the last
19 year, how many noise citations or fines did the
20 police department issue?

21 MR. BURKE: I could give a guesstimate of
22 about 50 citations that were issued, the \$300 fines
23 for noise.

24 MR. CROCKETT: Okay. The noise is still
25 a major problem in Burleith and West Georgetown. Is

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1 it not a continuing problem?

2 MR. BURKE: It's a continuing problem,
3 and my answer would probably be yes. But, again,
4 it's -- while it's a continuing problem, it's --
5 since I've come there, I think -- and I -- not to
6 take any credit for the police department, I think,
7 once again, it's police, community, business,
8 association, residents working together, but I think
9 through everybody's commitment we've reduced those
10 numbers.

11 MR. CROCKETT: What, in your opinion,
12 could the university -- what are the options that the
13 university might have to make this problem go away,
14 or make it better?

15 MR. BURKE: More -- a few of the things
16 that I'd like to see and that we're -- Jean and I
17 have talked about, especially stronger student
18 sanctions -- let's say, for athletes, if you were
19 forced to miss a la crosse game, if you were caught
20 with alcohol, and just shoring up some of the
21 discipline.

22 I hate to use the word "scapegoat," but
23 sometimes if the punishment is known that it's swift
24 and severe, in cases -- especially for -- and I'm not
25 trying to -- and I empathize, I guess, with the

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1 college life. But if there are recidivist violators,
2 just to show that they are disciplined and that
3 discipline is severe if necessitated.

4 MR. CROCKETT: Do you think it would help
5 if the university had more activities for its
6 undergraduates on campus?

7 MR. BURKE: I could argue pro and con
8 against that. I know one of the recommendations was
9 to put tents on campus and serve alcohol on campus,
10 and that can come back -- a lot of times if there are
11 events on campus, that can lead to -- there were a
12 number of people living in close proximity to the
13 university that called in with noise complaints, or
14 when people left campus. The large amounts or groups
15 leaving with trash or noise or things of that nature.

16 And there's good arguments to keep it on
17 campus, too, so I could go -- I could probably give
18 some arguments pro and con there.

19 MR. CROCKETT: Okay. You would agree,
20 though, wouldn't you, that the student group houses
21 that have been causing the problems in these
22 neighborhoods constitute a negative impact on the
23 affected neighborhoods?

24 MR. BURKE: Absolutely.

25 MR. CROCKETT: No further questions.

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1 CHAIRPERSON REID: Thank you.

2 Sure. Mr. Moulden?

3 MEMBER MOULDEN: Do you think with the
4 Georgetown area being a major attraction to tourists
5 and also some people coming into the shopping areas,
6 to the restaurants, and so forth, and the university,
7 that this could possibly have an impact on students
8 being involved in a number of activities, being out
9 more through the neighborhoods, through the
10 commercial areas, just being involved in all sorts of
11 activities which would lead to some social issues in
12 the community?

13 MR. BURKE: Specifically, the proximity
14 of bars?

15 MEMBER MOULDEN: Just being out and
16 about.

17 MR. BURKE: Yes. It could -- with -- the
18 only thing I could address there, really, is the
19 close proximity of bars, especially along M Street,
20 could lead to, you know -- of course, if I were a
21 young person, that's where I'd probably want to be,
22 as there's no bars on campus. So they're going to
23 filter and find their way down there, just as anybody
24 would come into M Street for -- to visit those.

25 And that's a certain percentage, and,

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1 once again, our numbers aren't -- for underage
2 drinkers haven't been -- haven't -- well, actually,
3 although we haven't run a number of initiatives
4 recently, but our number of underage drinkers haven't
5 been disproportionately Georgetown students either.

6 So I wouldn't say that -- you know, while
7 there are a lot of students that go off of campus and
8 onto M Street and into Georgetown for a number of
9 things, aside from maybe some underage drinking, I
10 wouldn't see too many issues with -- I don't think
11 they're going off campus specifically to -- or any
12 specific person to vandalize or to do anything else
13 that would cause any harm to the neighborhoods.

14 CHAIRPERSON REID: Thank you.

15 All right. Any other cross examination
16 questions?

17 VICE CHAIRPERSON SOCKWELL: Lieutenant,
18 with regard to the signs that were placed on the
19 streets for the \$300 fines, etcetera, with the
20 overtime program now somewhat, let's say, shut down,
21 at least temporarily, enforcement of such fines is
22 now up to the university pretty much entirely and any
23 effective means that they have, would you not say?

24 MR. BURKE: Well, actually, the
25 enforcement of the signs and the citation of noise

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1 violations is specifically and purely the
2 responsibility of the police department. And the
3 university can issue fines for things that are
4 happening off campus.

5 And, really, one of the things we were
6 looking for when this -- when we rolled out the
7 overtime, a lot of it was an educational endeavor for
8 the officers as well. We were just rolling into
9 doing something new and breaking that paradigm of
10 locking up everybody for disorderly conduct, and
11 getting into these citations.

12 So it took some time to educate our
13 officers as to what the law was, and then our
14 aspiration was to, once we broke off from these
15 overtime programs, that the officers who had worked
16 it, and the officers who had heard people getting the
17 numbers for citations, would know that this law
18 existed, that it was workable and was working, and
19 that the officers in the field would continue to use
20 that as another means rather than arresting people.

21 VICE CHAIRPERSON SOCKWELL: Well, I guess
22 my question is, to the best of your belief, is the
23 program still in operation, in any significant way,
24 with the decibel meters and the enforcement of late-
25 night activities among students in group homes and

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1 otherwise?

2 MR. BURKE: I would say that the officers
3 are issuing citations and have a better knowledge now
4 than ever. On the other hand, though, once again,
5 without overtime and pending calls for service, if I
6 were a resident in Georgetown calling for a loud
7 party on a Friday night, chances are that police
8 response would be much slower because of other calls
9 for service because of the sheer nature of Georgetown
10 and the calls for service it attracts.

11 VICE CHAIRPERSON SOCKWELL: And at least
12 up until the time that you left, you were more or
13 less the administrative contact for the community on
14 this particular activity, or --

15 MR. BURKE: Yes.

16 VICE CHAIRPERSON SOCKWELL: And without
17 you, has anyone been reassigned to take that?

18 MR. BURKE: We are currently waiting for
19 a new lieutenant to take the reigns. However,
20 Sergeant Keith Bickle, who is a 27-year veteran of
21 the Department, talks to me weekly about different
22 issues, and also Lieutenant Diane Durbin, who is
23 currently an administrative lieutenant as she can't
24 be in the field due to a physical condition -- is
25 handling some of the administrative paperwork.

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1 VICE CHAIRPERSON SOCKWELL: Thank you
2 very much.

3 MR. BURKE: Thank you.

4 CHAIRPERSON REID: Thank you.

5 MEMBER RENSHAW: Just one last quick
6 question. Madam Chair, one last quick question.

7 CHAIRPERSON REID: Okay.

8 MEMBER RENSHAW: If we could get from
9 Lieutenant Burke some idea of the cost to the police
10 for this Georgetown group home surveillance over a
11 year's period --

12 MR. BURKE: I could -- I'll have to get
13 back to you, but I can give you --

14 MEMBER RENSHAW: Thank you.

15 MR. BURKE: -- some numbers on that.

16 CHAIRPERSON REID: All right. Thank you
17 very much, Officer Burke.

18 MR. BURKE: Thank you very much.

19 CHAIRPERSON REID: All right. Now -- oh,
20 excuse me.

21 I'm sorry. Officer Burke, there is one
22 other cross examination.

23 Is this the last one? Okay. Yes.

24 MS. SCOLARO: My name is Patricia
25 Scolaro.

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1 Someone just mentioned that I have to be
2 the friendly cross examiner, and I am. I know I'm
3 not supposed to give testimony, but Pat has been
4 outstanding in the community.

5 Pat, I wonder if you could give us some
6 of the reactions you've have to students when you
7 have had to confront them if they're walking on the
8 street with an open can of beer or an open container
9 of alcohol.

10 MR. BURKE: Well, if it's an open
11 container of beer or open container of alcohol, or
12 anything -- drinking in public, they're arrested. So
13 I haven't met anybody real happy about that.

14 (Laughter.)

15 MS. SCOLARO: Okay. Can you give us some
16 examples of what you might find when you get into
17 some of the houses where there is a party going on
18 and you or your officers have been called?

19 MR. BURKE: Just the kegs, bottles of
20 alcohol, and a lot of these, once again, are the
21 recidivist locations that we would track. But
22 occasionally underage drinkers, we would find poor
23 conditions in the housing.

24 MS. SCOLARO: Okay. What was the
25 reaction --

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1 CHAIRPERSON REID: I'm sorry. Did you
2 say poor conditions?

3 MR. BURKE: Right. Especially a lot of
4 times we'll go into kitchens or dining rooms, and
5 more so because of the party, but it's not a place
6 where I'd want to eat breakfast.

7 (Laughter.)

8 MS. SCOLARO: Okay. Have you seen any
9 instances where a heavy consumption of alcohol or
10 beer has led to any other kinds of overt activity --
11 vandalism or physical abuse in any way?

12 MR. BURKE: Yes. We've had a number of
13 fights and some vandalism, some theft, related to --
14 a lot of things -- a lot of the issues I would
15 directly relate or make that correlation to alcohol
16 use or misuse.

17 MS. SCOLARO: I just have one last
18 question. Ms. Renshaw addressed the issue of cost,
19 and that, to us, was of concern.

20 When you left Burleith temporarily, you
21 were there for a while and then you went to
22 Georgetown, what condition did you find the reports
23 in? We were very used to you calling us on a Monday
24 morning, giving us written reports. When you were no
25 longer there, what kind of records were left for you?

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1 MR. BURKE: There were -- aside from a
2 61D file, which we can go down to the station and
3 track, there wasn't a real good reporting system of
4 documenting violations of any nature.

5 MS. SCOLARO: Okay. Thank you very much.
6 That's all I have.

7 CHAIRPERSON REID: Thank you.

8 All right. ANC report now? Ms. Zartman?
9 Thank you very much, Officer Burke.

10 MR. BURKE: Thank you.

11 (Whereupon, the proceedings in the
12 foregoing matter went off the record at
13 3:02 p.m. and went back on the record at
14 3:03 p.m.)

15 CHAIRPERSON REID: Ms. Zartman, are you
16 going to give the ANC report?

17 MS. ZARTMAN: No.

18 CHAIRPERSON REID: All right. Then, who
19 -- well, whoever. This is --

20 MR. STERLES: Good afternoon.

21 CHAIRPERSON REID: Good afternoon.

22 MR. STERLES: I'm William Sterles, and I
23 am an ANC representative from 2E-06 in Georgetown.
24 And I'd like to present to you and read the motion
25 that was presented on June 6, 2000.

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1 On June 6, 2000, a special town meeting
2 was held by ANC-2E to consider the above application.

3 This was duly noted and all eight -- 100 percent --
4 of the Commissioners were present. The following
5 motion was presented and passed by a vote of five to
6 three.

7 Whereas, Georgetown University has
8 presented communities that surround it in ANC-2E a
9 10-year campus plan for the years 2000 through 2010
10 that will emphasize academic improvements and
11 proposals to develop 1.3 million square feet for
12 improved academic and administrative space; and,
13 whereas, Georgetown University has developed plans to
14 house a substantial number of undergraduate students
15 through the construction of a new 780-bed dormitory,
16 which is called the Southwest Quadrangle; and in
17 doing so, will significantly reduce the impact of
18 off-campus student housing in nearby neighborhoods;
19 and has affirmed that within the next decade it will:

20 1) maintain an on-campus undergraduate student
21 population of at least 85 percent, following
22 completion of the Southwest Quadrangle in September
23 2003; and 2) increase present authorized enrollment
24 cap of 5,627 to 6,016 upon the completion of the
25 Southwest Quadrangle.

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1 In other words, nobody else -- no extra
2 students until the Quadrangle is complete.

3 Now, such increases will occur in equal
4 amounts per year until the new cap is attained. A
5 rate of approximately seven-tenths a year; and
6 3) reduce off-campus housing demands on the nearby
7 neighborhoods in zip code 20007 to approximately 400
8 students by 2003, which represents a 60 percent
9 decrease from today's levels.

10 And, whereas, Georgetown University's
11 2000-2010 campus plan proposes to maintain the
12 current parking cap of 4,080 cars; and, whereas,
13 Georgetown University, Medstar, the Office of
14 Planning, and representatives from most surrounding
15 community groups, and ANC-2E, have participated and
16 facilitated meetings, the result of which Georgetown
17 University proposes to deny any new enrollment
18 increase until the Southwest Quadrangle is occupied,
19 phase in any new enrollment increase in equal amounts
20 each year following the occupancy of the Southwest
21 Quadrangle, reduce the projected 10-year enrollment
22 increase from 500 originally proposed to 389,
23 strengthening its off-campus student affairs program.
24 Now, concerning student conduct, ANC-2E
25 conditions its approval of Georgetown University's

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1 campus plan by urging that measures be taken to
2 strengthen the off-campus affairs program, including
3 such measures as suspension of a student or students
4 who are cited for the repeated and continual
5 residential neighborhood disturbances; that such
6 student or students be required to move from off-
7 campus housing back onto campus housing.

8 Whereas, as a result of facilitated
9 meetings that included DPW, the university, and
10 Medstar, have initiated mediation strategies to
11 resolve traffic impasse, and concerning Reservoir
12 Road entrances and traffic flow.

13 Georgetown University and Medstar will
14 make entrance number 1 one way, and entrance number 4
15 one way out, or vice versa, provided an analysis by
16 DPW traffic engineers indicates that doing so will
17 increase overall traffic -- improve overall traffic
18 on Reservoir Road and improve traffic internal to the
19 university, to the university medical center, and
20 provided that Medstar's analysis of such change
21 indicates it will not impede patient access.

22 Therefore, be it resolved that ANC-2E
23 supports Georgetown University's 2000-2010 campus
24 plan as presented and will request that the Board of
25 Zoning Adjustment afford ANC-2E the great weight as

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1 required by law.

2 And the letter was signed, Sincerely, by
3 Peter Pulsifer, Chair of ANC-2E.

4 I might add to the record that at the
5 last Board of Zoning meeting a fellow Commissioner,
6 Barbara Zartman, stood up and said that she had
7 written a note to corporate counsel concerning the
8 validity of a five to three vote, concerning a
9 meeting that took place between a few of the
10 Commissioners prior to the meeting.

11 And I'd like to submit for the record a
12 letter that is dated July 14th that I received
13 yesterday concerning the open meetings law, signed by
14 corporate counsel. And I'll just -- I'll read one
15 line of it.

16 It says, "I conclude that the private
17 meeting of June 6, 2000, did not violate the open
18 meetings law."

19 And it's, you know, a two-page letter
20 that basically affirms the vote and the great weight
21 of ANC-2E on the five to three vote in support, with
22 the stipulations, of the Georgetown campus plan.

23 CHAIRPERSON REID: Thank you.

24 It, therefore, will be afforded the great
25 weight to which you're entitled.

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1 Are there any questions of the ANC
2 Commissioner? All right.

3 Ms. Dwyer?

4 MS. DWYER: We have none.

5 CHAIRPERSON REID: All right. Mr.
6 Crockett?

7 MR. CROCKETT: Yes.

8 Good afternoon, Bill.

9 MR. STERLES: Good afternoon. How are
10 you?

11 MR. CROCKETT: Could you tell us who
12 wrote the resolution that you just read?

13 MR. STERLES: The resolution was
14 originally written by -- in most part by Art Schultz.
15 Art was not feeling well the night of the meeting,
16 and he asked if I would entertain presenting the
17 motion. I read the motion, added some substance to
18 the motion, changed a few things.

19 The motion essentially was written by
20 Art, and then it was revised by myself.

21 MR. CROCKETT: All right. Now, you spoke
22 of a meeting that occurred before the town meeting on
23 June 6th. Is that the meeting that a group of you
24 met at Billy Martins Tavern?

25 MR. STERLES: What it was, four of us got

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1 together at Billy Martins before the meeting. It was
2 very short. We had time to share some chicken
3 fingers with Art and to just intellectually talk
4 about what was upcoming.

5 MR. CROCKETT: Okay. Was that where he
6 gave you the draft of the resolution?

7 MR. STERLES: Yes.

8 MR. CROCKETT: And is that where you
9 agreed that you were going to support him with that
10 draft?

11 MR. STERLES: Well, Art was -- as you
12 know, Art passed away, unfortunately, two days later.
13 Very sad. And he was just -- he didn't look well,
14 didn't sound well, and he said, "I just don't have it
15 physically in me to present the motion." And I read
16 the motion; I agreed with the motion. There were
17 some changes I wanted to make, and so I agreed to
18 present the motion.

19 MR. CROCKETT: Okay. And you made those
20 changes there at Billy Martins Tavern?

21 MR. STERLES: No, I did not.

22 MR. CROCKETT: My understanding is that
23 you had the resolution on two pieces of paper that
24 you were going to read, and that the other
25 Commissioners who met with you also had those two

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1 pieces of paper.

2 CHAIRPERSON REID: Are you asking a
3 question?

4 MR. STERLES: There were two copies of
5 the motion; one that I kept with me and made some
6 changes to, and one that Art had. I'm not -- I
7 seriously don't know how many copies there were.

8 MR. CROCKETT: Okay. Did you give copies
9 to the other Commissioners who were going to vote
10 with you?

11 MR. STERLES: No.

12 MR. CROCKETT: All right.

13 MR. STERLES: I might add here, too,
14 there were four of us at that meeting.

15 MR. CROCKETT: Who were the four?

16 MR. STERLES: The four of us were myself,
17 Art Schultz, Fran Goldstein, and Mark.

18 MR. CROCKETT: Okay. Did you invite any
19 of the other Commissioners to that meeting?

20 MR. STERLES: I didn't invite anybody to
21 that meeting.

22 MR. CROCKETT: All right. Do you know
23 why the other Commissioners weren't invited to the
24 meeting?

25 MR. STERLES: I have no idea.

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1 MR. CROCKETT: All right. Before you
2 agreed to this motion --

3 VICE CHAIRPERSON SOCKWELL: Excuse me.
4 Mr. Crockett?

5 MR. CROCKETT: Yes.

6 VICE CHAIRPERSON SOCKWELL: Is it your
7 statement that you know for a fact that the other
8 Commissioners were not invited or were not present?

9 MR. CROCKETT: I don't know either way.

10 VICE CHAIRPERSON SOCKWELL: Then you made
11 a statement that you should retract.

12 MR. CROCKETT: What is --

13 VICE CHAIRPERSON SOCKWELL: You stated
14 that the other Commissioners were not invited. You
15 have no way of knowing.

16 MR. CROCKETT: I will retract that. I
17 didn't mean to --

18 VICE CHAIRPERSON SOCKWELL: Thank you.

19 MR. CROCKETT: -- testify.

20 Before you signed on to the resolution,
21 had you thoroughly gone through the campus plan?

22 MR. STERLES: I would say -- well, I'll
23 put it this way. If I spend much more time on the
24 campus plan and meetings for the campus plan, my 10-
25 year old son would call me Uncle Bill.

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1 (Laughter.)

2 I read the campus plan thoroughly on more
3 occasions than once. I have little stickies on the
4 -- it's like the commercial, stickies on everything.

5 I went through countless meetings, the quarterly
6 meetings, went through the resolve meetings.

7 I personally sat down the other day to
8 log how many hours I've spent on this thing. Without
9 exaggeration, I'd say I've spent about 100 hours of
10 my life on the campus plan.

11 MR. CROCKETT: Okay. As part of those
12 100 hours, were any of those hours spent meeting
13 privately with Linda or any of the other university
14 representatives?

15 MR. STERLES: The meetings were open
16 meetings, and, you know, community meetings,
17 Georgetown-sponsored meetings, resolve meetings; you
18 name it, we have it.

19 MR. CROCKETT: Okay. One of the
20 Commissioners that voted with you -- Matthew Payne --
21 I take it did not attend the meeting -- the pre-
22 meeting?

23 MR. STERLES: Matthew was not there.

24 MR. CROCKETT: Okay. Did you provide him
25 a copy with the resolution before the town meeting

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1 started?

2 MR. STERLES: No.

3 MR. CROCKETT: Okay. Now, that meeting
4 was billed as a town meeting, correct?

5 MR. STERLES: Which meeting are we
6 talking about?

7 MR. CROCKETT: The June 6th meeting.

8 MR. STERLES: It was a special town hall
9 meeting.

10 MR. CROCKETT: And that was the meeting
11 at which the residents were to have their opportunity
12 to come in and inform the ANC as to what their
13 problems were with the plan?

14 MR. STERLES: It was one of the
15 opportunities. I mean, there were countless meetings
16 up to that, or other ANC meetings. As you know, I
17 was appointed to run a special election to replace
18 another ANC Commissioner. There were many times.
19 One community had a comment about that. That was not
20 the only forum for community comment.

21 MR. CROCKETT: Well, I didn't suggest
22 that it was.

23 MR. STERLES: Well, I --

24 MR. CROCKETT: That's all I -- my
25 question to you was, wasn't the sole purpose of this

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1 meeting, as a town meeting, to provide the
2 opportunity for those residents who wanted to
3 participate, come in and give their views on the
4 campus plan?

5 MR. STERLES: The way I understood it,
6 the structure of the meeting, because the Chairman
7 went through the structure of the meeting ahead of
8 time with everybody, all of the Commissioners that
9 is, is it's supposed to be in four segments.

10 The first segment was comment and
11 presentation from the university and its people. The
12 second part, an equal part of time, was community
13 comment. The third part of time was supposed to be
14 on Commissioner comment. And the fourth part was
15 supposed to be for whatever resolutions.

16 MR. CROCKETT: All right. Now, there
17 were a good number of people that showed up for that
18 meeting, correct?

19 MR. STERLES: Yes.

20 MR. CROCKETT: And would you agree with
21 me that the vast majority of the people who spoke had
22 personal complaints and grievances about problems
23 with the university?

24 MR. STERLES: I'd say the majority were
25 not happy with the university.

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1 MR. CROCKETT: All right. Now, what they
2 said at that meeting didn't make any difference to
3 you because you already had your resolution drafted,
4 isn't that correct?

5 MR. STERLES: Well, I can't present a
6 motion without believing in the motion. So I did
7 believe in the motion. I must say that, through all
8 of these other meetings that took place -- I mean,
9 there's a lot of thought, a lot of intellectual
10 property that was exchanged prior to this. And,
11 quite frankly, a lot of these people were at a lot of
12 these meetings and voiced similar concerns.

13 MR. CROCKETT: But not all of them.

14 MR. STERLES: I might add here, too, you
15 know, if you're concerned that my motion didn't, or
16 doesn't as the case may be, address the community
17 concerns, our motion just sitting here, and after
18 reading through the Planning Commission's report, is
19 more restrictive than the Planning Commission.

20 We're saying that no extra students can
21 be added until the Quadrangle is complete. We're not
22 saying built; we're saying completely built. That's
23 number one.

24 We're putting some teeth into asking --
25 telling the university to do some extra enforcement

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1 with troublesome students, as Lieutenant Burke spoke.

2 Unfortunately, it's, you know, a fact of life that
3 the minority of students cause the majority of the
4 problems out there. And we're asking for some
5 genuine enforcement of those rules.

6 So, you know, our motion does -- my
7 motion does address a lot of the concerns that we've
8 heard over the countless hours of meetings.

9 MR. CROCKETT: In that regard, have you
10 spent time with the previous BZA order on the
11 previous campus plan?

12 MR. STERLES: Yes.

13 MR. CROCKETT: And are you aware of the
14 fact that that previous campus plan, that previous
15 BZA order, required the university to create a bed on
16 campus before it could increase any enrollment in
17 undergraduates?

18 MR. STERLES: Yes.

19 MR. CROCKETT: And, nevertheless, being
20 aware of that, you voted to take that restriction off
21 and allow the university to increase its enrollment
22 without meeting the 100 percent requirement?

23 MR. STERLES: Well, the reasons for the
24 evolution here is, first off, there are a lot of
25 points of the previous BZA order. I know some of

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1 them were addressed earlier today, which just simply
2 changed. In other words, the landscape so to speak
3 has changed on the previous order, as the gentleman
4 from -- and the lady from the Planning Commission
5 pointed out.

6 Number two, there was a good deal of time
7 spent at one of the resolve -- that's the city-
8 sponsored mediation hearings -- where we went over
9 it, and there was a lot of give and take about D.C.
10 law, about human rights laws, about anybody that
11 lives in the District of Columbia, that you can't --
12 in other words, if somebody wants to live off campus,
13 as a resident of the District of Columbia, by law,
14 you have to let them live where they want to live.

15 So one of the ideas of this motion, and
16 one of the reasons it passed with a majority of five
17 to three, is that it's a realistic motion. In other
18 words, we're putting constraints on, and they're
19 serious constraints on the university. But they are
20 numbers that can be attained.

21 We're going from a figure, you know, give
22 or take in the mid 70s for people living off campus
23 today, as we speak, to, in the first year of this,
24 you're going to have just shy of 90 percent of
25 students living on campus.

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1 If they attract all the students they
2 want to attract, and you might remember that under
3 the old constraints they're still something like 100
4 students short of where they'd like to be, that the
5 low water mark will be 84 percent of students living
6 on campus. And, quite frankly, that's higher than --
7 I went to American University. It's substantially
8 higher than AU. And, you know, you have a lot of AU
9 students living in some of these neighborhoods that
10 are affected by Georgetown University students.

11 MR. CROCKETT: Well, that wasn't really
12 responsive to my question. But let me try something
13 else here.

14 MR. STERLES: Go right ahead.

15 MR. CROCKETT: Some of the Commissioners
16 at that meeting, which I attended, if my memory
17 serves me correct, stated that they voted for your
18 resolution as what is best for the city, rather than
19 what is best for the particular residents in the
20 community. Do you recall that?

21 MR. STERLES: What it was -- and, in
22 fact, I brought a copy of it with me --

23 MR. CROCKETT: Could you come and get --

24 MR. STERLES: One thing the Board doesn't
25 know about me is I'm inherently a cheap person. For

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1 me to frame something, spend money on a frame, that
2 means it's important to me.

3 This was signed by myself and by
4 Councilman Evans. The day is March 16, 2000.

5 And I'll just read this to you. It says,
6 "I, William Sterles, will support and defend the
7 Constitution of the United States, that I will
8 perform such duties as may be assigned to me as a
9 member of said Commission, to the best of my ability,
10 without fear or favor; that I will exercise my best
11 judgment and will consider each matter before me from
12 the viewpoint of the best interest of the District of
13 Columbia as a whole; and that I will faithfully
14 discharge said duties, so help me God."

15 What that is saying is that we're
16 supposed to -- in my opinion, I can't speak for other
17 Commissioners here. And the gentleman that spoke to
18 this point, unfortunately, is not with us anymore.
19 Art died two days after this.

20 But what Art was referring to -- and, you
21 know, I take this job very, very seriously. It's not
22 for the pay, not for the great benefits that go with
23 the great pay, but it's to try to make, you know, the
24 standard of living or the lifestyle of everybody a
25 little bit better in the city, a little bit better in

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1 Georgetown.

2 And what this is saying is that -- you
3 know, obviously, we've got to -- we have to consider
4 the interests of those that live in our single-member
5 district. And, believe me, a lot of people I've
6 spoken to -- I mean, I have friends that are against
7 the campus plan. I have a lot of people that are
8 friends or just people I've met doing my job that are
9 in favor of the campus plan.

10 But what this is saying, in my mind at
11 least, is that I'm supposed to step away from the
12 concern of a specific block or a cluster of a dozen
13 homes and look at the best interest of the city as a
14 whole. That's what I'm sworn to. I didn't make this
15 up. I didn't tell myself -- you know, I didn't write
16 this for myself here.

17 MR. CROCKETT: So your vote was based
18 upon what you thought was best for the city?

19 MR. STERLES: I would say my vote is
20 based on a couple of things. It's, one, I think the
21 campus plan, with the restrictions of the ANC on this
22 motion, have voted it five to three -- number one,
23 it's progress.

24 I'd much rather see, for those people --
25 my constituents that do live near the university, and

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1 my territory goes from -- yes, I do live far away,
2 technically speaking, from the university, on
3 31st Street. But my commission, my area, goes all
4 the way up and east on Prospect Street, all the way
5 over and includes part of the university. So I do
6 have constituents, I do have friends that are
7 affected from time to time by unruly students in
8 group houses over in that area.

9 So, one, I thought the campus plan was
10 essentially good. One, I thought it needed some
11 revisions, which is what we did in this motion.
12 Again, it's stronger than what -- surprisingly
13 enough, stronger than what the Planning people have
14 suggested. And I think to have a strong Georgetown
15 we have to have a very strong residential community,
16 we have to have a viable university, and a strong
17 business industry.

18 That's what makes Georgetown unique.
19 From an urban planning perspective, it's like a city
20 within a city and it works very, very well. So, no,
21 my vote wasn't just for the betterment of the
22 District of Columbia. It's better for the community,
23 too, and for my specific SMD.

24 MR. CROCKETT: For your specific SMD.
25 Even those people who are affected by group houses?

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1 MR. STERLES: Well, the reason being is
2 that, if you want to go to just simple math here,
3 with this plan in place we're going to go up to first
4 year, 2003, and have 90 percent or just shy of it,
5 living on campus. I think 90 percent is better than
6 having a figure of 77 percent or whatever --

7 MR. CROCKETT: What's wrong with 100
8 percent?

9 MR. STERLES: One thing I committed
10 myself to doing, and the way I live my life, quite
11 frankly, I never want to force an issue, be it, you
12 know, as an ANC Commissioner, be it just a father to
13 a 10-year old son, I never want to ask something
14 that's unfair of somebody.

15 If I would say to the university that you
16 have to have 100 percent living on campus, that would
17 make everybody very happy.

18 MR. CROCKETT: It certainly would.

19 MR. STERLES: Strictly speaking. But
20 that's not realistic.

21 CHAIRPERSON REID: Excuse me. Let me
22 break in here. Mr. Crockett --

23 VICE CHAIRPERSON SOCKWELL: You've gotten
24 out of --

25 MR. CROCKETT: Let me ask --

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1 VICE CHAIRPERSON SOCKWELL: -- the
2 direction we're taking.

3 CHAIRPERSON REID: Yes.

4 MR. CROCKETT: Let me ask this one
5 further --

6 VICE CHAIRPERSON SOCKWELL: Why should
7 we?

8 MR. CROCKETT: -- one question.

9 VICE CHAIRPERSON SOCKWELL: Why should
10 we?

11 CHAIRPERSON REID: Excuse me, Mr.
12 Sockwell.

13 VICE CHAIRPERSON SOCKWELL: I'm just
14 trying to use your tone.

15 MR. CROCKETT: I'm sorry.

16 CHAIRPERSON REID: Yes.

17 VICE CHAIRPERSON SOCKWELL: So I think
18 your tone should change a little.

19 MR. CROCKETT: I will attempt to correct
20 that.

21 CHAIRPERSON REID: Yes. And --

22 VICE CHAIRPERSON SOCKWELL: Thank you.

23 CHAIRPERSON REID: -- also, typically,
24 our role here is to receive a report from the ANC
25 that's predicated upon them demonstrating to us that,

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1 one, a quorum was present; two, that a vote was
2 taken; and, as such, we don't usually get into having
3 persons to explain or to defend why they voted a
4 certain way.

5 And we let this line of questioning go on
6 a bit too long. You know, I think that we got the
7 gist of it, but -- but that we don't really -- that's
8 not something that we necessarily -- it's not for our
9 benefit because what we wanted to see was that the
10 vote was taken.

11 For whatever reason that it was given the
12 weight that it was is what we accept, in order for
13 them to be entitled to the great weight -- for us to
14 extend to them the great weight to which they're
15 entitled. So can we move on to -- how many more
16 questions do you have?

17 MR. CROCKETT: I understand this is a
18 very unusual situation, and I have --

19 CHAIRPERSON REID: How many more
20 questions do you have?

21 MR. CROCKETT: I have no more questions.

22 CHAIRPERSON REID: Oh, okay. Well, thank
23 you. I think that your point was well made. Thank
24 you very much.

25 MR. CROCKETT: Thank you very much.

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1 CHAIRPERSON REID: Okay. Now, all right,
2 it's almost 3:30. Let's try and do an assessment.
3 We have the persons or parties in support. Well,
4 just persons in support. And then we have the
5 persons and parties in opposition. Opposition does
6 have two hours.

7 Yes, Mr. Crockett?

8 MR. CROCKETT: One technical matter.
9 There's a lady that came in here that has been
10 sitting next to me since this morning. She came in
11 with a -- the person with the baby, and has to leave.

12 CHAIRPERSON REID: Okay.

13 MR. CROCKETT: I was wondering if she
14 could have a minute or two.

15 CHAIRPERSON REID: Is she in opposition
16 or support?

17 MR. CROCKETT: She is in opposition.

18 CHAIRPERSON REID: All right. If there
19 is no objection by the applicant to allow her to go
20 ahead and give her testimony so she can leave, I have
21 no problem with it. Board members? Okay.

22 MS. RIDOUT: My name is Elizabeth Ridout.
23 I live at 3322 Prospect Street, and I moved into that
24 house and own it for 39 years. And I've seen a great
25 many changes in the neighborhood, and I am strongly

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1 opposed to any increase in the Georgetown student --
2 graduate or undergraduate -- enrollment. And I have
3 a paper that 20 of my neighbors have signed. I'm
4 sorry there are not more. A lot of them were on
5 vacation.

6 May I just briefly read it and state my
7 opposition?

8 CHAIRPERSON REID: Yes. Can you give us
9 -- given the fact that we're allowing you to go out
10 of turn, could you just please give us -- can you
11 summarize your testimony and just give us the
12 highlights, rather than reading it verbatim?

13 MS. RIDOUT: Sure. Increasing enrollment
14 will be detrimental to residents, cause increased
15 traffic, noise, and continued need for off-campus
16 housing. That's the main thing, and I'd like to talk
17 about that.

18 CHAIRPERSON REID: Okay.

19 MS. RIDOUT: There are 15 houses on my
20 block. I'm directly across from the old Wormley
21 School. Ten are occupied by students. As late as
22 Sunday morning --

23 CHAIRPERSON REID: Wait a minute. Are
24 you saying there are 15 houses that are occupied by
25 students on your block?

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1 MS. RIDOUT: No. Fifteen all together,
2 and 10 are --

3 CHAIRPERSON REID: Oh, 10 -- 10 of them.

4 MS. RIDOUT: -- occupied by students.

5 CHAIRPERSON REID: Two-thirds.

6 MS. RIDOUT: So this is a heavily
7 infested -- and infestation is an appropriate word.

8 (Laughter.)

9 I've had to hire rat control for 500
10 bucks.

11 CHAIRPERSON REID: Get your stuff
12 together. Take your time.

13 MS. RIDOUT: I start to foam at the mouth
14 and froth a bit, I fear.

15 CHAIRPERSON REID: All right.

16 MS. RIDOUT: I think Jean Lord has done
17 as well as she can. She just doesn't have much teeth
18 in her job. Remember, there was a student killed
19 within the last six months, I believe, on campus.
20 That has nothing to do with this, but I've seen a
21 number of fights. I have argued and argued with
22 these students about trash. They do nothing for the
23 neighborhood except noise, pollution, and
24 deterioration of property.

25 I just cannot emphasize this more

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1 strongly. It's like dealing with quicksilver, trying
2 to figure out how many live in a house.

3 We want Georgetown to go back to R-3 --
4 to the zoning, and I wish the Zoning gentleman was
5 still here. We want this R-3 zoning to be enforced.

6 It's a travesty to have five or eight 20-year olds
7 who are absolutely ignorant of all civilized behavior
8 living on your block. Truly. And that's about all I
9 have to say. I could go on and on for hours, but I
10 won't.

11 We want it to go back to R-3 and control
12 over the number of people in the houses.

13 CHAIRPERSON REID: I'm sorry. What's
14 your name?

15 MS. RIDOUT: It's Elizabeth Ridout, R-I-
16 D-O-U-T.

17 CHAIRPERSON REID: Okay. Thank you, Ms.
18 Ridout.

19 All right. Now --

20 MEMBER RENSHAW: Madam Chair, could we
21 ask Ms. Ridout how many people signed her petition
22 before she hands it in?

23 MS. RIDOUT: Twenty-one.

24 MEMBER RENSHAW: Twenty-one. Thank you.

25 CHAIRPERSON REID: Okay. All right.

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1 Now, the assessment -- we really would like to try to
2 complete this case today, because we really don't
3 have -- well, our schedules are full. We're in
4 recess next month, and our schedule is full until --

5 MS. PRUITT: The first available date
6 would be October 24th.

7 CHAIRPERSON REID: All right. And as
8 such, we're at 3:30, we're going to take a short
9 recess for about 10 minutes for a break. But we have
10 now persons in support. And, Ms. Dwyer, could you
11 kind of give us an assessment of the number of people
12 that you expect to testify and -- yes?

13 MS. DWYER: We have approximately four
14 people in support that will be testifying.

15 CHAIRPERSON REID: Four people are going
16 to testify?

17 MS. DWYER: We had many more, but we've
18 asked them not to testify and we're just going to
19 submit --

20 CHAIRPERSON REID: Okay.

21 MS. DWYER: -- that for the record.

22 CHAIRPERSON REID: Okay. Great. We very
23 much appreciate that.

24 All right. Now, for the opposition, the
25 attorneys for the opposition, can you please come

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1 forward?

2 MS. PRUITT: The parties?

3 CHAIRPERSON REID: The parties, the
4 attorneys for the parties in opposition.

5 MS. PRUITT: Or spokesperson.

6 CHAIRPERSON REID: Yes. Let's say
7 attorneys for the parties in opposition or the
8 spokesperson.

9 Okay. Would the parties of --
10 cumulatively, the parties in opposition have two
11 hours. All right? Have you all met -- have divvied
12 that up as far as how --

13 (The parties signalled in the
14 affirmative.)

15 CHAIRPERSON REID: Okay. Fine. All
16 right. Thank you very much.

17 All right. And then, persons in
18 opposition. How many persons in opposition do we
19 have? Two, three, four? Four others?

20 MS. SCOLARO: Burleith has about six that
21 we have on call ready to come.

22 CHAIRPERSON REID: On call ready to come.
23 Then that --

24 MS. PRUITT: Could we see the hands
25 again?

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1 CHAIRPERSON REID: We had a problem with
2 that, with another case, where the people -- it
3 wasn't fair to the applicant or the opposing side to
4 be able to call in witnesses if they're not here.
5 And we made a determination at that point that,
6 basically, the persons who are here are the ones who
7 will be allowed to testify.

8 MS. SCOLARO: Well --

9 CHAIRPERSON REID: Because by the same
10 token, the applicant would have to be also allowed to
11 call in people, and that -- if that assertion had
12 been made in the beginning of this case, we could do
13 that, but here now that we're into the case, we have
14 determined that that was just not fair and we don't
15 want to be --

16 MS. SCOLARO: Well, I was not aware of
17 that, Madam Chairman. And we have people who are
18 working, and could not take --

19 CHAIRPERSON REID: Yes.

20 MS. SCOLARO: -- the full day to sit
21 here.

22 CHAIRPERSON REID: And the issue was
23 that, in the previous case when this case up, they
24 were persons who were working as well for the other
25 side. And they were not -- they had -- they didn't

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1 have the ability to be able to call in witnesses to
2 come down.

3 The idea is that if, in fact, there are
4 witnesses who are going to testify, then, just like
5 everyone else came and sat all day, then that would
6 have to be the balance, and we'd have to -- in all
7 fairness.

8 MS. SCOLARO: So we could not call anyone
9 now to come in and --

10 CHAIRPERSON REID: I don't think so.

11 Board members, would you like to speak on
12 this? Because we did have that problem on the -- it
13 was specifically on the -- it was --

14 MS. PRUITT: As I understand it, it was a
15 little different situation in the Field School.
16 Excuse me.

17 CHAIRPERSON REID: No, no, no. I'm not
18 speaking of that. It was in regard to -- over on
19 Good Hope Road. Ms. Marilyn Dobbins was the one who
20 --

21 MR. RIXEY: Madam Chair?

22 CHAIRPERSON REID: Yes.

23 MR. RIXEY: Since that condition wasn't
24 made clear to us in the beginning --

25 CHAIRPERSON REID: Let me first hear from

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1 other Board members.

2 MR. RIXEY: Oh, I'm sorry.

3 CHAIRPERSON REID: Okay. Thank you.

4 Ms. Renshaw, did you --

5 MEMBER RENSHAW: The fact is we had had a
6 difficulty with a previous case, and had made that
7 determination. But it is our understanding now that
8 you have not been made aware of this, and that
9 presents a pickle.

10 CHAIRPERSON REID: The previous --

11 MEMBER RENSHAW: If we could estimate a
12 time when the parties or the persons in opposition
13 would be testifying, and then perhaps have these
14 people show up by that time, and if they're not here,
15 then they don't get to testify --

16 MS. SCOLARO: That's fine. We can do
17 that.

18 MEMBER RENSHAW: That's a suggestion to
19 the chair, that we --

20 CHAIRPERSON REID: Okay. But we need to
21 hear from the applicant's attorney. If they have no
22 objection to it --

23 MS. DWYER: We don't object. We would
24 just like all of the witnesses, whether in support or
25 opposition, to try and just talk for a minute so that

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1 we can finish today.

2 CHAIRPERSON REID: All right. Okay.
3 What she's saying is that she -- what Ms. Dwyer is
4 saying is that she would not object if they would
5 limit their testimony, and then we can submit it for
6 the record.

7 But -- and I don't know if this has been
8 made a part of the application process, but so as not
9 to have this problem again, perhaps it could be -- it
10 could be so noted, so that we won't come to a
11 juncture where you have a case where you -- you have
12 one ruling for one group, and then a different ruling
13 for another group.

14 But in the other instance, there was
15 strong opposition by the other side. So this is a
16 little -- this maybe gives us a little bit of
17 latitude.

18 MS. SCOLARO: Okay.

19 CHAIRPERSON REID: Okay. You were going
20 to say?

21 MR. RIXEY: I was just going to ask that,
22 since we weren't made aware of this as a pre-
23 condition, if we could get all of the witnesses here
24 by a certain time, so that you knew exactly what you
25 were dealing with, if that would be satisfactory.

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1 One of the witnesses that CAG needs to
2 call is an attorney representing one of our members
3 who is filing a lawsuit against the university. And
4 since they are attorneys, they probably don't want to
5 sit here all day at whatever their rate is, waiting
6 for the opportunity to give testimony, when we don't
7 even know if, in fact, we're going to get to public
8 testimony today.

9 CHAIRPERSON REID: I thought that we had
10 resolved the matter.

11 MR. RIXEY: Okay. So that was why --
12 let's --

13 CHAIRPERSON REID: In your favor.

14 MR. RIXEY: That's the issue I was
15 raising.

16 CHAIRPERSON REID: Yes. I thought we had
17 just resolved it.

18 MR. RIXEY: Great. Thank you.

19 CHAIRPERSON REID: Thank you.

20 Come up to the mike.

21 MS. CRUSE: My name is Karen Tamany
22 Cruse, and I am speaking as an individual, although I
23 am with the Citizens Association of Georgetown. I am
24 just asking you, are you saying that people who are
25 not -- do not have party status are going to be

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1 limited to one minute?

2 CHAIRPERSON REID: Three.

3 MS. CRUSE: Oh, I'm sorry. Thank you.
4 Because I thought you had said one minute. I thought
5 Ms. Dwyer had said one.

6 CHAIRPERSON REID: Organizations have
7 five minutes, and -- well, and all of the
8 organizations I think have party status. Is that
9 correct? So they will be doing -- they will
10 presenting together, and then persons in opposition
11 have three minutes each.

12 MS. CRUSE: Thank you. I'm sorry I
13 misunderstood. Thank you.

14 CHAIRPERSON REID: All right. So,
15 hopefully -- hopefully -- we'll be able to finish up
16 this evening. I think it may go a little longer than
17 6:00. We're going to take a recess now.

18 But let me just check with the Reporter.
19 Okay. Great. Anyone else have any problem? Okay.

20 All right. Thank you very much. We'll
21 recess now for about 10 minutes.

22 (Whereupon, the proceedings in the
23 foregoing matter went off the record at
24 3:40 p.m. and went back on the record at
25 4:03 p.m.)

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1 CHAIRPERSON REID: We'll now resume the
2 afternoon session.

3 Excuse me. Are you testifying, ma'am?
4 Are you testifying? All right. Give your name.

5 This is persons in support, right? Yes,
6 this is persons in support, correct? All right.
7 Well, go ahead. Are you waiting for something?

8 MS. CURTISS: My name is Catherine
9 Curtiss.

10 CHAIRPERSON REID: Okay. Go ahead.

11 MS. CURTISS: Would you like me to start?

12 CHAIRPERSON REID: Yes. As long as three
13 of us are here, we have a quorum.

14 MS. CURTISS: Thank you very much.

15 CHAIRPERSON REID: You can begin.

16 MS. CURTISS: Thank you, Madam Chair.
17 For those who didn't hear, my name is Catherine
18 Curtiss. I live at 3735 Winfield Lane in The
19 Cloisters, right next to St. Mary's Hall on the
20 Georgetown campus.

21 St. Mary's is the reason that I'm here
22 today to support the Georgetown plan and, in
23 particular, the aspect of the plan that would
24 dedicate St. Mary's Hall to use for academic purposes
25 as a classroom for nursing program and information

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1 center.

2 I also oppose the alternative that some
3 of the neighborhood activists have proposed of
4 turning St. Mary's into a dorm, and here are my
5 reasons. There's four of them.

6 First, converting St. Mary's to academic
7 use seems to make a lot of sense to me because it's
8 right next to the hospital. And it's the best, and I
9 understand only, location Georgetown has in mind for
10 their nursing program.

11 Second, it does not look to me like St.
12 Mary's is needed as a dorm by objective measures.
13 Georgetown has a very high on-campus housing rate for
14 undergraduates, and it looks like the rate is going
15 to increase even with enrollment increases over the
16 next 10 years. From what I understand about on-
17 campus housing, especially in urban schools,
18 Georgetown's rate is very high.

19 Third, Georgetown I understand has
20 already considered and rejected the possible use of
21 St. Mary's as a dorm for reasons that seem sensible
22 to me based on the less desirable location than the
23 Southwest Quadrangle and the very high cost of
24 renovation.

25 And, fourth, and most personally, the

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1 dorm would have an unacceptable impact on my home and
2 block, and those of my neighbors. We right now have
3 two group houses on our block, so I'm familiar with
4 that phenomenon. It hasn't been particularly
5 troublesome to me, but a dorm in the backyard is
6 completely different when you have 100 or 200, or
7 however many, students partying and having their
8 music going, increased traffic, and foot traffic, and
9 parties.

10 So I don't think it's too big of an
11 exaggeration to say that I would view St. Mary's as a
12 dorm as a disaster.

13 That's all I planned to say today. Thank
14 you very much for the comments.

15 CHAIRPERSON REID: Thank you.

16 Was there any cross examination? Ms.
17 Dwyer?

18 MS. DWYER: None.

19 CHAIRPERSON REID: All right. Thank you.

20 Next witness, please?

21 MS. BATEMAN: Good afternoon. My name is
22 Grace Bateman. I've been a Georgetown resident for
23 about 20 years. I'll summarize quickly my statement,
24 and then I'd be happy to provide a copy for each of
25 the Board members.

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1 I was on the ANC in 1990 -- actually, '88
2 through '92 -- when the last campus plan was
3 reviewed. As a result of that plan, the university
4 has made many improvements in the community; I think
5 the most important of which is applying the Student
6 Code of Conduct off campus, which was one of the
7 things that the community very much requested;
8 appointing a university representative, who is
9 responsible for community relations; and establishing
10 an Office of Off-Campus Student Affairs.

11 I think those things are probably more
12 important than the numbers. I think once the
13 university exceeds 75 percent or 80 percent on-campus
14 housing, what really matter is the extent to which
15 the university monitors all of its students, not only
16 the students who live off campus but the ones who
17 live on campus and travel through the community.

18 In my 20 years of living on the west side
19 of Georgetown, I think I have had -- the experiences
20 that I've had that have been negative with students
21 have primarily involved students moving through the
22 community, not students who actually live off campus.

23 And so I think it's very important for
24 the university to continue and to accelerate its
25 monitoring of student conduct off campus, and I think

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1 the proposed plan has provisions in it to strengthen
2 the off-campus student activities, and I very much
3 concur with the ANC resolution conditions which puts
4 some added teeth in those off-campus requirements.

5 So I would very much urge the Board to
6 approve the plan as proposed. Thank you.

7 CHAIRPERSON REID: Thank you.

8 Cross examination? Mr. Crockett, or any
9 of the other parties? Ms. Dwyer?

10 (No cross examination signalled.)

11 Okay. Thank you.

12 MR. LEVEY: Good afternoon, Madam Chair,
13 and members of the Board. My name is Richard Levey,
14 and I am appearing before you as a native
15 Georgetowner; in fact, third generation; and a
16 principal of Levey Group, a Georgetown-based real
17 estate investment and management company.

18 I also am President of the Georgetown
19 Partnership, which is our local business improvement
20 district entity, and a board member of the Georgetown
21 Business and Professional Association. But I must
22 emphasize that I am appearing here before you on my
23 own behalf.

24 To think of Georgetown without Georgetown
25 University, or to think of Georgetown with a third-

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1 rate university, is absolutely terrifying. And that
2 is something that I, as a resident and business
3 person, have certainly pondered over a long time. I
4 must also say that I am a former academic, so I have
5 a university background, and, like most people
6 perhaps, also at one time was a rowdy college
7 student.

8 So it's from all of those perspectives
9 that I ask you to give serious attention to the
10 university's plan, because I know that it was
11 developed with great seriousness of mind.

12 Early on in Father Donovan's tenure, I
13 went to him, as we were in the process of forming the
14 business improvement district. My concern was the
15 health of the commercial corridors -- M Street and
16 Wisconsin Avenue -- for if they are to deteriorate,
17 as they were in the -- at the turn of the last
18 decade, the late '80s/early '90s, so, too, does the
19 residential community.

20 When we had a down turn and the
21 businesses that were populating M Street and
22 Wisconsin Avenue were becoming second and third rate,
23 housing prices were at their all-time low. It is to
24 the community's interest, on many levels, that the --
25 all three sectors of the community -- the business

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1 community, the university, and the residents -- work
2 together.

3 The university is a driver in our
4 community. When Father O'Donovan heard about our
5 efforts to develop a business improvement district,
6 he was 100 percent supportive, not only by word but
7 making a contribution to our effort in dollars, to
8 help us do the planning that led to presenting and
9 seeing that the city endorsed/implemented enabling
10 legislation that led not only to the Georgetown
11 business improvement district but downtown and to the
12 Federal Triangle -- the Golden Triangle.

13 At any rate, in short, because my time is
14 running out quickly, the university is an incredibly
15 important institution. It needs to be a first-rate
16 institution, and, like Harvard, like Columbia
17 University in New York, there is always an issue
18 between the universities and the communities
19 surrounding them. This territory has to be mediated.

20 I believe that the Office of Planning has
21 done a superb job in helping that mediation. I
22 further believe that the ANC has taken it a step
23 further.

24 I ask you to approve the campus plan as
25 presented by the university. Thank you.

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1 CHAIRPERSON REID: Thank you.

2 Is there any cross examination?

3 (No cross examination signalled.)

4 Okay. Thank you.

5 MR. MCGREEVY: Good afternoon, Madam
6 Chair. I'm Mac McGreevy. I live at 3429 Q Street,
7 right across from Visitation and on the edge of
8 Georgetown University campus.

9 I'm still in business. I sell real
10 estate advertising for a major media in this town. I
11 just -- my grandson just graduated from Ellington. I
12 took an active part in Ellington High School of the
13 Arts for five years, and prior to that time in the
14 Hardy Middle School.

15 Georgetown University came to the aid of
16 Ellington School of the Arts on a number of
17 occasions. The major one was repairing the steps
18 which fell down and we had the big crisis about three
19 years ago. Father O'Donovan saw that that was done
20 on one weekend.

21 We also had music in the Ellington School
22 of the Arts, and Georgetown University arranged for
23 the band to play free in Gaston Hall on a number of
24 occasions, joined operations with the Georgetown
25 University band. They also helped us in many other

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1 ways, furnishing opportunities for the musicians and
2 the artists of the Ellington School to present their
3 works at the university or university functions.

4 In addition to that, the university has
5 tried, in the last -- I've lived nine years in this
6 house, and the first three or four years there there
7 were a lot of rowdy students running -- literally
8 running through the -- on the weekends -- the area.
9 But the university efforts in the last three years
10 have improved the situation tremendously well.

11 Now, I know Burleith has one trouble with
12 group houses. Group houses I went through also at
13 Ellington. We had meetings there of the community,
14 to find out what the city rules and regulations were
15 for group housing. And, actually, I'm not sure now
16 whether it was four or five, but five unrelated by
17 blood or marriage individuals is the limit that you
18 can have in any house in the District of Columbia.

19 Now, the law is there. The regulation is
20 there. But is it enforced? I pose that as a
21 rhetorical question to the Board.

22 Also, the university has given, as my
23 colleague here has said, an aura of greatness to the
24 city of Washington, the District of Columbia. This
25 is the cultural capital. This is our national

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1 capital, and the Georgetown University is a big
2 employer -- 6-, 7,000 people they employ every day.
3 Their library is one of the best in the city, and the
4 library association is very active supporting
5 everything in the city.

6 Thank you very much.

7 CHAIRPERSON REID: All right. Thank you.

8 Cross examination by any --

9 (No cross examination signalled.)

10 CHAIRPERSON REID: Okay. All right.

11 Thank you all very much for your testimony.

12 All right. That then concludes the
13 persons in support. I don't think we had any parties
14 registered in support, so we now go to parties in
15 opposition.

16 MR. PULSIFER: Madam Chair?

17 CHAIRPERSON REID: Yes.

18 MR. PULSIFER: We have eight people to
19 present to make up two panels.

20 CHAIRPERSON REID: Okay.

21 MR. PULSIFER: Well, anyway, because of
22 the hour --

23 CHAIRPERSON REID: Your mike, sir. Turn
24 your mike on.

25 MR. PULSIFER: Let me just say as an

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1 introduction, because of the hour we have a person
2 here who cannot stay to be cross examined. We would
3 prefer that the procedure be, as it has been, that we
4 present a community position and then have the cross
5 examination.

6 But this one individual, who is the
7 traffic expert, has to leave, and so we would suggest
8 that he be cross examined after his testimony, or
9 soon thereafter, to give him the opportunity --

10 CHAIRPERSON REID: Okay. Who might that
11 be?

12 MR. PULSIFER: And this is this gentleman
13 here.

14 CHAIRPERSON REID: All right.

15 MR. PULSIFER: Mr. Kutraux.

16 CHAIRPERSON REID: Okay. All right,
17 sure.

18 MR. PULSIFER: All right? So I will give
19 a brief statement, and then he will speak and we'll
20 proceed from there.

21 Could I have those -- my map? All right.

22 Let's begin. Maybe Bonnie can point for me.

23 All right. Good afternoon.

24 CHAIRPERSON REID: Wait a second. We
25 have a problem.

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1 MS. PRUITT: Excuse me. We have a level-
2 air mike if you want to talk from there.

3 MR. PULSIFER: Well, it's just -- I just
4 want to point to a couple of things. I can
5 describe --

6 VICE CHAIRPERSON SOCKWELL: There's a
7 laser pointer available if you'd like.

8 MR. PULSIFER: I think Bonnie can do it.

9 VICE CHAIRPERSON SOCKWELL: Okay.

10 MR. PULSIFER: All right. Shall I begin?

11 CHAIRPERSON REID: Sure.

12 MR. PULSIFER: All right. Good
13 afternoon. I am Peter Pulsifer. I have lived at
14 3803 T Street, N.W., in Burleith since 1989. I am
15 currently the ANC Commissioner for single-member
16 district 2-E-03, which encompasses Burleith and North
17 Georgetown.

18 I have served on the board of the
19 Burleith Citizens Association since July 1991 and was
20 president of that Citizens Association between 1994
21 and '97. Relations with Georgetown University have
22 been a major community issue throughout this time,
23 and I have invested a great deal of effort over the
24 years trying to improve those relations. In fact, I
25 was one of the initial participants and one of the

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1 designers of the student orientations described by
2 Lieutenant Burke earlier, among other things.

3 Today I will introduce what is called the
4 community position regarding the Georgetown
5 University's proposed campus plan for the next 10
6 years.

7 This position represents the unified
8 stand of the six well-established community
9 organizations that are parties to the campus plan
10 proceedings, and Bonnie will point to them as I
11 mention the Foxhall Community Citizens Association,
12 the Hillendale Homeowners Association, the Burleith
13 Citizens Association, Cloisters in Georgetown
14 Homeowners Association, the Georgetown Residents
15 Alliance, and the Citizens Association of Georgetown.

16 These organizations constitute all of the
17 citizens associations except for one, Cloisters West
18 Homeowners Association, in the vicinity of the
19 university and cover the entire area surrounding the
20 university. So we have the surroundings of the
21 university covered. And these are the only -- well,
22 as I just said.

23 My presentation will basically serve as a
24 brief overview of the community position. Following
25 this, representatives of each organization will speak

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1 at greater length about issues of particular concern
2 to their members.

3 Well established and well cared for
4 neighbors are the bedrock of the living city.
5 Thriving neighborhoods provide more than just a good
6 place to live for their occupants and a solid tax
7 base for the government. They reduce commuter
8 traffic, reduce crime, provide an attractive
9 destination for visitors, and promote long-term
10 community connections that strengthen the civic
11 fabric of the District.

12 Georgetown University, for one, has
13 greatly benefitted from its proximity to strong
14 neighboring communities, which give it both a higher
15 quality of life and, I believe, a recruiting
16 advantage compared to some of its competitors.

17 Unfortunately, it's difficult for large
18 institutions such as Georgetown and its competitors
19 to co-exist peacefully with residential neighbors.
20 And in the end, it is up to our government, through
21 agencies like yourselves, to protect us from the
22 impacts of these institutions.

23 Because community opposition to parts of
24 the campus plan are sometimes portrayed as opposition
25 to the university itself, or to its students, we want

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1 to emphasize that all of our community organizations
2 strongly support Georgetown University and desire its
3 success as a top-ranked institution of higher
4 learning. This brings credit to ourselves and our
5 neighborhoods and gives us students that we enjoy
6 living with in our community.

7 We want the university to grow in
8 excellence as we know it can, while also recognizing
9 that there are limits to its physical growth imposed
10 by its location on a finite-sized campus within a
11 densely-populated residential community.

12 We have supported, for example, the
13 Southwest Quadrangle, a massive development project
14 that, as you well know, is far more than just a
15 dormitory, in part because of our support for the
16 improvements in campus life and the increase in
17 student activities base that it provides.

18 This project, in fact, provides much more
19 space for undergraduate student life than anything in
20 the proposed campus plan. This is a good use of
21 limited space, both for the university and the
22 community.

23 Turning to the proposed campus plan, we
24 find that we support most of the goals of the plan as
25 articulated by Father O'Donovan at the last hearing.

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1 We certainly support the overall design philosophy
2 and the rejection of the podia of the present campus
3 plan. We support the proposed infrastructure
4 improvements and have no major criticism of the new
5 academic buildings.

6 We oppose none of the elements that were
7 cited by the students earlier in their earlier
8 presentation as being important to improving their
9 lives. And we strongly support the goal of
10 reinvigorating campus life, as long as such
11 improvements are primarily for the benefit of the
12 students.

13 Where we have concerns is where the
14 university, in its current or future operations,
15 intrudes into the community and causes sometimes
16 unintentional harm.

17 The basis for the -- I'll just articulate
18 and make sure that it's clear that the -- the basis
19 for the community opposition is the requirement of
20 D.C. law that a university not be objectionable to
21 neighboring property because of noise, traffic,
22 number of students, or other objectionable
23 conditions. And I think neighboring property is an
24 essential part of that.

25 Georgetown University has failed this

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1 test. Present university operations are
2 objectionable to neighboring property. The proposed
3 plan, while in many ways an improvement over the
4 present plan, fails to exist existing impacts, of
5 which you've already heard quite a bit and you'll
6 hear more, and we fear that some future operations in
7 the proposed plan could make things worse. These
8 plans will be elaborated on in the following
9 presentations.

10 In this case, the Board must make the
11 factual determination of impact, and this
12 determination of the impact of the university
13 operations on neighboring property should be a
14 dominant consideration in your deliberations.

15 One striking attribute of the proposed
16 plan is the large number of unknowns, even before
17 execution of the plan is to begin. This has led to a
18 great deal of conjecture that you've heard today,
19 especially regarding impacts from the number of
20 students and from traffic.

21 For example, major development projects
22 are underway that won't be completed for many years.

23 The Canal Road entrance is one; the Southwest
24 Quadrangle is another -- not due to be completed for
25 some time.

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1 The change in medical center operations
2 due to the Medstar acquisition will begin next year
3 with a massive realignment of parking, and the
4 changes will continue from that point on. The impact
5 on traffic is still unknown.

6 Also significant are changes in the
7 university administration in the next two years. For
8 example, a new Dean of Students, or, as he is now
9 called, Vice President of Student Affairs will start
10 this year, and a new President of the university will
11 presumably start in two years.

12 The current 1990 campus plan was
13 completed in the waning years of the former
14 university president's term, and that might be one
15 reason why so little of it was executed. Only about
16 20 percent of the gross square footage in this plan
17 was ever built, and most of that was done in a
18 different form from originally approved.

19 Because of these unknowns, and its
20 consequence on the planning process, it might be
21 appropriate -- and we will suggest -- that the BZA
22 consider a more modest five-year campus plan instead
23 of committing to the full 10 years of the current
24 proposal. And we will have a little bit more on that
25 later.

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1 I will give a brief critique of the ANC-
2 2E majority opinion. It was approved by a five-to-
3 three vote, and I, of course, was in the minority.
4 As a member of the minority, I feel it important to
5 explain why we think that the majority erred in their
6 decision, and why the minority position should carry
7 considerable weight, if not the statutory great
8 weight, with the Board.

9 CHAIRPERSON REID: Excuse me. These are
10 the ANC decisions?

11 MR. PULSIFER: I am critiquing the ANC
12 position, yes.

13 CHAIRPERSON REID: Okay. Be that as it
14 may, the fact of the matter is that the vote has been
15 taken and it has been carried, and that was --

16 MR. PULSIFER: Yes.

17 CHAIRPERSON REID: -- the majority vote.

18 MR. PULSIFER: Yes.

19 CHAIRPERSON REID: So I, for one, don't
20 feel that it's necessary to get into why you think
21 that it should not have. The fact of the matter is
22 that it did.

23 MR. PULSIFER: Well, if you'll allow me
24 30 seconds to --

25 CHAIRPERSON REID: I don't know if

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1 that's --

2 VICE CHAIRPERSON SOCKWELL: Let's say
3 this. In support of the Chairperson, what you're
4 asking is that the ANC process be tailored to your
5 specific needs, and, therefore, set a precedent that
6 no ANC majority would carry great weight. If that's
7 what you're asking, I think you're being unfair to
8 ANCs as a whole for a rather personal reason.

9 MEMBER RENSHAW: Madam Chair, I would
10 like to suggest that we allow Mr. Pulsifer to go
11 ahead with a short critique, if he so chooses. I
12 think that it is valid, and I would recommend that we
13 do so.

14 VICE CHAIRPERSON SOCKWELL: But without
15 the recommendation.

16 CHAIRPERSON REID: I don't think -- I
17 think it's pointless. I mean, the -- what difference
18 does it make? What difference does it make? The
19 vote is what the vote was, and the vote carried. So
20 what difference does it make? Even if --

21 MR. PULSIFER: Well, it all depends on
22 how you're going to address the recommendation. If
23 you're going to just take the recommendation, I don't
24 --

25 CHAIRPERSON REID: No, no. What we deal

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1 with is what is presented to us as the position of
2 the full ANC with a quorum and the vote having been
3 taken. And that is the position that we are -- that
4 we actually look to when we make a determination.
5 And the fact that there were dissenting votes or
6 someone didn't like it or, you know, all of that,
7 that's not germane to how we make a decision.

8 MR. PULSIFER: Under the current ANC law,
9 there are certain circumstances under which a board
10 or agency may disregard the -- or overall the ANC
11 recommendation.

12 CHAIRPERSON REID: I'm not familiar with
13 that. I don't know anything about that.

14 MR. PULSIFER: Well, the --

15 CHAIRPERSON REID: And corp. counsel
16 isn't here to give me advice accordingly.

17 Now, what I'll suggest you do -- let me
18 --

19 MR. PULSIFER: Perhaps I can submit that
20 position in writing.

21 CHAIRPERSON REID: Exactly.

22 MR. PULSIFER: And you can deal with it
23 --

24 CHAIRPERSON REID: Exactly.

25 MR. PULSIFER: -- in that way.

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1 CHAIRPERSON REID: My exact sentiments.

2 MR. PULSIFER: I will do that.

3 CHAIRPERSON REID: Okay. Thank you.

4 MR. PULSIFER: Sure. Fine.

5 Let me just say one thing about that, and
6 that is that I -- the ANC position does not relieve
7 the Board of its mandate to consider the facts of the
8 matter, and to ensure that the university is not
9 creating objectionable conditions in the neighboring
10 property. And I think that should be the guiding
11 rule --

12 CHAIRPERSON REID: Well, that is --

13 MR. PULSIFER: -- in evaluating
14 whether --

15 CHAIRPERSON REID: That's a given.

16 MR. PULSIFER: Yes. Well, it can always
17 be --

18 CHAIRPERSON REID: Yes. I mean, even
19 though we give great weight to the position of the
20 ANC --

21 MR. PULSIFER: Yes.

22 CHAIRPERSON REID: -- validated by their
23 -- the quorum and the vote having been taken, that
24 doesn't necessarily mean that we have to agree.

25 MR. PULSIFER: That's true.

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1 CHAIRPERSON REID: Or give them great
2 weight. And then we assess the entire case based on
3 the testimony which has been submitted as -- before
4 we make a determination.

5 MR. PULSIFER: As an ANC Commissioner, I
6 am very -- I think it very important that you do give
7 great weight to ANC recommendations, and it is not my
8 intention to attack ANC recommendations in general.
9 And so I'm very -- my case involves the specifics of
10 this individual case, and I just wanted to emphasize
11 that.

12 Now, let me review the principal
13 community objections to the proposed plan, which will
14 be elaborated on later. The proposed enrollment
15 increases are by far the greatest community concern.

16 Before I get into this, though, there is
17 one technical detail I would like to bring up, and
18 this concerns how enrollment is measured. In the
19 1990 plan, and the approving order issued by the BZA,
20 enrollment is regulated in terms of full-time
21 equivalent, or FTE, which is computed by taking -- I
22 believe by taking the total tuition charges of all
23 students and dividing by the charges for a full-time
24 student.

25 Now, in this current plan, the university

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1 has changed the ball game and uses something called a
2 traditional full-time undergraduate count, which
3 means taking the total number of students of all
4 types and subtracting out certain types of students.

5 For graduate students, they still use full-time
6 equivalent, and for medical students they use
7 something called the financial full-time equivalent.

8 The concern that I have about this, that
9 we have about this, is that this might disguise an
10 enrollment increase, because for the only year in
11 which I have comparable data, which is 1990/'91, the
12 full-time equivalent count was 5,372; the traditional
13 full-time undergraduate count was 5,055. So if you
14 counted according to full-time equivalent, it is
15 about eight percent higher, or seven percent higher.

16 So if it doesn't include an enrollment
17 increase to change this terminology, we don't have
18 any objection, because if the university does not
19 change its way of doing business, it doesn't seem
20 like this will have a big impact. But this should
21 not be used to slip an enrollment increase in.

22 And I would say that the university has
23 not provided full-time equivalent figures for the
24 duration of its current plan, and we believe the
25 Board should require the university to do this, so

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1 that this issue may be evaluated properly.

2 CHAIRPERSON REID: Okay. Are you asking
3 that the Board require the university to submit to us
4 a reevaluation of the full-time equivalent --

5 MR. PULSIFER: Yes. The --

6 CHAIRPERSON REID: -- to include the --
7 what did -- you referred to the financial --

8 MR. PULSIFER: From 1990 through 1999.

9 CHAIRPERSON REID: -- financial or --

10 MR. PULSIFER: They have already
11 submitted the traditional full-time undergraduate
12 counts.

13 CHAIRPERSON REID: Right.

14 MR. PULSIFER: And you need the full-time
15 equivalent counts to compare them against to see what
16 the difference is. I asked the university for this
17 information, and they didn't provide it.

18 CHAIRPERSON REID: Okay. Didn't we have
19 records of the full-time equivalents submitted by the
20 university? I thought -- Ms. Dwyer, don't we have
21 that? Since we are a member --

22 MS. DWYER: What we have provided is the
23 history of the enrollment under the definition that
24 was approved by the Board in 1990, which is the
25 traditional --

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1 CHAIRPERSON REID: The full-time -- yes.

2 MS. DWYER: -- undergraduate enrollment
3 number. And you had that in the campus plan for the
4 last 10 years.

5 CHAIRPERSON REID: What about the full-
6 time equivalent number?

7 MS. DWYER: We have not provided full-
8 time equivalents. The Board created a definition of
9 the undergraduate students, and that's the definition
10 that the universities follow. That's the definition
11 that applies to the cap, and it's a traditional
12 undergraduate enrollment number.

13 CHAIRPERSON REID: So it doesn't take --
14 it doesn't consider full-time equivalents.

15 MS. DWYER: No, it's not a full-time
16 equivalent. It's actually a head count with an
17 exclusion for the non-traditional --

18 CHAIRPERSON REID: Okay.

19 MS. DWYER: -- student.

20 CHAIRPERSON REID: All right.

21 MS. DWYER: And that was the number that
22 the Board approved in 1990. That was the definition.

23 CHAIRPERSON REID: All right.

24 MR. PULSIFER: I beg to differ. That's
25 -- perhaps I can submit that in a written submission

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1 as well, so I --

2 CHAIRPERSON REID: Okay.

3 MR. PULSIFER: -- don't have to spend the
4 time to look for it in your 1990 order.

5 CHAIRPERSON REID: All right.

6 MR. PULSIFER: But it is my contention
7 that that -- your order and the campus plan was
8 phrased in terms of full-time equivalents, and it's
9 in the order.

10 CHAIRPERSON REID: Okay. We need to --

11 MR. PULSIFER: We need to move.

12 CHAIRPERSON REID: -- check that. We
13 will -- you said that you will submit it to us?

14 MR. PULSIFER: I will be glad to find it.

15 It will only --

16 CHAIRPERSON REID: Okay. Well, we'll get
17 to that.

18 MR. PULSIFER: Yes, okay.

19 CHAIRPERSON REID: Did you say today?

20 MR. PULSIFER: I think I can do it today.

21 CHAIRPERSON REID: All right. Then --

22 MR. PULSIFER: Just not within my 15
23 minutes.

24 CHAIRPERSON REID: -- testifying, then
25 perhaps you can just, you know, give it -- find it

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1 and give it to staff, and they'll see that we get it.

2 MR. PULSIFER: I will. I will. Okay.

3 Let me quickly go through the remaining
4 points. There is serious community opposition, as
5 you will certainly hear, as have heard, both to the
6 graduate and undergraduate student increases. But
7 the greatest opposition is to the increase of 389
8 students in the undergraduate enrollment cap.

9 Neighbors, all of the local newspapers,
10 and even some of the student press have expressed
11 opposition, and we have submitted to you some
12 clippings, newspaper clippings, of these editorials.

13 The basic reason the Board should
14 maintain the present cap is as follows. It is
15 accepted by all parties, even the university, that
16 large numbers of students in the community cause a
17 negative impact because of behavior, housing, and
18 other issues, various issues.

19 The many strenuous university efforts to
20 mitigate this effort -- to mitigate this impact have
21 helped, and you've heard quite a few of those, but
22 they have not solved the problem because the problem
23 is still here and you're getting letters about it.

24 It is, therefore, an unavoidable
25 conclusion that increasing the cap will increase

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1 objectionable conditions in the community because of
2 numbers of students. The Board cannot allow this
3 increased impact.

4 It may be that opening the Southwest
5 Quadrangle, for example, will reduce the impact, as
6 was promised, at the building of the Southwest
7 Quadrangle. This is a matter of conjecture, but it
8 seems reasonable.

9 But there is no denying that an
10 enrollment increase after the Southwest Quadrangle
11 opens, particularly without on-campus housing, will
12 make things worse than they would otherwise be. And
13 that's what you're being asked to consider.

14 The plan is, once we build the Southwest
15 Quadrangle, should we increase the cap? And I think
16 the unavoidable conclusion is that that increase will
17 cause increased impact on the community.

18 Second, traffic impact is a major
19 concern, both on the north and south campus. To the
20 north, concerns are about medical center development
21 exacerbating existing flow problems on Reservoir
22 Road, and, to the south, concerns are primarily about
23 special events in new facilities.

24 Overall, the community is unhappy with
25 the poor state of knowledge about traffic conditions

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1 around the university and the limitations this places
2 on the university's ability to respond to any
3 problems that do arise.

4 The Office of Planning has advocated
5 openness of reporting and sharing of data, but the
6 fact is that there is no data to share. I think that
7 has become evident in the testimony and cross
8 examination of both Office of Planning and DPW.

9 The next point is that off-campus
10 operations by the university and the community should
11 be known because of their close relationship to on-
12 campus operations and their comparable impact on the
13 community. I'm just going to run down these points
14 now.

15 Medical center operations under Medstar
16 are a serious community concern. One reason is the
17 zoning issue, which has already been discussed.
18 Another issue is the possible high-intensity uses
19 which might come in with Medstar. We're not sure.
20 They're possible, and we would like to have some
21 restrictions or some safeguards on those.

22 We are concerned about the new high-
23 density development proposed on campus, which might
24 change the character of the north campus. We are
25 concerned about the description in the plan of uses

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1 of buildings by four categories, by only four
2 categories.

3 Municipal and zoning regulations have far
4 more categories than four. In fact, the degree of
5 generality claimed in the plan is so great that the
6 plan use categories can only be used for the plan and
7 really for no other purpose. I would say that these
8 categories are for the convenience of the university
9 and to allow their maximum flexibility. They are not
10 very useful for assessing community impact, which is
11 what we need to do.

12 We are concerned about the lack of
13 important information in the plan, and one of those
14 things is the FAR numbers, which I understand have
15 been submitted. And we are looking forward to seeing
16 those at last.

17 And then there are other concerns,
18 especially regarding university-sanctioned noise from
19 university-sanctioned events.

20 At the conclusion of the community
21 presentations, which will follow this any minute now,
22 we present some measures which we hope the Board will
23 consider to better manage current and future
24 university impacts. Among these is the need to
25 better assess the impacts, including those of student

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1 numbers and traffic.

2 This is a difficult issue, and it's the
3 issue that Office of Planning has been struggling
4 with. And we might be able to give some suggestions
5 about that.

6 And that's all of my time for the
7 present. I will now turn it over to Hillendale to
8 talk about their concerns.

9 MR. BRAUN: Thank you. My name --

10 CHAIRPERSON REID: Thank you very much.

11 MR. PULSIFER: Thank you.

12 MR. BRAUN: My name is Charles R. Braun.

13 I'm a resident of Hillendale, living at 4030
14 Chancery Court, N.W. I am a member of the Hillendale
15 Homeowners Association and of the Association's
16 External Affairs Committee, which is responsible for
17 monitoring developments like the Georgetown
18 University's proposed campus plan.

19 With me today is Mr. Joseph Kutraux,
20 Hillendale's traffic consultant. Hillendale's main
21 concerns in this proceeding are traffic on Reservoir
22 Road and helicopter safety and noise.

23 Now, we're very happy to have Georgetown
24 University as a neighbor. We support their efforts
25 to grow in excellence, and we are happy to have them

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1 as a neighbor. But we are concerned about the type
2 of growth that might have an adverse effect on us in
3 terms of traffic or other factors.

4 With respect to traffic, I have attended,
5 with Dr. Stanley Talpers, almost all of the meetings
6 that have been held on Georgetown's plan. And both
7 Dr. Talpers and I became increasingly concerned as we
8 attended these meetings as to whether we were going
9 to be adversely affected by -- in terms of traffic by
10 the Georgetown campus plan.

11 As the matter was initially presented to
12 us by Georgetown in January -- and you have a copy of
13 it as Exhibit 6 in your record -- the plan said we
14 would not be adversely affected, but there was no
15 traffic study to support that at all.

16 There was a traffic survey of some kind
17 from the Grove Slade firm, but it did not mention the
18 proposed north campus redevelopment and reuse, and it
19 did not analyze it, and it relied on an environmental
20 impact study which did not study intersections on
21 Reservoir Road.

22 We became increasingly skeptical when the
23 university did do a study and then couldn't answer
24 questions very well about the study, which was then
25 dated in March and which is not in your record. As a

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1 result, in April, Hillendale retained Mr. Kutraux to
2 begin analyzing this and provide independent advice.

3 And while some of our concerns were not valid,
4 others were, and indeed there were other problems
5 with the papers that we were being shown, which Mr.
6 Kutraux found, which we had -- Dr. Talpers and I had
7 missed.

8 In general, the three areas of concern
9 respecting traffic are, first of all, we are
10 concerned about whether the measurement of existing
11 traffic is adequate. What we understand is that it
12 is not, that an insufficient number of traffic counts
13 have been done, that the more optimistic numbers have
14 been used rather than the more conservative ones,
15 whereas I understand the proper professional
16 procedure would be to use the worst-case analysis.
17 That's what DPW said happened, but I understand
18 that's not what happened, and Mr. Kutraux will
19 explain that further when we get to him.

20 We are also very skeptical about the
21 projections of growth. The numbers that we've been
22 given do not make sense. For example, we were told
23 about a 90,000 square foot office building, which
24 would only house 80 doctors. When Dr. Talpers
25 checked his own medical office building, there were

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1 105,000 square feet. There were 105 doctors and
2 68,000 square feet, showing that at least in some
3 cases that kind of space can be used far more
4 intensely for the purpose.

5 Again, there are other implausible
6 figures. The 80 doctors are said to generate,
7 according to the DPW report, only 540 visitors a day,
8 which would be about six or seven patients a day. I
9 would be surprised if doctors saw so few patients,
10 although it's possible.

11 But most of all, we find that the
12 mitigation measures have not been shown to be
13 adequate. You heard it today in the DPW report. A
14 lot of it is -- they've had a meeting. They are
15 going to look into things. They're going to meet
16 with us further. They hope to come up with things.
17 They don't know whether it'll cost too much. Some of
18 those things they won't have details until later in
19 the fall or next year.

20 It leaves us without assurance that
21 anything will actually be done. We don't know
22 whether it can be done, whether the mitigation
23 measures that are within the control of DPW are
24 sufficient to take care of all of the traffic that
25 may be generated.

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1 The argument was made at the last
2 hearing, and it has been made in correspondence to
3 the Board from Wilkes Artis since then, that really
4 we're getting overly into the building itself; the
5 building will come up in a special exception
6 proceeding all by itself. Well, that's true.

7 But the problem with that is that, first
8 of all, this is the only place where the entire plan
9 can be looked at. In a proceeding on the building,
10 the building will be looked at in isolation.

11 Moreover, if even the building, which is
12 only a part of the overall concept, cannot be shown
13 not to produce undue harm to its -- to the neighbors,
14 how much more so will the entire concept, of which
15 the building is but a small part, how much more so
16 should we be concerned about the entire concept?

17 We learned also from things that were not
18 a record in this proceeding, but which are a record
19 in the certificate of need proceeding. We learned
20 things which are disclosed here. One of the things
21 that you find in the certificate of need proceeding
22 is that Medstar is contracted for 3,000 or more
23 spaces, parking spaces on the Georgetown campus.

24 What you see in the Grove Slade study is
25 the parking spaces going up to 2,500 in the early

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1 years, and then 2,800 in the outyears. You never see
2 the 3,000 or more, but that's what the certificate of
3 need documents say.

4 When you have considered that the
5 existing north campus requires only about 1,500
6 parking spaces for the whole operation, Medstar will
7 take over the hospital and the clinical practice, and
8 that part of the north campus will require 3,000 or
9 more spaces, the concept, as a whole, intends a great
10 deal of growth. That concerns us greatly because
11 where is -- they are obviously anticipating a lot of
12 traffic. They're going to generate traffic. And how
13 will that traffic be taken care of? The mitigation
14 measures are not -- have not been shown to be there.

15 Our other concern, before I get to Mr.
16 Kutraux, is helicopter safety and noise. We did
17 learn -- we didn't know about the helicopters at
18 first. They're not in the original application. We
19 only found out about that from the certificate of
20 need application, where it was said that MedStar
21 would take over the whole thing and get exclusive use
22 of the helicopter pad.

23 A few weeks later, my wife and I were
24 awakened at night. We -- there was a huge roar in
25 our bedroom. We got up. We looked out the window,

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1 and we saw a helicopter landing across the street in
2 Georgetown. That bedroom is normally quiet. It's
3 normally not -- it faces the -- it faces in the
4 direction of the flight path.

5 Normally, we do not hear, or do not hear
6 very much, airplane noise, as long as the windows are
7 closed. But this was a huge roar, way above the
8 volume of conversation, way above anything that you
9 could sleep through.

10 Now, once in two years, fine, I don't
11 care. But the potential of this kind of thing to
12 disrupt residential life is very great. An airport
13 is not the normal thing to keep in a residential
14 neighborhood. It's not really compatible with a
15 residential neighborhood. And if there has to be
16 one, it should be used sparingly.

17 But when we've asked about, well, what
18 limits will there be, what limits will there be, will
19 there be any limit on the path? No, that depends on
20 the wind. Will there be any limit on the numbers?
21 No, that depends on patient need. And we read that
22 as indicating a need for unlimited helicopter use,
23 and that concerns us greatly. We think that's
24 excessive, and we think that should not be allowed.

25 I'll have more to say about that later,

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1 but I do want to get to Mr. KutraueX. I'd like to
2 ask him a few questions and move that his -- that the
3 Board accept him as an expert witness in the area of
4 traffic, and then turn the testimony over to him.

5 First, let me ask him to state his name
6 for the record, and his professional background.

7 MR. KUTRAUEX: My name is Joseph
8 KutraueX, as mentioned. I'm a traffic consultant,
9 working out of Rockville, Maryland. I have been a
10 professional traffic engineer for 26 years. Most of
11 that time has been as a city traffic engineer of
12 Rockville, Maryland, but I have extensive background
13 in traffic impact work, including some previous
14 stints with traffic consultants on my own and also as
15 a reviewer of traffic impact studies for the city of
16 Rockville.

17 Since I began my -- I began my
18 consultancy in December of 1998 -- and this is my
19 first visit to the Board of Zoning Appeals, so --

20 MR. BRAUN: Adjustment.

21 MR. KUTRAUEX: Zoning Adjustment. I'm
22 sorry.

23 And, again, if there's anything else I
24 can tell you, I have some resumes here with me today,
25 if I can give those to the --

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1 CHAIRPERSON REID: Yes.

2 MR. KUTRAUEX: -- to the clerk.

3 CHAIRPERSON REID: Give it to staff,
4 please.

5 MR. KUTRAUEX: Should I proceed?

6 MR. BRAUN: Please.

7 CHAIRPERSON REID: Just a moment, please.

8 MR. BRAUN: Okay.

9 (Whereupon, the proceedings in the
10 foregoing matter went off the record at
11 4:48 p.m. and went back on the record at
12 4:49 p.m.)

13 CHAIRPERSON REID: We have no objection
14 to accepting Mr. Kutrauex as an expert witness.

15 Ms. Dwyer, did you have an objection to
16 this witness?

17 MS. DWYER: No objection.

18 CHAIRPERSON REID: Okay. Thank you very
19 much.

20 All right. Proceed.

21 MR. KUTRAUEX: Thank you, Madam Chair,
22 members of the Board.

23 Nearly all of what I wanted to convey to
24 you is contained in two reports, a May 24th review of
25 Grove Slade's traffic impact study on the Georgetown

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1 University plan, and a supplementary July 12th report
2 responding to materials developed by Grove Slade and
3 the District government after May 24th.

4 It's my understanding that both of these
5 reviews have been entered into the public record by
6 my client, the Hillendale Homeowners Association.
7 What I'd like to do today is briefly highlight a few
8 of the basic points that I've attempted to make in
9 those reports.

10 First is the Grove Slade overarching
11 assertion that there is no impact created by the
12 Georgetown University Medstar proposals for the
13 Georgetown north campus area. I am not so sure I can
14 agree with that.

15 We believe that one of the key components
16 in Grove Slade's projected peak hour volumes for
17 Reservoir Road, the existing level of traffic may
18 have been understated, particularly in the more
19 critical a.m. peak hour. As indicated in the
20 comparative table attached to my reports -- that's
21 the one that looks something like this. Does this
22 look familiar?

23 CHAIRPERSON REID: Your report?

24 MR. KUTRAUEX: Again, these are two
25 reports I -- again, there was a review, too. But,

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1 again, I'll summarize, in any event.

2 Grove Slade used the lowest of three
3 available samples in determining existing east-bound
4 traffic for the a.m. peak hour. All three peak hour
5 samples were taken from a single day of data
6 collection. We heard the word "snapshots" used
7 before. This is what they were referring to.

8 In the absence of repeated samples to
9 verify lower numbers, we believe that higher volumes
10 for a.m. existing peak hour traffic should have been
11 assumed. With higher existing volumes, the levels of
12 total traffic, after newly-generated traffic is
13 added, would have also been higher.

14 Would those higher volumes have caused
15 traffic impacts at any intersections? I actually
16 can't say for certain. Firstly, the District
17 Department of Public Works apparently doesn't really
18 have a clear-cut definition of what constitutes
19 impact at this time. In addition, my role here is
20 really not to perform a traffic impact study but to
21 review one.

22 It does, however, seem that the burden of
23 proof for stating a lack of impact should lie with
24 the developer -- in this case, Georgetown University
25 -- and I don't believe that Georgetown's consultant

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1 has proven this point in this case.

2 A second point of analysis that continues
3 to concern us is Grove Slade's use of Medstar's
4 estimates for population and activity in determining
5 the level of newly-generated traffic. This concern
6 applies not just to the proposed new clinical office
7 building proposed by Medstar but to existing north
8 campus space as well.

9 Without some better assurance that these
10 estimates will be abided by in the future, we feel
11 that a more conservative approach towards estimating
12 new traffic should have been taken. So, for example,
13 one of the things that could have been used would
14 have been projection of square footage. People have
15 been talking about FAR, instead of actual -- not
16 actual, I'm sorry, projected population. That could
17 have been projected, but, unfortunately, the square
18 footage figures were not available.

19 By casting doubt on some aspects of Grove
20 Slade's analysis, we hope to convince you that local
21 traffic impacts may exist after all. What can we
22 hope to accomplish by that? We can't realistically
23 think that GU's plan will go away, but we can hope
24 that more positive steps can be taken to mitigate
25 traffic conditions on Reservoir Road and nearby local

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1 streets, and thereby help to protect nearby
2 residential properties.

3 In many of the jurisdictions with which
4 I'm more familiar, the recognition by the governing
5 body that impacts could exist becomes the grounds not
6 so much for defeating development proposals per se
7 but for requiring appropriate traffic mitigation
8 measures in conjunction with the approved
9 development.

10 In this particular case, the well-
11 intended assurances of community support that are on
12 the table right now are just not enough.

13 What sort of mitigating actions am I
14 talking about? Well, Ken Laden earlier in the day
15 mentioned a program for improvements, possibility of
16 improvements on Reservoir Road, including a range of
17 projects including some small scale, some large
18 scale. The community is also concerned about side
19 streets, such as 38th and 39th Streets.

20 But because, as I think we have also
21 heard, there really is not yet a really good grasp on
22 what the future holds, flexibility is the key in
23 dealing with changes in traffic conditions. That
24 would really be the ideal approach.

25 What seems to be missing is an

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1 implementation mechanism. Desired flexibility can be
2 sustained by the establishment of a public escrow
3 account, funded initially by GU and/or possibly
4 Medstar down the road, to be placed at the Department
5 of Public Works' disposal.

6 Using this fund, particular capital
7 projects could be selected for implementation, in
8 cooperation with nearby residential communities and
9 with input from GU and Medstar. Such a fund could be
10 supplemented in the future as later developments
11 examined, including that which might occur on the GU
12 campus.

13 We also should be clear that such funding
14 should be in addition to, and not in replacement of,
15 transportation management initiatives being tendered
16 as part of GU's campus plan, which by the way I very
17 much support.

18 At this late stage, it might be
19 unreasonable to ask Grove Slade to rework its study
20 to accommodate our suggested assumptions. Therefore,
21 the prudent course to take, if the GU plan is
22 approved, would be to add a condition under which a
23 neighborhood traffic management escrow fund would be
24 established.

25 I hope you agree that this would create

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1 more of a win-win situation for all parties. In any
2 event, the District government and taxpayers should
3 not go away empty-handed in this matter.

4 Thank you.

5 MR. BRAUN: Thank you, Mr. Kutraux.

6 CHAIRPERSON REID: Excuse me. I have a
7 question.

8 Mr. Kutraux, do I understand that you're
9 recommending, as a part of your traffic analysis,
10 that there be an escrow fund established for capital
11 improvements and to be maintained by DPW?

12 MR. KUTRAUX: Right. In other words,
13 the fund would be managed by Department of Public
14 Works.

15 CHAIRPERSON REID: Maybe I'm -- what's
16 the rationale?

17 MR. KUTRAUX: Basically, you would like
18 to have some way -- one of the lines of questioning
19 that Mr. Braun was questioning Mr. Laden about
20 earlier was the fact that it would be nice to have
21 mitigation out there, but where is the money for said
22 mitigation going to come from? We would --

23 CHAIRPERSON REID: What mitigation are
24 you specifically recommending?

25 MR. KUTRAUX: Again, we don't know all

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1 of the mitigation that might come up. First of all,
2 there are some ideas for Reservoir Road. There are
3 also 38th and 39th Streets, which might need some
4 help. We might be talking about some traffic calming
5 measures, for example, on those sorts of streets,
6 things like chokers, diagonal diverters, speed humps,
7 etcetera, etcetera. These things cost money, and
8 that -- I'm sure, you know, that we all agree it
9 doesn't grow on trees.

10 CHAIRPERSON REID: And so the figure of
11 this escrow fund, you're saying, should be determined
12 by --

13 MR. KUTRAUEX: You.

14 CHAIRPERSON REID: That's not something
15 that we comfortably do, Mr. Kutrauex.

16 MR. KUTRAUEX: I understand.

17 CHAIRPERSON REID: I mean, we --

18 MR. KUTRAUEX: I can assure you it's been
19 done in other jurisdictions, if that makes --

20 MEMBER MOULDEN: Are you saying this
21 program should be set up by the university or the
22 city?

23 MR. KUTRAUEX: The city would actually be
24 the caretaker of it. But the contributors would be
25 "the developers," in this case Georgetown, and

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1 perhaps later Medstar.

2 MEMBER MOULDEN: And this will cover the
3 cost for improvements to the streets --

4 MR. KUTRAUEX: Yes.

5 MEMBER MOULDEN: -- and so forth? Okay.

6 MR. KUTRAUEX: Yes.

7 MEMBER MOULDEN: Well, you know, the
8 District of Columbia has a capital improvements
9 program.

10 MR. KUTRAUEX: Yes, that's right. And,
11 in fact, what normally happens is this type of thing
12 winds up in the capital improvements program.

13 MEMBER MOULDEN: Right. And it's open to
14 the community for comments on it every year. The
15 specific projects, they can be addressed to the city
16 to be included in the capital improvements program.

17 MR. KUTRAUEX: Right. However --

18 MEMBER MOULDEN: That's the normal
19 process.

20 MR. KUTRAUEX: -- in capital improvements
21 programs, as I'm sure you're aware, there always is
22 -- governments are usually looking for sources of
23 funding, sometimes federal obligation bonds,
24 sometimes pay-as-you-go funds, but very often
25 developer funds. And if you look on the funding

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1 lines for many capital improvement projects, you will
2 see D-E-V --

3 MEMBER MOULDEN: Right.

4 MR. KUTRAUEX: -- meaning developer.

5 MEMBER MOULDEN: Right.

6 MR. KUTRAUEX: And that's what we're
7 suggesting in this particular case.

8 MEMBER MOULDEN: What type of funding --
9 what should this probably -- this is probably non-
10 governmental funding.

11 MR. KUTRAUEX: Part of the problem right
12 now, as far as what type of funding, for example,
13 we're talking about a concept plan at the moment.
14 And I'll be honest with you, I don't have any
15 particular experience on how one prices traffic
16 mitigation for a concept plan. But there are fairly
17 good guidelines out there for dealing with particular
18 types of uses, like medical office buildings, for
19 example.

20 Figures I've seen out there, for example,
21 would be, for example, 50 cents to a dollar per
22 square foot.

23 MEMBER MOULDEN: Yes. Well, typically, I
24 handle the federal capital improvements program for
25 the National Capital Planning Commission, and I also

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1 review the District government's capital improvements
2 program. And, typically, the funding for public
3 improvements, such as streets, highway improvements,
4 and bridges, are strictly government funding.

5 I haven't known of any private funding
6 that was used for --

7 MR. KUTRAUEX: Yes. I'm aware that that
8 may not be --

9 MEMBER MOULDEN: Right.

10 MR. KUTRAUEX: -- how life has occurred
11 in the District over the years. That's why I'm
12 hoping that, you know, this may now float this up as
13 a trial balloon, and I hope somebody salutes it at
14 some point.

15 MEMBER MOULDEN: It's a new idea.

16 MR. KUTRAUEX: It may be. It may be. I
17 really wasn't aware of whether it was or it wasn't.
18 But, again, I think in terms of experiences in other
19 jurisdictions, these things do work quite well.

20 VICE CHAIRPERSON SOCKWELL: If I might
21 add something here, with regard to some projects in
22 the District where traffic mitigation devices became
23 an issue between the community and the developer,
24 agreements that the Department of Public Works
25 participated in have been made, whereby the developer

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1 would promise a mitigation measure if required by
2 further study, etcetera, sometimes a year period of
3 examining the traffic problems created by a certain
4 development project.

5 If such measurements over a period of
6 time proved that device A was not sufficient, that
7 device B was required, the city didn't have the money
8 to install device B. The developer would promise to,
9 in fact, pay for such installation. In response, the
10 community would release the project from a certain
11 level of its objections, a certain number of its
12 objections, and then let the project go forward.

13 Now, these things have been done, but I
14 have not been familiar with a situation where the
15 Department of Public Works, in fact, managed as a
16 caretaker any particular funding. They will manage
17 the storage of certain devices, public works, public
18 space devices, that are required for replacements of
19 things that the developer may be doing in public
20 space, but what you're talking about I haven't seen.

21 I'm not saying it doesn't exist --

22 MR. KUTRAUEX: Mr. Sockwell, the approach
23 you're talking about I think is just as valid in this
24 particular case, and may very well prove to be --
25 again, I think you have to find something that works

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1 within your particular system. But you may have
2 identified that.

3 CHAIRPERSON REID: I don't think that --
4 the point I was making was this is, to my knowledge,
5 the first time that we've heard such a
6 recommendation. And I don't think that it's within
7 our purview to impose that condition on George
8 Washington University -- I mean, Georgetown
9 University, where there would be a monetary amount.
10 And, of course, that would have to then be
11 determined, what amount as a -- for any type of
12 mitigation of adverse impact. I don't think we can
13 do that.

14 MR. BRAUN: Madam Chair, may I make a
15 suggestion?

16 CHAIRPERSON REID: Well, let me finish.
17 That is an area that we've never explored. And,
18 again, when someone makes proffers to us -- well, an
19 escrow fund, you know, that is open-ended, without
20 giving, you know, any amounts, then he says, "We will
21 then have to determine how much," that goes over and
22 beyond what we are typically empowered to do.

23 MR. BRAUN: May I make a suggestion,
24 Madam Chair? There is a legal technique that you
25 might consider, which I have seen this Board use in

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1 the past, which might provide a bridge. The
2 technique would simply be to ask the parties to get
3 together, allow them a certain amount of time, and to
4 report back on whether an agreement has been reached
5 between the parties concerning mitigation measures.

6 That would then create the reports back,
7 would then advise you whether there was such a fund
8 created or not, and that would be just a fact that
9 you would consider in ascertaining, as you view the
10 whole record, whether adequate mitigation had been
11 provided, and that, therefore, the project was not
12 likely to create conditions.

13 You wouldn't actually make it a condition
14 of an order that this be done, because it sounds like
15 the order -- I mean, there may be legal questions
16 about whether that could be done directly by --
17 because you don't have the authority to order the
18 DPW, or there may be other legal doubts as well as to
19 what kind of conditions you can place in the order,
20 but you certainly can order the parties to get
21 together to see what they can -- allow a reasonable
22 amount of time for them to consult with each other on
23 this, and see whether they -- and require them to
24 report back within a certain time, and then consider
25 whether that has developed any additional mitigation

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1 that strengthens the case for granting the
2 application.

3 MEMBER MOULDEN: Madam Chair, I don't
4 think this is the appropriate forum to be discussing
5 that issue. This is not data that they have
6 presented to us. I think --

7 CHAIRPERSON REID: I agree.

8 MEMBER MOULDEN: -- we can consider that
9 and move forward.

10 CHAIRPERSON REID: Yes. I think that
11 that's an idea. I think that while we always
12 encourage mitigation and reconciliation between
13 opposing sides; nonetheless, I don't want to give the
14 impression that, by innuendo or otherwise, that we
15 are saying that you should meet to come up with some
16 type of resolution of -- or a figure or -- to
17 establish a fund.

18 We wouldn't do that. We would not do
19 that. That is something that, if it were to be
20 taken, that would be taken up solely on your own with
21 the applicant, without any participation by this
22 Board whatsoever. I think --

23 MR. BRAUN: I have seen this Board order
24 that the applicant and opponents meet and see if they
25 can reach an agreement on something and report back

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1 to the Board on whether they have.

2 CHAIRPERSON REID: I said that. I said
3 that, and that's fine.

4 MR. BRAUN: Okay. Good.

5 CHAIRPERSON REID: But I don't want to,
6 even by innuendo, to infer that we are sending you to
7 try to come up with some type of figure, or some type
8 of fund, as a mitigation measure. I want to be very
9 clear about that.

10 MR. BRAUN: Oh. So that would be for the
11 parties to work out.

12 CHAIRPERSON REID: Okay. All right.
13 Let's move on, then. Let's -- okay.

14 MR. BRAUN: To conclude, we early strong
15 consideration of Mr. Kutraux's recommendations. We
16 think they're very constructive. And the other types
17 of recommendations that would meet our concerns, in
18 terms of either get into things like attaching
19 conditions to the order or rejecting the campus plan
20 proposal, or rejecting the north campus part of the
21 plan, an option which may have to come up anyway
22 because of the fact that the variance relief -- use
23 variance relief has not been requested.

24 But other types of conditions that we
25 would hope that you could consider would be, first of

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1 all, shortening the term of the approval. There's so
2 much that's uncertain about the campus plan. There's
3 so much that's speculative that 10-year approval does
4 not seem warranted, if any approval is warranted, and
5 that approvals for only three to five years would
6 have more warrant in the record, at least at this
7 time.

8 We think there's a need to have -- that
9 another reason for doing that is to in some way
10 stagger these campus plans, so they don't all come up
11 at the same time, and the fact that there is a new
12 Georgetown administration coming, which could take a
13 fresh look at many of these issues.

14 Other mitigating conditions, we think an
15 order could require regular and adequate traffic
16 studies by an expert consultant that is selected by
17 Georgetown and Medstar, but with neighborhood consent
18 as well, with reports to be provided at quarterly or
19 annual meetings, so that we would not have the
20 situation that we've had with this campus plan where
21 a proposal comes forward, no traffic study has been
22 done, whatever, and the thing is filed at the Board
23 and without any traffic study having been recently
24 done.

25 We think also that in view of the many

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1 questions about the -- whether the traffic impacts of
2 Medstar can be mitigated, and the fact that
3 information is still to be developed, Mr. Laden says
4 he won't have information until the fall or the end
5 of the year, end of the calendar year, that it would
6 be appropriate not to allow new construction on the
7 north campus until we have better information to
8 support that that kind of expansion could be done
9 without adversely affecting traffic.

10 We think that helicopter use should be
11 restricted to medical emergencies, and we think that
12 there should be a numerical limit as well. They've
13 projected not more than 12. The OP says that's
14 reasonable, 12 flights a week. Perhaps to give some
15 day-to-day flexibility, that should be translated
16 into a monthly or quarterly number.

17 We think also that there should be
18 records of -- the Board order should, if it's one of
19 approval, should require that records be kept and
20 reported in the regular quarterly meetings that have
21 previously been provided by Board order, so that the
22 community is kept informed of how that helipad is
23 used and to ensure that it's understood that this is
24 for sparing and occasional use, and is not a regular
25 feature of this wonderful residential neighborhood.

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1 CHAIRPERSON REID: Thank you very much.
2 When you submit your testimony to us, be sure that
3 staff gets the -- your conditions that you're
4 recommending from the organization.

5 MR. BRAUN: I've only got notes, not
6 prepared testimony, I'm afraid. But I can --
7 certainly, when the proposed findings come, we would
8 articulate those, so you'll have them in front of
9 you.

10 CHAIRPERSON REID: Please do.

11 MR. BRAUN: Would you like them earlier?
12 I mean, I think I can write that up if --

13 CHAIRPERSON REID: Oh, no. No. Proposed
14 findings are --

15 MR. BRAUN: I assume we'll have time to
16 read the transcript and prepare proposed findings and
17 submit them, and that will be our best thought-out
18 recommendations.

19 CHAIRPERSON REID: Thank you.

20 MR. BRAUN: Thank you.

21 MR. KUTRAUEX: Thank you.

22 MR. BRAUN: I think Mr. Kutrauex
23 should -- I would like to ask that Mr. Kutrauex, so
24 that he's not kept here all night at our expense,
25 that cross examination be allowed now.

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1 CHAIRPERSON REID: Well, the Board
2 members have asked questions.

3 Do you have any other questions of Mr.
4 Kutraux before he leaves?

5 Ms. Dwyer?

6 MS. DWYER: No questions.

7 CHAIRPERSON REID: No questions. Okay.
8 Thank you very much.

9 MS. SCOLARO: Okay. Madam Chair, and
10 members of the Board, my name is Patricia Scolaro.
11 I'm president of the Burleith Citizens Association,
12 and I want to thank you for this opportunity to
13 present our position. Quite frankly, much of it you
14 have already heard today, in other testimony and in
15 cross examination.

16 I want to call your attention to two
17 exhibits that we brought down last week. One is a
18 book of photographs of Burleith, which would give you
19 some idea of the impact that Burleith has, and in
20 some instances West Georgetown, from the excessive
21 number of students and group houses in our community.

22 And in addition to that booklet, there
23 was a binder of newspaper articles in the local
24 newspaper about various situations, again, in our
25 community. I will say, formally and officially, that

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1 the Burleith Citizens Association opposes any
2 increase in undergraduate enrollment, and we oppose
3 aligning 38th Street with entrance number 1 of the
4 university; and, further, we are opposed to the use
5 of only four categories to identify the land and/or
6 the building use of the facilities.

7 I think in prior conversation, and in
8 prior testimony, you have a pretty good idea of where
9 and what Burleith is -- a community of 550
10 townhouses, it's 75 years old, and of the communities
11 represented here today it is the most impacted
12 because we are directly across from the university.

13 Student housing is a major concern, and
14 we cannot support any increase in undergraduate
15 enrollment because there is serious community impact
16 from the excessive numbers of students living off
17 campus.

18 In addition, I gave you a -- you received
19 a red booklet, which has my testimony in it --
20 official -- and Bonnie Hardy's. And then following
21 our testimony there is a list of exhibits, and
22 starting with number 3 -- yes, Exhibit Number 3, it
23 outlines -- and I think you've received this before
24 -- the number of students who are living in Burleith.

25 Currently, we have 538 undergraduates,

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1 162 graduate and medical students, right in Burleith,
2 plus, in zip code 20007, there are 301 non-
3 traditional students. These are the part-timers,
4 people brought here for special programs, special
5 meetings, things of that sort. So we are talking
6 about a numbers game.

7 To give you some idea -- and also, we
8 have to consider that the graduate students and the
9 non-traditional, although they are not recognized as
10 part of the plan by the university or BZA, they have
11 a direct impact on the community.

12 I want you to take a look at a poster. I
13 wish you could see it. And also, in your booklet, it
14 is Exhibit Number 4, which indicates the number of
15 houses in Burleith that are student-occupied. By our
16 personal count, and by this we asked people on every
17 block to identify the houses on their block that are
18 undergraduate Georgetown University students, and
19 there are over 100.

20 You will probably notice that there are
21 some blocks that don't have any red marks. I can
22 identify about four blocks that I did not know who to
23 call on that block because we wanted to come from the
24 community, and we wanted our count to be as accurate
25 as possible.

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1 So I think roughly it's about 103, 104
2 houses that have been identified. The houses are in
3 all four quadrants, and practically every block has
4 student houses.

5 The student-occupied group houses pose
6 serious behavior problems. We have excessive noise,
7 loud parties, groups of drunken revelers roaming the
8 streets looking for or returning from a party, and
9 over the years we've had very serious vandalism.

10 We have some people who will be in later,
11 who are here already, I might add, to testify --
12 residents of the community, who can be more specific
13 of some of the experiences they have had. And also,
14 I think there is quite a folder of letters from
15 Burleith residents, who are opposing the plan because
16 of the problems and the very specific situations they
17 have encountered.

18 There are four -- three posters. The one
19 on the top, when we talk about parties, these are
20 daytime parties. Several -- that garden that you see
21 was grass in the morning. By 11:30, it was mud. Pat
22 Burke talked about the swimming pools. There's one
23 in the picture up on the right.

24 There is one on the left, down on the
25 lower left. That, too, is a swimming pool, and you

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1 can't see it too clearly, but there are two people
2 who obviously spent the night because I took the
3 picture at 6:00 in the morning. And we have what
4 remains of their party on the lower right.

5 There are two posters there of pictures
6 of trash that have been taken, some this year, and
7 other years. When I put out the call for
8 photographs, they came from, again, all quadrants of
9 the community. And everybody has stacks of
10 photographs that they have taken.

11 Pat talked about the beer kegs. I think
12 there is one down there with about six beer kegs left
13 outside of the gate, in the alley, and I think they
14 were there for several weeks because it happened to
15 be my block.

16 In five minutes? Okay.

17 Parking is a serious problem. Our
18 backyards have been turned into parking paths, and
19 you can see in one alley the photographs, and that is
20 Exhibit Number 8.

21 We have worked hard with the community
22 over the -- with the city agencies over the years.
23 You heard what we have done with Pat Burke. We've
24 tried to get an overlay, which the Zoning Board threw
25 out. We've tried to get -- work with agencies on

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1 legislation on housing inspection, all to no avail.

2 And Exhibit 9 in your book has all of the
3 correspondence and the work that we have done with
4 city agencies, and we have never had successes or a
5 response.

6 It's a blue binder. It's the blue
7 binder. We put it all in one separate binder for
8 you.

9 Much has been said about the Southwest
10 Quadrangle, leading us to believe that when it is
11 opened all student-related problems will end. Please
12 note that I've heard people say, "We anticipate, we
13 assume, that when the Southwest Quad opens, this will
14 happen. We have visions of moving vans going down
15 37th Street," but it's not going to happen.

16 The building is going to be for
17 sophomores. You have -- we have three years before
18 it opens. It won't be until 2003. In the meantime,
19 the university is going to bring in probably another
20 111 students, undergraduates, to reach their cap, and
21 we have 200 students who live outside of 2007. And
22 don't you suppose if they had their choice to live
23 either on campus or in a community closer to the
24 campus, they would choose that, rather than have to
25 take a bus from Rosslyn or DuPont Circle.

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1 My seven minutes are up, according to
2 Peter.

3 I have to say that in reviewing all of
4 the testimony and documents, it is ironic that just
5 about everybody who has spoken has acknowledged that
6 there are problems in Burleith and also in West
7 Georgetown, the Office of Planning.

8 Even the real estate consultant has
9 implied that there are problems in our community as a
10 result of group houses and the negative impact by
11 students.

12 We would ask that the only thing that we
13 feel could mitigate this situation would be that the
14 Board does not allow any increase in enrollment, and
15 we look to your stewardship to exercise your good
16 judgment and consider our neighborhood's quality of
17 life important and vital.

18 There are some things I could not mention
19 in here. Exhibit Number 11 addresses the 38th Street
20 entrance, and it also addresses the classifications
21 of land use categories. And that's what I have to
22 say.

23 CHAIRPERSON REID: Thank you very much.
24 I have a very quick question.

25 MS. SCOLARO: Yes.

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1 CHAIRPERSON REID: In regards to this
2 particular -- the I guess kind of plat map that --

3 MS. SCOLARO: Yes.

4 CHAIRPERSON REID: -- you have here,
5 you're saying that that's outlined in red indicates
6 where the student housing is --

7 MS. SCOLARO: Yes.

8 CHAIRPERSON REID: -- but not entirely,
9 because other areas where it's shown all white may or
10 may not have additional student housing.

11 MS. SCOLARO: Right. That's correct.

12 CHAIRPERSON REID: You just don't know?

13 MS. SCOLARO: I could identify some of
14 the blocks.

15 CHAIRPERSON REID: So this is all you
16 could identify.

17 MS. SCOLARO: Yes.

18 CHAIRPERSON REID: So --

19 MS. SCOLARO: These were all we could
20 identify, yes.

21 MR. PULSIFER: And this is only
22 Georgetown University undergraduates. There are
23 other houses with Georgetown University graduates and
24 with non-Georgetown University -- young
25 professionals, and so on -- that are not in red on

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1 that map. So the problem is -- I mean, there is more
2 to it than that.

3 MEMBER MOULDEN: How was this survey
4 completed?

5 MS. SCOLARO: I called personally and
6 spoke to people on the blocks where we had identified
7 some of the red houses.

8 MEMBER MOULDEN: Okay. You called people
9 on the block and they told you.

10 MS. SCOLARO: Yes. "Could you identify
11 for me" -- and some people were very cautious about
12 --

13 MEMBER MOULDEN: So it wasn't a door-to-
14 door survey.

15 MS. SCOLARO: It was not a door-to-door
16 survey.

17 MEMBER MOULDEN: So there may be some
18 percentage of error in what's --

19 MS. SCOLARO: Possibly, yes.

20 MEMBER MOULDEN: -- actually student
21 housing and what's not.

22 MS. SCOLARO: It could swing either way.
23 We have at least four or five blocks that I did not
24 talk to anybody to identify whether or not they have
25 student houses. 35th Place, for example, I know

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1 they're there, but I didn't know anybody there. The
2 1900 block of 37th Street, the east side, I did not
3 know anybody on that side, so I could not ask them.

4 MEMBER MOULDEN: Because a more accurate
5 land use survey would be -- to check actual records,
6 land records, and actually go door to door and knock
7 on doors --

8 MS. SCOLARO: Well, that would be -- it
9 would be great.

10 MEMBER MOULDEN: Yes, right.

11 MS. SCOLARO: But it is time-consuming.
12 Even this --

13 MEMBER MOULDEN: So this is by word of
14 mouth, then?

15 MS. SCOLARO: It was, yes, by people who
16 live on each block.

17 MEMBER MOULDEN: Oh, okay.

18 MR. PULSIFER: The Citizens Association.

19 MS. SCOLARO: Yes.

20 MR. PULSIFER: The Citizens Association
21 has been around for 75 years, and we have connections
22 throughout the neighborhood. So there's a network of
23 people that know what's going on in our neighborhood.

24 VICE CHAIRPERSON SOCKWELL: I might ask
25 two questions. One, your map, you said, is known

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1 undergraduate student --

2 MS. SCOLARO: Yes.

3 VICE CHAIRPERSON SOCKWELL: -- group
4 housing.

5 MS. SCOLARO: Yes.

6 VICE CHAIRPERSON SOCKWELL: And the
7 second question is, with regard to an overlay
8 district, did you make reference to a proposed or
9 suggested --

10 MS. SCOLARO: Yes. Several years ago --
11 and it is detailed in the material that you will
12 have, that you have -- we worked very hard, and, in
13 fact, it was Bonnie Hardy who organized it, to have a
14 zoning overlay where the number of individuals in
15 group houses would be restricted to three.

16 Currently, I think, from everything we
17 hear, the law says six unrelated individuals in a
18 house would be max. We know in some of our houses we
19 can have six, seven, eight. Living rooms have been
20 turned into bedrooms.

21 But we asked for the overlay to restrict
22 three unrelated individuals in a group house. And
23 the Board of Zoning chose not even to hear our case,
24 and a lot of work and effort was put into it, and I
25 think you have all of that material there.

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1 VICE CHAIRPERSON SOCKWELL: Were there
2 any other --

3 CHAIRPERSON REID: Go ahead.

4 VICE CHAIRPERSON SOCKWELL: Were there
5 any other specified conditions that you can recall
6 for the overlay suggestion?

7 MS. SCOLARO: Bonnie?

8 MR. PULSIFER: What do you mean by --

9 VICE CHAIRPERSON SOCKWELL: In other
10 words, was the overlay predicated strictly upon
11 reducing the number to three --

12 MS. HARDY: Yes.

13 VICE CHAIRPERSON SOCKWELL: -- unrelated
14 adults?

15 MS. HARDY: Looking at a group house, we
16 wanted to have three unrelated individuals in the
17 house. That's correct. There were no other
18 specifications on it.

19 There were some recommendations that came
20 out of that process, which we will make reference to
21 later.

22 VICE CHAIRPERSON SOCKWELL: Fine. Thank
23 you.

24 CHAIRPERSON REID: I think that, in
25 reference to what you are stating, that that was a

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1 resort to -- I think that would usurp the community-
2 based residential facility regulations, if you -- I
3 think this is what you probably ran into, you know,
4 the fact that there are already regulations that
5 permit more than three unrelated persons to live in a
6 house and --

7 MR. PULSIFER: Actually, those facilities
8 were specifically excluded from the overlay.

9 CHAIRPERSON REID: Oh, it was?

10 MS. HARDY: They were, right.

11 CHAIRPERSON REID: What you're asking
12 for, you're asking for a special one that was
13 exclusive of the community-based residential
14 facilities?

15 MR. PULSIFER: Yes.

16 MS. HARDY: That's correct.

17 CHAIRPERSON REID: All right. Thank you.

18 MEMBER RENSHAW: Madam Chair, a question,
19 please.

20 Ms. Scolaro, has your community
21 association asked the university if it requires the
22 group homes to register with the community office or
23 the office that deals with students off campus?

24 MS. HARDY: I didn't understand the
25 question, Ms. Renshaw.

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1 MEMBER RENSHAW: I wanted to know if your
2 association asked the university if it requires the
3 group homes to register with one of the university
4 offices dealing with students living off campus.

5 MS. HARDY: The answer is no to that.
6 No.

7 MEMBER RENSHAW: Is there something that
8 you plan to do? I'm asking the question because I
9 recognize how time-consuming it is for residents to
10 go on the warpath through the community asking
11 whether or not you've got a group home on your block.
12 So I'm just wondering, are these statistics about
13 group homes being gathered by the university?

14 MS. HARDY: Ms. Renshaw, if I could
15 comment on that, obviously, it should be the
16 university should be responding on this. But as far
17 as I know, one of the problems we have had over the
18 years is finding out addresses of the students who
19 live off campus. It is still a problem. It has
20 gotten better.

21 In speaking to Ms. Lord informally about
22 two or three weeks ago, they go until the end of
23 September before they have any addresses of off-
24 student houses.

25 CHAIRPERSON REID: All right. Thank you.

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1 Let's see, the next witness --

2 MS. HARDY: Oh, here we go.

3 CHAIRPERSON REID: Okay.

4 MS. HARDY: Pick up where I left off.

5 Thank you very much. My name is Bonnie
6 Hardy, 3724 T Street, past president of the Burleith
7 Citizens Association. I'm going to talk about the
8 Office of Student Affairs.

9 The Office of Student Affairs is pivotal
10 in the university's request for this Board to allow
11 an addition of 389 students to live off campus after
12 the dorm is built. We must argue that this office is
13 not as successful as the university would like you to
14 believe.

15 Ms. Lord's testimony and the campus plan
16 spend a great deal of time telling you about the good
17 deeds the university students do throughout the city,
18 but it has really nothing to do with the daily lives,
19 or should we say nightly lives, of our neighborhood.

20 Ms. Lord speaks of the office -- speaks
21 of the job of the Office of Student Affairs, which is
22 to educate their young people to be responsible and
23 thoughtful citizens, but on the job -- but on-the-job
24 training cannot be at the expense of the surrounding
25 neighborhoods. Unfortunately, it is our expense --

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1 the homeowners, taxpayers, who have roots in our
2 community, who work hard, and are entitled by law to
3 a tranquil life in this busy city.

4 The issue before this Board is the
5 disruptive effect of student misconduct in the
6 neighborhood and the minimal efforts of the Office of
7 Student Conduct to deal with the problems. The
8 Burleith Citizens Association has made the following
9 suggestions to the university, and, as far as we
10 know, none have been adopted.

11 Number one, require registration of
12 parties for off-campus group houses. The students
13 who live in university-owned townhouses outside the
14 gates of the campus are required to register a party.

15 Why not the same for us?

16 Two, parental notification by the
17 university if their children are involved in an off-
18 campus arrest or are issued a noise violation by the
19 Metropolitan Police.

20 Three, students can live off campus only
21 if they have a clean record, from this or from their
22 own campus living. Off-campus living should be
23 considered a privilege, not a guarantee.

24 Four, juniors who have proven not to be
25 good citizens in their off-campus living experience

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1 should be returned to campus for their senior year.

2 Five, and this is something Patrick Burke
3 referred to earlier, varsity athletic teams should be
4 required to live on campus. They make a lot of the
5 so-called -- they make up a lot of the so-called
6 problem houses in the campus life, where training and
7 studies can be monitored.

8 Six, the university recognizes that
9 alcohol abuse is a serious problem, and that the
10 Office of Student Conduct has "a comprehensive
11 alcohol education program." Quite frankly, this is
12 not enough. Please refer to Exhibit Number 2 and the
13 section of newspaper articles dealing with student
14 drinking.

15 This past March, the Burleith Citizens
16 Association and the Citizens Association of
17 Georgetown wrote separate letters giving specific
18 suggestions as to what the university can do to help
19 deter this alcohol abuse that we constantly witness
20 in our neighborhoods. A response to these letters
21 has not been received.

22 Excuse me? Exhibit 13 is the one I just
23 made reference to.

24 CHAIRPERSON REID: Where --

25 MS. HARDY: It's in your red book, is it

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1 not?

2 CHAIRPERSON REID: Exhibit 13?

3 MS. HARDY: Correct.

4 CHAIRPERSON REID: Oh, okay.

5 MS. HARDY: No? Shows how clear I'm
6 speaking.

7 CHAIRPERSON REID: All right. This is
8 the letter.

9 MS. HARDY: The athletic team letter is
10 Exhibit Number 12, and Number 13 deals with the
11 alcohol letters that we wrote.

12 CHAIRPERSON REID: Okay.

13 MS. HARDY: I will carry on. As Pat
14 mentioned in her testimony, we must work closely with
15 D.C. agencies and believe the university ought to be
16 involved. The DCRA is a perfect example. You would
17 think the university would be proactive to make sure
18 the houses their students live in are up to code and
19 in a safe and secure environment.

20 Please remember, in this last decade, an
21 early morning fire in the 1700 block of 37th Street
22 took four houses and the life of a young man who was
23 asleep in his basement apartment, and who could not
24 escape because the fire began at the back basement
25 door. The stairs to the first floor had been

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1 illegally removed.

2 To my knowledge, the university has never
3 requested a DCRA inspection of any neighborhood
4 properties, nor has the university ever sought an
5 annual licensing inspection for group houses, which
6 it so heartily endorsed when they helped defeat the
7 zoning overlay process in November of 1997.

8 This licensing procedure was a measure we
9 all, except the landlords, could accept. Surely, the
10 lobbying efforts of the university are more
11 persuasive than those of a small citizens
12 association.

13 We need to address the hotline, which is
14 a very important part of the Office of Student
15 Conduct and an important means of appeasing the
16 neighbors. Two requests we have made over the years
17 -- extend the hotline to Thursday night, and improve
18 the hotline process with followup calls to inform the
19 neighbors what actions were taken, if any.

20 Since Jean Lord became an assistant dean
21 a year ago, her duties have grown. Also, she has
22 been operating with temporary help ever since her
23 full-time assistant, Greg Maripole, left in November
24 of 1998. That's Exhibit 15.

25 We do hope that the university will see

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1 its way clear as to how important Ms. Lord's office
2 is, and to give her the support we feel she needs.
3 With the new dean starting up next month, we have no
4 idea how neighborhood conscious he will be. We can
5 only hope for the best, which brings me to my last
6 point.

7 Living the way we do, from semester to
8 semester, not knowing what new groups of students
9 will fill our houses, does not make for a stable
10 neighborhood. Unless this university houses its
11 students, we are in a state of containment and a
12 constant hope for the best.

13 Thank you for your attention.

14 CHAIRPERSON REID: Thank you. Those
15 recommendations and conditions will also be contained
16 in the findings of fact or the draft order that --

17 MS. HARDY: Yes.

18 CHAIRPERSON REID: -- you will be
19 compiling for us? Okay. Thank you.

20 Are there any questions? Ms. Dwyer?

21 MS. DWYER: No questions.

22 CHAIRPERSON REID: Okay.

23 MS. ZARTMAN: Can we do cross examination
24 at the end of all of the panels?

25 CHAIRPERSON REID: I'm sorry?

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1 MS. ZARTMAN: Can we do cross examination
2 at the end of the presentations?

3 CHAIRPERSON REID: Well, I think that
4 this is, other than -- who else has to come up after
5 you, in this particular presentation?

6 MR. PULSIFER: We have about three more
7 presentations, I think.

8 CHAIRPERSON REID: All right. Okay. You
9 can.

10 MR. POLK: Thank you. I'm Scott Polk.
11 I'm an Advisory Neighborhood Commissioner from
12 Foxhall, ANC-2E-01. I'm the past president of
13 Foxhall Citizens Association, from 1995 to 1998. I'm
14 currently a real estate agent. I've worked as such
15 since 1994. I specialize in residential sales, top
16 five percent nationally. I tend to specialize in the
17 homes in my area, Foxhall, Burleith, Glover Park, and
18 Georgetown.

19 I'm wanting to address specifically the
20 graduate student numbers, the proposed 1,284 increase
21 or 49.6 percent increase. Just to put a little
22 history to this, twice during the information
23 sessions that we had with the university, starting in
24 November, I asked very specifically if they had
25 planned on any increases in graduate numbers, and I

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1 was told no, that they were not planning on any
2 increases in numbers.

3 I submitted that same question in writing
4 and received in writing that there would be no
5 increases in graduate student numbers. Lo and
6 behold, you know, here we are and it's a request for
7 49.6 percent increase.

8 I feel that this is a rather large
9 number. I don't think it's really merited or
10 justified. I don't think the university can actually
11 justify those numbers. I feel that an increase in
12 enrollment of that sort would have a very large
13 adverse effect upon our neighborhoods.

14 The Georgetown University real estate
15 expert testified that a decrease in student rental
16 homes within the community would increase property
17 values. Looking at that from a different angle, it
18 is saying the student rental homes do have an adverse
19 impact upon the community. And what I say to you is
20 a group home is a group home; it doesn't matter if
21 it's a graduate group home or if it's an
22 undergraduate group home. The appearance is pretty
23 much the same.

24 There is high density. There's a lot of
25 trash and garbage accumulation. The facade doesn't

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1 look particularly good because it's a rental home.
2 The grass isn't cut because the graduate students or
3 the undergraduate students don't cut it. And,
4 additionally, I guess in the case of graduate
5 students there tend to be more cars. The effect of
6 parking is even I guess more dire on the
7 neighborhood.

8 So, in short, what I'm saying is that
9 graduate housing does have an effect. We can't just
10 say that graduate students -- it's different. You
11 know, it is pretty much the same.

12 I will point out one thing. In the case
13 of Fannie Mae and FHA lending guidelines -- I bring
14 this up just kind of as an aside, but it has
15 relevance -- in a condominium, they will not lend to
16 somebody wishing to make a purchase if the ratio --
17 and ratio, I'm talking about the owner-occupied
18 versus rental -- if the owner-occupied is less than
19 60 percent, in the case of Fannie Mae.

20 Looking at this chart right here, we can
21 see that Burleith would probably have some
22 difficulty, new, you know, or prospective owners
23 trying to secure a loan in a neighborhood like that.

24 Fannie Mae, FHA, they have these
25 guidelines for a reason. They are concerned about

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1 the balance within a building. A high investor ratio
2 has rapid depreciation, and it's a high-risk loan for
3 the lender.

4 Looking at it from the neighborhood
5 perspective, we're looking at that same depreciation,
6 rather face to face.

7 What gains we have made in the last few
8 years in improving our ratios -- you know, there have
9 been a slight decrease in the number of rental homes.
10 We would like to be able to keep those. We do not
11 look forward to a large increase in student
12 population, graduate and undergraduate, and the
13 continuing of group homes in the neighborhood.

14 My observation -- and, again, you know,
15 1,284 grad students would create a lot of demand.
16 And, you know, given the opportunity to live, you
17 know, in Rosslyn or in DuPont or the opportunity to
18 live close by, close by is always better.

19 My observations in my neighborhood, and
20 also, I believe, as Georgetown's testimony, is that
21 med students and the MBA students tend to like to
22 live in my neighborhood, in Foxhall, also in Glover
23 Park and, you know, West Georgetown. They tend to
24 shy or shun from Burleith.

25 And, you know, they're smart kids. They

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1 understand why Burleith doesn't obviously support
2 them in their quality of life, you know. Please
3 remember, med students and MBA students are going
4 into debt at the rate of about \$28,000 a year, and,
5 you know, they're doing that with the opportunity to
6 earn a better living upon graduation.

7 So, basically, what I say, it's current
8 performance equals future earnings. And the
9 neighborhood doesn't support their current efforts,
10 you know, for their future earnings.

11 So what we do find, though, is that, you
12 know, they do come to our neighborhood. Any increase
13 I think would push over in our way.

14 Also, I think -- and I would say that,
15 you know, with any diminishing of undergraduate
16 students in Burleith, it would become a prime spot
17 for graduate students. So whatever gains Burleith
18 would hope to make with any decrease in undergraduate
19 housing, I think it would be made up for in graduate
20 housing. It's very convenient, as we know.

21 We are concerned about the increased
22 demand for rental housing with our community that
23 would occur with such graduate student increase.
24 We're not trying to, you know, come up with more
25 group homes. We'd like to keep it where it is.

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1 You know, we've managed to cope with what
2 we've had over the years, and that -- you know, we're
3 not trying to do away with rental housing, you know,
4 but -- you know, enough is enough, and a certain
5 balance, you know, we can hold on to.

6 The problem, of course, with group homes
7 is that they have held our communities back in
8 appreciation. The physical appearance of these
9 homes, the trash problems, the clustering of
10 automobiles, they are a burden on our community. And
11 the other fact that I should point out is that every
12 home that is a group home is a non-performing asset
13 within the neighborhood.

14 It's non-contributing. They are people
15 that don't come to neighborhood associations. They
16 don't come to help us with the various problems.

17 So although, you know, we're not trying
18 to do away with rental housing, rather like Fannie
19 Mae and FHA, we're trying to maintain a balance and
20 to avoid the depreciation of our neighborhood. We
21 don't need any more rental housing.

22 The real estate expert from Georgetown
23 University, Mr. Bolan, painted a very rosy picture of
24 real estate in northwest Washington, based upon
25 current price trends. They're true. Those trends

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1 are definitely there. But what I will also point out
2 is that, in 1990, we had a 20 percent across-the-
3 board fall in prices, and in some neighborhoods even
4 more. Burleith I think was one of those
5 neighborhoods.

6 That market remained flat until about
7 1998 when prices picked up. It was a prime time for
8 investors to buy -- you know, to add to their
9 inventory and get investor homes, and, of course, you
10 know, to fill them up. You know, the rental
11 inventory increased drastically in our neighborhoods
12 during this period of time.

13 The other part of this is that in a fall
14 back like this, people who have purchased homes more
15 recently, if they have to move, you know, they're
16 transferred, whatever, they're stuck. They've taken
17 20 percent depreciation in value. They can't sell
18 their home, and they're forced to rent it, which
19 further adds to the rental inventory.

20 In short, a failing real estate market
21 burgeons the rental inventory. And, you know, again,
22 although we've had a run up, you know, you can't say
23 that, you know, what is currently there will continue
24 forever. You know, the stock market makes
25 corrections, and so does the real estate market.

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1 Well, this scenario, as I was just
2 describing, where prices collapsed, you know, nearly
3 caused the ruin of Burleith. And I have to
4 congratulate the leaders in Burleith and surrounding
5 neighborhoods who helped them. Only their
6 perseverance and resurgent real estate market kept
7 Burleith from an imbalance that would have meant the
8 demise of the neighborhood. You know, as an agent, I
9 was hesitant to show properties within the
10 neighborhood, I'm sorry to say.

11 Again, the rosy picture painted by the GU
12 real estate expert is based on the last two years'
13 trend. As community leaders, we are concerned not
14 about the last two years but the next 10. The recent
15 past and the near demise of Burleith is very vivid in
16 our mind. We are very strongly opposed to the
17 increase of 1,284 graduate students and the 389
18 undergraduates at Georgetown University.

19 The number of Georgetown University
20 graduate students should be capped. We, I believe,
21 as communities have agreed to an increase of 200
22 graduate students during the next five years, and
23 then to review the effects of the many changes being
24 brought to bear on our community before considering
25 any further increases.

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1 Thank you.

2 CHAIRPERSON REID: Thank you very much.

3 Let's see. Cross examination, Ms. Dwyer?

4 MS. DWYER: I have none.

5 CHAIRPERSON REID: All right.

6 Now, there are three more people? Wait.

7 Let me see. The opposition -- let's stay with that.

8 The opposition had two hours, and I think that you
9 have just a few more minutes. Now -- it's the first
10 hour. Oh, I'm sorry.

11 MR. RIXEY: There are four more
12 presentations.

13 CHAIRPERSON REID: Okay. Do you think
14 that you're going to consume the entire hour?

15 MR. RIXEY: I think we may finish in this
16 hour.

17 CHAIRPERSON REID: Okay. All right.
18 Okay. Then, proceed.

19 Now, the cross examination, I'd ask for
20 each person -- and Ms. Zartman asked could you do it
21 individually -- I think that I'm going to ask after
22 each person, and I did, and Ms. Dwyer is the only one
23 I think that wants to cross examine. Or did you as
24 -- well, no, the ANC -- where is the ANC
25 representative? Would you care to cross examine any

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1 of these witnesses?

2 (No cross examination signalled.)

3 CHAIRPERSON REID: Okay. All right.

4 Then, continue.

5 Did you have questions? Do you wish to
6 -- okay. All right. Then, let's just keep going,
7 and then we can come back and ask them, if you have
8 to.

9 Okay. Mr. Crockett or --

10 MR. RIXEY: We're next.

11 MS. DOWNS: I think we're next. I'm
12 Barbara Downs, President of the Citizens Association
13 of Georgetown. I live at 3321 P Street, about three
14 blocks from the university. The Citizens Association
15 has always supported Georgetown University. We
16 believe that the mission of educating young people,
17 both at the graduate and undergraduate level, is an
18 important one.

19 We want to continue the positive and
20 constructive relationship we have enjoyed with the
21 university. However, if the residential community is
22 to continue to trust the university, we need more
23 precise information on the university's master plan.

24 Our association has made numerous
25 requests for clarification. We received a great deal

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1 of data, but we have yet to receive adequate answers
2 to our queries.

3 My colleague, Douglas Rixey, is going to
4 discuss some of these discrepancies and the problems
5 that we believe that they foretell.

6 CHAIRPERSON REID: Thank you.

7 MR. RIXEY: Hello, I'm Douglas Rixey. I
8 live at 1317 35th Street, diagonally across the
9 street from a portion of the east campus of the
10 university.

11 The Citizens Association has three
12 general areas of concern with the plan. One is
13 traffic and parking. One is enrollment and housing.

14 And the third is -- are some issues regarding east
15 campus development.

16 On the issue of traffic and parking, our
17 primary concern is that there is no traffic or
18 parking study for West Georgetown in the plan.
19 Without an existing traffic and parking baseline, it
20 is, therefore, impossible to assess the further
21 negative impacts that will result from the proposed
22 plan. Some examples of our concerns are that the
23 plan proposes three major additions or expansions of
24 public assembly space that will have significant
25 parking and traffic impacts.

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1 The new performing arts center, with a
2 capacity of 500 people; the McDonough gym expansion,
3 with a capacity of 3,000 people; the Harben Field
4 expansion, with a capacity of 1,300 people -- and
5 these numbers are the best we can glean from what
6 we've extracted from the university -- for a total of
7 4,800 additional occupants.

8 These facilities, under normal zoning,
9 would require at least an additional 480 parking
10 spaces, which are not provided for in the plan.
11 Instead, the plan suggests that the traffic and
12 parking demand will be alleviated via scheduling --
13 the scheduling of the use of these facilities, though
14 no specific schedule has been provided for proposed
15 events.

16 We're also very concerned that these
17 facilities may be used for public events for people
18 off campus, such as concerts and things like that.
19 It's not specified.

20 Another item regarding traffic and
21 parking is that the plan projects a parking deficit
22 of 1,150 parking spaces, apparently based, since it
23 wasn't based on these other public facilities,
24 apparently based on the occupant load of the balance
25 of the 1.3 million square feet they're proposing to

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1 build. Again, there is no provision for
2 accommodating this shortage of parking spaces.

3 Inexplicably, the plan simultaneously
4 predicts "no increases in parking demand. In fact,
5 the expectation is that campus traffic and parking
6 demand may decrease." That's in their Appendix L.

7 This sort of contradictory information is
8 not uncommon in the plan. And, in fact, it's an
9 excellent example of why we found it so difficult to
10 trust the information that the university has given
11 us.

12 Another example that Scott already
13 referred to was the university assurance that they
14 weren't anticipating increasing graduate enrollment.

15 And the way we found out that, in fact, they were
16 planning on increasing graduate enrollment was that
17 it was buried in the second submission of the traffic
18 study.

19 Other traffic and parking issues are that
20 the plan does not address recently disclosed
21 information that Medstar has absorbed approximately
22 706 parking spaces from the south campus allotment.
23 Alan Brangman had earlier assured the community that
24 there would be no redistribution of parking spaces
25 between the north and south campus.

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1 We have also just learned that GU has
2 added 465 parking spaces, which are 404 over their
3 allowable cap of 4,080, to accommodate temporary
4 overflow from Medstar.

5 The university has already moved two
6 major facilities off campus -- the Business School in
7 the Car Barn and the Public Policy Institute -- which
8 they're now proposing to relocate to the Wormley
9 School. Those two facilities have the potential
10 capacity of 2,000 students in the Business School and
11 170 students in the Wormley School, plus faculty and
12 staff, and assumes that at least some of these -- the
13 plan assumes that at least some of these students,
14 faculty, and staff will park on campus.

15 This demand is not accounted for in the
16 plan, because the university does not consider such
17 off-campus impacts relevant. In fact, won't give us
18 information about those off-campus impacts, and,
19 also, because there is no traffic study within which
20 those traffic impacts could be accommodated.

21 Finally, the plan does not address the
22 impact of proposed increase GUTS bus traffic and
23 erroneously states that those buses currently only
24 use the Reservoir Road and Canal Road entrances. In
25 fact, they also use Prospect Street, and we don't

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1 know what the impacts will be when they increase
2 their bus traffic.

3 On the category of enrollment and
4 housing, the community is very concerned that the
5 university has abandoned their goal of housing 100
6 percent of their students, their undergraduate
7 students on campus, as well as their commitment to
8 the surrounding neighborhood to move student
9 residents -- residences out of the local community
10 and onto campus, as no sites are provided for for
11 future dormitories.

12 The fallacy of the Southwest Quad, which
13 I think we've discussed at length today, is not part
14 of the proposed plan. And I think we've discussed
15 that enough that we don't need to beat it to death.

16 Another issue of credibility with the
17 university is that they own many single-family
18 rowhouses, both on campus and off campus, in the east
19 campus area. Trying to find out which properties
20 they own has been extremely difficult.

21 In fact, at the last testimony, they at
22 first said they didn't own any. Then they retracted
23 it and said they, in fact, owned some. Then their
24 attorney submitted a letter saying that they owned
25 some on 36th Street, and maybe some others, but they

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1 still won't give us specific addresses.

2 Fortunately, we've been able to find out
3 by other means, and have determined that they
4 actually own 18 rowhouses on 36th Street, which at a
5 capacity of five students per house is a potential
6 for 90 occupants.

7 Thirteen houses on Prospect and 37th
8 Street -- and I need to remind you that these are off
9 campus -- with a potential capacity of five students
10 per house of 65 occupants, and also six condo units
11 in the CORA Building at 1301 33rd Street, which we've
12 only assigned four students per unit, which could be
13 possibly 24 or more.

14 And those properties are shown on the
15 first exhibit board. The yellow area is actually the
16 campus proper. The dotted red line area is the so-
17 called east campus. And Prospect Street and 36th
18 Street properties are shown there. The CORA Building
19 is the red dot far to the right.

20 This totals 179 or more potential off-
21 campus beds, not the 100 that they've told us they've
22 already included in on-campus numbers. So, of
23 course, that credibility issue is major with us.

24 These group houses have a very
25 significant impact on the community, including

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1 disruption of community development due to the
2 transitory nature of the inhabitants. Moving every
3 six months or more is very disruptive. The Exhibit
4 Board 2 that says "Moving and Trash" shows what our
5 streets look like at least twice a year when the
6 students are moving in and out.

7 There is also a photograph of a moving
8 van parked in a fire lane, which is the only place
9 the parents could apparently find to park while they
10 were moving their student in for three days.

11 Deterioration of historic fabric and
12 housing stop due to absentee landlords and lack of
13 tenant care. I don't think we really expect the
14 students to take care of these houses, but the fact
15 that the university is in our community results in
16 group houses.

17 Exhibit Board -- the third board, which
18 is also in your packet, shows the condition of some
19 of the properties in our neighborhood. It's not
20 great. Massive trash problems due to higher than
21 desirable occupancy. When you have six or seven
22 students living in a house, they generate a lot of
23 trash. Behavior problems due to immaturity, lack of
24 accountability, and alcohol. I think that's been
25 well discussed.

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1 Unfortunately, one of our members, Tom
2 Schneiderman, who lives on O Street, his attorney was
3 going to present his position regarding noise and
4 play a tape. Due to the hour of the hearing, they
5 weren't available. That was the applicant or the
6 testimony I was trying to get. And they're going to
7 have to submit it tomorrow.

8 Life safety issues due to illegal rental
9 units.

10 The last category is east campus. The
11 so-called east campus actually includes a significant
12 amount of public space, as well as some privately-
13 owned properties. I think you've gotten letters from
14 some of those privately-owned property owners.

15 This may be being used. The fact that
16 they've got this extra amount of lot area, and very
17 small FAR on those lots, since they're all -- most of
18 them are historic houses -- may be allowing the
19 university to have a higher-than-normal FAR on their
20 actual campus proper.

21 All we're asking is that we be allowed to
22 have the information, so that we can determine
23 whether that is the case or not. The university will
24 not give us that information, at least they haven't
25 to date.

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1 The university has acquired two
2 properties -- 3517 and 3519 Prospect Street -- during
3 the current plan that caused their total site area to
4 exceed what was allowed by the previous BZA order. I
5 mentioned this in cross examination with Office of
6 Planning, I believe.

7 While the area was modest, 2,325 square
8 feet, the precedent of allowing GU to acquire houses
9 in our neighborhood to be used for any purpose the
10 university wishes, without public hearing, is quite
11 alarming.

12 By the way, of those 179 or more
13 potential off-campus beds, we think that some of
14 those rowhouses off campus are actually being used
15 for other uses such as offices or seminar rooms, but
16 we have no way of proving it. But that appears to be
17 the case when there are banks of computers and things
18 inside the first floors of these rowhouses.

19 In conclusion, Georgetown University
20 currently has an unacceptable adverse impact on the
21 community. The proposed plan will only increase
22 those impacts and should not be approved. The
23 various community groups involved in this lengthy and
24 difficult process with GU are unified in their
25 positions and should be supported by BZA.

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1 Our proposal includes a variety of things
2 that Barbara Zartman will go over in summary. But I
3 think two of the most important ones are limitation
4 of the length of the plan to a reasonable timeframe,
5 so that all of these massive changes that are going
6 to take place, such as the Southwest Quad and Canal
7 Road entrance, Medstar, the loss of the president, or
8 changing of the president, can be fully assessed.
9 We're suggesting a five-year term limit.

10 The other thing that I think is critical
11 is that we truly pin down these assessment methods
12 that everyone is talking about, but no one can seem
13 to substantiate. I would prefer to see that these
14 assessments be established before the approval of the
15 plan. If that's not possible, perhaps we can
16 establish those assessment methods, so that when the
17 next plan is reviewed in five years, hopefully, we
18 will actually have a good baseline of data that we
19 can use to judge what the real impacts are.

20 Thank you for your consideration.

21 CHAIRPERSON REID: Any cross examination
22 questions of this witness?

23 (No cross examination signalled.)

24

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1 E-V-E-N-I-N-G S-E-S-S-I-O-N

2 (6:00 p.m.)

3 CHAIRPERSON REID: Okay. Who's next?

4 Ms. Zartman?

5 MS. ZARTMAN: Actually, I'm going to
6 split myself in two and do a very brief -- the
7 Cloisters in Georgetown president, Steve Hopkins,
8 could not be here. So I am very briefly going to be
9 Steve Hopkins in drag and --

10 (Laughter.)

11 -- identify some of the north campus
12 issues, and then I think Mr. Crockett will speak
13 about legal matters, and I'll close.

14 Cloisters in Georgetown, because of its
15 location at the corner of 35th and Reservoir Road, is
16 impacted significantly by the changes on the
17 Georgetown campus, and we wanted to specifically
18 speak of some of the north campus changes.

19 As has been discussed extensively today,
20 we believe the zoning regulations do not allow matter
21 of right operation of the hospital and medical
22 facilities by a non-university entity. We believe
23 the potential for disproportionate trauma and
24 transplant caseloads at the new Medstar Hospital will
25 bring particularly high levels of activity to the

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1 campus and be particularly disruptive.

2 The potential for tripling or quadrupling
3 the amount of physicians office space on the north
4 campus, as is anticipated in -- potentially in this
5 plan, as well as the size and intensity of use of
6 those buildings, is, again, a very destabilizing
7 factor that concerns us.

8 Expanding the commercial and unrelated
9 operations on the north campus is another condition
10 we seek protections from. Increasing the cap on
11 parking spaces on campus is something that, in the
12 letter of the plan, is assured. However, we see two
13 additional parking garages being constructed, and it
14 raises concerns.

15 Limiting the bulk of proposed garages on
16 Reservoir Road and the impact thereof on the
17 Cloisters community is significant. At times, there
18 have been multi-story ramp garages on a parcel that
19 backs up on residential rowhouses, and that would be
20 problematic. These are all matters of concern, in
21 addition to the problems caused by increasing
22 undergraduate and graduate enrollment at unreasonable
23 levels.

24 In conclusion, Cloisters asks -- says
25 that the protection of residential neighborhoods from

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1 adverse impacts of non-residential use, in keeping
2 with Sections 1107 and 1104.1 of the comp. plan,
3 requires careful and articulated language in the BZA
4 order that accompanies any change in the campus plan
5 for Georgetown University.

6 In light of the number and significance
7 of the changes, we believe a long plan life brings
8 only risk to the adjacent communities that are
9 already negatively impacted.

10 We hope that the suggestions we'll make
11 at the end of this presentation will offer some
12 protections that are acceptable to the Board. We
13 know they will help the community.

14 Mr. Crockett?

15 CHAIRPERSON REID: Thank you, Ms.
16 Zartman. Thank you very much. It would be very
17 helpful to us if somehow you were to get together and
18 compile and combine these various conditions and
19 recommendations, so that it would be easier for us to
20 be able to absorb them and to analyze them in our
21 consideration of this particular application. We'd
22 appreciate that very much. Okay?

23 MS. ZARTMAN: Thank you.

24 CHAIRPERSON REID: Ms. Dwyer, any cross
25 examination of this witness?

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1 MS. DWYER: No questions.

2 CHAIRPERSON REID: Okay. Mr. Crockett?

3 MR. CROCKETT: Thank you, Madam Chair.

4 I'd like to take a look at this from a
5 different perspective, a historical perspective, and
6 a legal perspective, by taking you back to the order
7 which this Board issued back in 1990. That
8 particular order was, in my opinion, well thought
9 out. It was the product of serious negotiations
10 between the same organizations and the university
11 that resulted in a document to which all of the
12 parties agreed, which is called Appendix H to the
13 Board's 1990 order.

14 Appendix H is entitled "Georgetown
15 University Undergraduate Housing Program." It is the
16 document which reflects the agreement between the
17 community and the university as to what was going to
18 happen over the course of the next 10 years, what the
19 university was going to do in order to alleviate the
20 acknowledged adverse impacts of student housing in
21 the residential neighborhoods.

22 The parties came in with this agreement,
23 Appendix H, which specified basically that over the
24 next seven years the university would create 925 new
25 housing units.

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1 CHAIRPERSON REID: Mr. Crockett, excuse
2 me one second.

3 Do you have that, Exhibit H? The
4 Exhibit H that I see is a traffic report. What --

5 MR. CROCKETT: This is Exhibit H to the
6 1990 order, not the proposed plan, but to the 1990
7 order.

8 CHAIRPERSON REID: You didn't submit a --
9 you're not referring us to an Exhibit H now.

10 MR. CROCKETT: No, this is the Exhibit H
11 to the Board's order.

12 CHAIRPERSON REID: That was previous, and
13 we don't have -- you didn't submit a -- you did not
14 submit that. That was not submitted with the --

15 MR. CROCKETT: Well, I'll be glad to
16 submit a copy of the plan in Appendix H if that would
17 be helpful.

18 CHAIRPERSON REID: Right. That would be.

19 MR. CROCKETT: Okay.

20 CHAIRPERSON REID: Because, I mean, we
21 can have staff pull the -- that order, but --

22 MR. CROCKETT: I'm sorry. I --

23 CHAIRPERSON REID: -- I thought you were
24 referring us to the -- your submission with
25 Exhibit H. It was kind of throwing us off guard.

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1 MR. PULSIFER: Actually, Madam Chair, I
2 already submitted a copy of Appendix H to the
3 Secretary in connection with my statement about the
4 full-time enrollment -- full-time equivalent
5 enrollment.

6 CHAIRPERSON REID: Today, do you mean?

7 MR. PULSIFER: Today, yes.

8 CHAIRPERSON REID: With your testimony.
9 Oh, okay.

10 MR. PULSIFER: About an hour ago, yes.

11 CHAIRPERSON REID: Okay. Well, they'll
12 make copies and make sure that we get it. But just
13 -- go ahead, Mr. Crockett.

14 MR. CROCKETT: I'm sorry. I had just
15 assumed that the Board would have access to the '90
16 order.

17 CHAIRPERSON REID: We do.

18 MR. CROCKETT: Okay.

19 (Laughter.)

20 CHAIRPERSON REID: I mean, you have to
21 understand that we have a voluminous amount of
22 materials that we're working with.

23 MR. CROCKETT: I know you do.

24 CHAIRPERSON REID: And when you're saying
25 Exhibit H, it's just kind of throwing us.

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1 MR. CROCKETT: Okay. I mischaracterized
2 it. It's actually Appendix H.

3 CHAIRPERSON REID: Appendix H.

4 MR. CROCKETT: To the Board's order.

5 Basically, there were two basic promises
6 made, commitments made in that appendix, in that 1990
7 appendix. The first was the university's commitment
8 to construct 925 new housing units by 1997. The
9 other, which was concomitant with that, was the
10 university's commitment to housing 100 percent of its
11 normal undergraduates on campus, in the long term,
12 and the long term was basically defined as 1997.

13 So a reading of Appendix H, if it had
14 been carried out as planned, by 1997, 925 new housing
15 units would have been created; 200 additional beds
16 for undergraduates would have been created by moving
17 graduate students out, and using those beds as
18 undergraduate beds, for a total of 1,125
19 undergraduate beds addition by 1997, which, according
20 to Appendix H would, under the then current
21 enrollment figures, bring the university up to 100
22 percent of its normal undergraduate students being
23 housed on campus.

24 This Board agreed and adopted that
25 approach, and, indeed, in their order -- in its

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1 order, at paragraph 66B, made the following
2 requirement, 66B, "To further ensure that there will
3 be no adverse impacts, the Board incorporates as a
4 condition to its order a limitation on enrollment, so
5 that by the end of 1997 the university will be
6 providing beds on campus for essentially 100 percent
7 of those undergraduate students requiring housing."

8 Now, that was what the Board anticipated,
9 what the Board ordered, and what we all expected
10 would happen, that, by 1997, the problem would be
11 ameliorated because we would have 100 percent of the
12 undergraduates basically living on campus.

13 This, unfortunately, did not occur. The
14 university conditioned its promises on three basic
15 factors -- the ability of the university to get bond
16 financing, and another factor that -- and a third
17 factor, which was the approval of the cogenerator
18 facility, which was being proposed at the same time.

19 They completed the first project,
20 creating a couple hundred beds by renovating the LXR
21 and adding to the LXR. This created some new beds.
22 They moved the 200 graduate students off campus and
23 used those beds for graduate students -- for
24 undergrads. And at about that time, that was as far
25 as they went. That's as far as they got.

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1 By 1997, thus, out of the 925 new beds
2 they were going to construct, they had only done 225.

3 Then, in 1997, instead of renovating and expanding
4 St. Mary's to 415 beds, as they had promised they
5 would, they closed St. Mary's, and the existing 214
6 beds became empty. And this forced 214 students out
7 back into the community.

8 So, by 1997, instead of having achieved
9 the goal of 100 percent, what we had was a wash.
10 They created 225 new beds at LXR, and closed 214 beds
11 at St. Mary's. So things were just as they were.

12 And the percentage of students on campus
13 -- on campus housing at that time, instead of being
14 100 percent, went down to 78, 77 percent, where it is
15 today. And that's essentially where we are.

16 Now, later on, the university saw its way
17 to attempting to correct this situation, and
18 attempting to keep part of its promise with the
19 Southwest Quadrangle project, which is now due to be
20 completed in 2003, but it is still several beds short
21 of what was promised. It was 1,125 beds. It was the
22 925 new and the 200 graduate beds that were
23 converted. This will bring the university short of
24 that. So even in 2003, they're not going to meet the
25 1,125-bed goal that they had for 1997.

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1 The university is now asking this Board
2 to forget all about the order in 1990, to put that
3 aside and let's just forget that and go on and try
4 something new. We don't believe that's right. We
5 think that the promises that the university made back
6 in 1990, and which this Board accepted as the basis
7 for their 10-year campus plan, which has now been --
8 is over and done with, that they should be held to
9 those promises.

10 The one excuse which they offer for not
11 having done what they promised to do is that the --
12 their claim that they didn't get the cogenerator.
13 Well, if you'll look at the documents -- and this is
14 a legal argument now that I'm going to make, and this
15 is what you have to do when you get down to these
16 types of things -- is to look at what the promises
17 were and what the conditions of those promises were.

18 And the condition -- one of the
19 conditions was that the university's cogenerator be
20 approved. Well, it was approved. The BZA approved
21 it in the order approving the campus plan. That
22 particular order, well, with respect to the
23 cogenerator was taken to court, and the court
24 affirmed the decision of this Board with respect to
25 the cogenerator, so that condition was met and it was

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1 fully met.

2 This Board approved it, and it was upheld
3 by the Court of Appeals, and it was approved.
4 Subsequently, however, the District of Columbia
5 government made allegations -- filed a complaint
6 making allegations of fraud, which brought the
7 cogeneration -- cogenerator project to a halt. That
8 was subsequently settled.

9 As far as we know, the terms of the
10 settlement between the government and the partners in
11 the cogeneration project are secret. We don't know
12 what the terms of that was. We just know that the
13 cogenerator was never built.

14 The university has now come to this
15 Board, I believe, with requests to renovate its -- or
16 to rebuild or replace its generating capacity on a
17 much less -- a much smaller scale, which will
18 accommodate its needs in the future.

19 So we take the position that there is
20 nothing in Appendix H, or in the Board's order, which
21 excuses the university's failure to build these on-
22 campus beds as it promised to do. And there is
23 nothing -- no reason why this Board's order, which
24 required a bed for every new enrollment, should not
25 continue.

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1 I mean, it was made in good faith. It
2 was reasonable at the time. And it's even more
3 reasonable today to condition any new enrollment at
4 Georgetown University on new beds, up and above the
5 figure that they agreed to, which was the 925.

6 And so that's basically what we think the
7 legal status is here, that the Board ought to enforce
8 the terms of its own order, require the university to
9 carry through with what it promised. It will come
10 pretty close to that by building these 780 units.

11 When it gets to that point, then there
12 should be absolutely no further undergraduate
13 enrollment until they build more beds to house them.

14 And if they don't -- if they choose not to build any
15 beds to house any more undergraduates, there should
16 be no more undergraduates at this particular campus.

17 Now, this brings us to the practical
18 reality of the situation that Georgetown, historic
19 Georgetown, and Georgetown University find themselves
20 in today. This is one of the oldest sections in the
21 country. Georgetown University has a history about
22 as long as Georgetown itself.

23 Both of them have been there forever.
24 But over the years, Georgetown has become landlocked.

25 It is there, and it has no way to expand within the

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1 context of Georgetown.

2 And the Court of Appeals has stated -- we
3 have a law that we're dealing with today, which
4 allows universities in residential zones, but only
5 with the approval of the Board under the
6 circumstances that we're all aware of. And the Court
7 of Appeals has held that the zoning regulations
8 afford no privileged position to colleges or
9 universities. Indeed, other jurisdictions exclude
10 colleges and universities entirely from residentially
11 zoned districts.

12 Under our zoning regulations, the college
13 has no right to locate in a residentially zoned
14 district unless it conforms to all of the
15 requirements outlined in the zoning regulations. So
16 that's where we are as a legal matter, and that's why
17 we're here.

18 Then, the question before the Board is
19 the same question that you have in every other
20 exception case. You must refer to Section 3108, the
21 criteria there, which are that the operations of the
22 university under this plan will not tend to adversely
23 affect the neighborhood.

24 There is also a more specific -- more
25 specific requirement in Section 210 itself, which

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1 basically comes to the same conclusion. The Board is
2 authorized only to approve plans that will not have
3 adverse impacts on the surrounding neighborhoods.

4 Now, we think that the Board, in 1990,
5 approved such a plan. It approved a plan that, if it
6 had been carried out, would not have had an adverse
7 impact, and, indeed, would have remedied some of the
8 adverse impact that has occurred over the years. And
9 we think that it is only fair and right that the
10 university be held to those promises.

11 We heard testimony from the president of
12 the university who candidly admitted that -- who
13 candidly admitted that the reason they needed the
14 enrollment was because they needed the money, they
15 had suffered a \$218 million loss in two years on the
16 medical center, other financial problems. We
17 sympathize with this.

18 But, then again, this is not the
19 residents' problem. This is the university's
20 problem. They have to solve their financial
21 situations. It's not up to the Board to evaluate,
22 well, does the university need the money more than
23 the residents need their peace and quiet? That's not
24 the standard.

25 The simple standard is, will there be

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1 adverse impacts? If the Board finds that there are,
2 then it has to deny those proposals that are going to
3 create those. And we believe that what we should do,
4 what the Board should do in this case, is to stick
5 with its 1990 order, not allow any undergraduate
6 enrollment increases whatsoever, unless the
7 university builds beds over and above the 780 that
8 are coming online in 2003.

9 Now, that takes me to one final point,
10 which is -- many may look at as a minor point, but it
11 has great potential for damage if it's accepted by
12 the Board. And that is the fact that the university
13 in making -- in proposing its plan, has only four
14 categories of uses -- residential campus -- the first
15 is residential campus life and athletic. The second
16 is academic and administrative. And the third,
17 medical health care. And four is commercial
18 investment properties.

19 In our view, those vague descriptions do
20 not meet the specific requirements of Section
21 210.4(d) that a proposed plan contain, and I quote,
22 "a description of all activities conducted, or to be
23 conducted, on the campus, and of the capacity of all
24 present and proposed campus development."

25 We need to know on the plan where the

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1 band is going to practice. We need to know where the
2 athletes are going to practice. We need to know
3 where these facilities are going to be in order to
4 assess whether or not there will be impacts. And the
5 Board should insist that all of the activities and
6 uses currently on the campus be described, and any
7 changes that they may propose for those uses also be
8 described, which they are not, only in the vaguest of
9 general terms.

10 And that basically concludes my
11 presentation. Thank you.

12 CHAIRPERSON REID: Thank you, Mr.
13 Crockett.

14 Would members -- do you have any
15 questions of Mr. Crockett, Ms. Dwyer?

16 MS. DWYER: No.

17 CHAIRPERSON REID: Okay. Thank you.

18 Does that -- now, does that conclude the
19 parties in opposition? One more? All right. Come
20 up, please. Who is -- oh, you're the one. Now
21 you're wearing the other hat.

22 MS. ZARTMAN: Yes.

23 CHAIRPERSON REID: Okay.

24 MS. ZARTMAN: I am back being me.

25 Thank you for your attention over this

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1 long, warm day, ladies and gentlemen. We've tried to
2 focus our presentation along some consistent lines.
3 I think there's no disagreement among the
4 presentations.

5 Some of you who have heard me before know
6 that I view the zoning regulations as a social
7 contract between a people and its government. The
8 zoning regulations tell us where we may or may not
9 invest in buying a home, raising a family, helping to
10 nurture a good school system. They are promises made
11 by our government that certain things won't happen in
12 our immediate neighborhood and that our investments
13 will be protected.

14 The tension between town -- when a campus
15 is located in a residential community is a tension,
16 and it should not be disparaged for that. But we are
17 here to seek the protections that the zoning
18 regulations give the residential community, and we
19 ask you to help us. We are also prepared to do our
20 part in terms of reasonableness in viewing the
21 proposals.

22 You have heard speaker after speaker say
23 that we believe there is already harmful impact, and
24 this new plan will exacerbate that impact. The
25 analogy I attempted to use earlier was that, to us,

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1 it seems like there's an overflowing wash tub, and
2 we're arguing about how much farther to open the
3 spigot.

4 That's an intolerable condition for us.
5 We are hoping that the mitigations we suggest, have
6 suggested in earlier testimony, and will suggest now,
7 will help alleviate the overflow impact and certainly
8 will not add to the volume of water coming into that
9 tub until we dry up the floor a little bit.

10 We are hoping that, for all of the
11 reasons that have been stated, the Board will not
12 adopt this 10-year plan as presented by the
13 university. We don't believe they've met their
14 burden of proof, and a 10-year timeline will simply
15 put too much risk behind the changes that the
16 community is facing.

17 And yet, as I say, we don't want to be
18 absolutists and to oppose all that may be needed to
19 keep the university operating to recover from the
20 apparently disastrous recent losses at the hospital.

21 We ask, instead, that the BZA adopt the
22 more limited option that we placed on the table
23 during mediation with a series of protections that
24 will limit this harm. The elements of the compromise
25 plan are these: that a five-year timeline be

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1 adopted, bringing the plan back to the BZA, or to the
2 Zoning Commission I guess I have to say, after the
3 Southwest Quadrangle is operational and its impacts
4 can be measured. This same timeline will allow a new
5 university president to assess this plan and his own
6 goals for the university.

7 Father O'Donovan allowed that his own
8 experience was to reject major elements of the campus
9 plan that had been adopted shortly before his own
10 assumption of the presidency. A clipping I attached
11 to my testimony shows that Harvard's Neal Rudenstein
12 similarly commented that he will leave Harvard in
13 order to allow his successor to control the planning
14 process at that institution. And presidents do make
15 differences.

16 The changes proposed for the north campus
17 in this plan, similarly, will need careful assessment
18 as the medical center engages in very different
19 operations under Medstar leadership. To make
20 decisions now that control so many variables for what
21 Medstar's own leaders say is an incredibly fluid
22 field of health care makes no sense. Indeed, at our
23 first meeting, Medstar said it could not plan for
24 longer than a three-year time horizon.

25 It has been said a new vice president for

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1 student affairs has just joined the administration.
2 His understanding of, and commitment to, enhanced
3 campus life and protections for neighboring
4 communities will not be known for some time.

5 The second major element is that
6 undergraduate student enrollment be capped at its
7 present level -- 111 students above current
8 enrollment. With a five-year timeline, this will not
9 disadvantage the university as we see it.

10 Under the terms of the present campus
11 plan, no increase in enrollment is possible until new
12 beds are available on campus for new heads. We
13 believe that that protection should be continued,
14 that you should not lift the conditionality of those
15 111 additional beds that are placed in the current
16 order.

17 By allowing the increase to begin only
18 after the Southwest Quadrangle is completed, the
19 university could add 55 students in each of the last
20 two years of a five-year plan, and be in the same
21 position it would be in if it began a slower number
22 of increases now.

23 In that way, the impact of the additional
24 students, as well as the success of other elements of
25 campus operations, could be assessed before any new

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1 increase in enrollment is authorized, along with any
2 requirements for housing on campus that seem
3 essential then.

4 In the interim, Georgetown University,
5 the Office of Planning, and the community, can adopt
6 objective measures of impact of the increasing
7 enrollment before these new hire enrollment numbers
8 are considered.

9 We certainly believe the community has a
10 voice in developing those standards. It was left out
11 of the Office of Planning recommendations, which
12 proposed bilateral action between the university and
13 OP. We believe these standards will help us evaluate
14 whether the campus life enhancements planned by
15 Georgetown are working to limit the impacts of
16 students on community residential life.

17 We can learn how committed the new
18 president and new vice president for student affairs
19 are, and how the policies and programs they adopt are
20 working.

21 With regard to undergraduate enrollment,
22 is there a need to say more than the witnesses have
23 about the harm that has been done to the quality of
24 the life in our neighborhoods? Do these photos not
25 speak loudly enough?

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1 The next element is that graduate
2 enrollment be limited to 200 additional students over
3 this five-year period. The detailed plans proffered
4 by the university indicate that this is a realistic
5 number over five years. The 1,300-student increase
6 is unreasonable on its face, we argue. It
7 constitutes a 50 percent increase over present
8 levels, and it follows a considerable number of
9 graduate students who have been moved off campus and
10 into the community over the life of the present plan.

11 Again, objective standards to assess the
12 harmful impact of the community can be employed over
13 the next five years, and judgments can be made about
14 further increases based on objective experience.
15 Since most of the graduate facilities that are
16 planned in this 10-year plan are phase 3 and 4, it
17 would seem not to be a harmful limitation on
18 flexibility.

19 The next element, that the Medstar
20 facilities on the north campus be limited in the
21 five-year plan to the new parking garage for
22 approximately 500 vehicles, nearly all underground,
23 on the site to the west of St. Mary's Hall, and the
24 new physicians office building with occupancy by 80
25 full-time equivalent physicians and 220 support

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1 staff, give or take a 10 percent variance.

2 We think the community is being generous
3 in not opposing either of these new facilities,
4 since, A, no additional parking spaces are to be
5 allowed on campus, and this allowance for greater
6 convenience and more efficient garages should not, by
7 the BZA order, be followed by a new request for
8 increased numbers of parking spaces; and, B, the
9 additional clinical facilities Medstar argues are
10 needed for integrated patient care could simply
11 become private doctors' offices unrelated to medical
12 school operations.

13 Community vigilance will be required as
14 will careful language in a BZA order. But we are
15 pleased that we have been able to come to agreement
16 on this facility's use with Medstar. They believe
17 that these are reasonable conditions to put on the
18 new physicians office building.

19 The additional expansion space sought in
20 the Georgetown proposal -- 100,000 square feet each
21 at the hospital and the Lombardi facility -- present
22 unacceptably vague potential -- an unacceptably vague
23 potential to become still more commercial office
24 facilities.

25 We have attempted to reach a voluntary

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1 agreement with Medstar about the uses to which they
2 would not put this space. That is to say, we were
3 willing to accept their proffer that certain
4 activities would not occur in these -- in this space,
5 not for doctors' offices, not for conferencing and
6 other traffic-generating activities.

7 Having been unable to successfully
8 accomplish this, we are left with no option but to
9 oppose the expansion over the next five years. And
10 since the facilities are slated for phase 3 and 4,
11 leaving them out of the five-year plan should not
12 prove financially burdensome for Medstar.

13 We are hopeful that we will reach
14 agreement with Medstar about these facilities as
15 well, in preparation for the next plan.

16 The helipad -- we proposed that the
17 helicopter pad be capped at the intended use,
18 measured on a quarterly basis. Medstar seeks
19 unlimited use of this aircraft facility in a
20 residential neighborhood, which is unacceptable.
21 Again, seeking to be reasonable about urgent medical
22 needs, we ask for protections against the danger and
23 noise of excessive non-emergency helicopter over-
24 flights of residential space.

25 We have proposed that Medstar's request

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1 for an increase from eight to 12 flights a week --
2 that is, 48 flights a month, or a 50 percent increase
3 -- be the cap, the limit of usage, reported to the
4 community at quarterly meetings with specificity. We
5 would review that usage at quarterly meetings, and
6 any overutilization would be reported back to the BZA
7 at all second stage applications.

8 We take Medstar at its word that it will
9 not disproportionately increase the amount of travel
10 or transport care at the facility, and that will
11 certainly help make this a reasonable standard for
12 helicopter use.

13 The next element, that the zoning of the
14 north campus be appropriately dealt with in a
15 variance procedure. I don't think I need to say more
16 about that.

17 The next element, that a careful and
18 articulated program of assessment and mitigation be
19 adopted for the north campus, the east campus, and
20 the Canal Road/M Street corridor, to measure the
21 impact of traffic and parking before a final BZA
22 order is issued, and that it require reports back to
23 the BZA with each second-stage project that is
24 brought forward for approval.

25 The steps tentatively mentioned by

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1 Georgetown University and Medstar hardly constitute a
2 mitigation program. Messrs. Brown and Kutraux, and
3 earlier Andrew, effectively described the woeful
4 unreliability of the background data, the non-
5 existing quantification of the present Georgetown
6 University contribution to the traffic burden, and
7 the ephemeral basis on which future projections are
8 offered.

9 We are prepared to work with OP, DPW, and
10 the university to establish a series of site-specific
11 measurements that need to be taken at least annually
12 at the university's expense by a mutually agreed upon
13 professional. These objective data can be used to
14 determine the impact and the degree of further
15 mitigation necessary to reduce harm from increased
16 levels of activity, or they may serve as the basis
17 for rejecting further development. But they will be
18 objective analyses.

19 The next element would be that DPW be
20 asked to carefully reassess the changes in parking
21 allocation proposed in the new Georgetown Medstar
22 University division of authorized 4,080 spaces on
23 campus, in light of Georgetown University's
24 acknowledgement of more than 1,100-space deficit for
25 its operations.

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1 The short shrift that has been given this
2 critical matter in government reports, as well as in
3 Georgetown University's own papers, is nothing short
4 of shocking. The menu of potential mitigations is an
5 earnest start on remedies, but there is nothing to
6 indicate that any, much less all, will be successful.

7 Moreover, the reallocation between north
8 and south campuses appears to violate the directive
9 of the current campus plan. Further, Georgetown
10 University denied the size of the change until
11 confronted with public documents very late in the
12 campus plan. The community, for good reason, feels
13 it will be pressed for a significant increase in on-
14 campus parking in the near future.

15 As I mentioned, we have trouble
16 understanding why there is a need for two additional
17 parking garages if there is to be no increase in
18 parking.

19 The next element is that private parking
20 should not be subsidized. We have not had a chance
21 to discuss this, but it's reported that Medstar is
22 planning to provide its employees with fully
23 subsidized on-campus parking. The BZA should require
24 that the same policies to promote carpooling, mass
25 transit, and other environmentally constructive

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1 programs be enacted by Medstar and be universal
2 across the Georgetown University campus.

3 The next element is that the new campus
4 facilities planned in phase 1 and phase 2 for the
5 main campus be limited to use for student
6 productions, games, and activities, and that these
7 facilities not be rented for public events, concerts,
8 and the like.

9 These facilities receive support from the
10 community because we believe they will increase the
11 quality of campus life for students at Georgetown
12 University. For student productions, these
13 facilities will be manageable in terms of traffic
14 brought to campus. If, however, they become venues
15 for commercial operations, the burdens on
16 neighborhood streets and parking will increase
17 greatly and will serve no university purpose other
18 than revenue generation.

19 With this caveat, we would also offer
20 early support for the sports facilities planned for
21 later in campus development, phases 3 and 4, since we
22 believe they will continue to the quality of student
23 life on campus.

24 The last elements, that off-campus
25 university facilities in the immediate vicinity be

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1 identified, their utilization volumes recorded, and
2 their impact on campus traffic assessed. While
3 current campus plan rules do not require inclusion of
4 off-campus properties, we strongly argue that because
5 they generate traffic to and through the community
6 and the campus, there is a clear impact on the
7 residential community. They require administration,
8 oversight, and often parking on the campus or on our
9 streets.

10 The next element, that the community
11 liaison process be enhanced and made independent of
12 year-to-year inconsistency through advance funding.
13 Others have testified in great detail about specific
14 ways to strengthen this program, but equally
15 critical, we think, is to avoid the pressure to
16 curtail adequate funding for the Office of Off-Campus
17 Affairs, especially in financially stressed times.

18 If their budget is announced a year in
19 advance, the community will know that there is a
20 continuing commitment to these programs, and will
21 have time to lobby if it should cease.

22 The last two elements, that objective
23 measures be adopted as part of the final BZA order.
24 We are committed to creating a series of indices,
25 including summonses, police citations, arrests,

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1 documented violated, DPW citations, DCRA citations,
2 and the like, in addition to traffic data, that can
3 be used to measure impacts on the community of
4 university operations.

5 After our consultation with the
6 university and the Office of Planning, we ask the
7 Board to include such recommended measures in its
8 final order.

9 And, lastly, that the quarterly meeting
10 process be continued with clarification about the
11 meetings being open to the press and the community.
12 If we can keep these meetings from becoming wrestling
13 matches, as, in fact, sometimes they have been, they
14 are helpful avenues for exploring plans and resolving
15 concerns.

16 They are, of course, no panacea. But
17 several years of tension on the wire have produced at
18 least a workable series of events. They should be
19 continued, and with any luck the years ahead will
20 forge them into still better vehicles for effective
21 liaison.

22 That, we hope, is a reasonable proposal
23 for helping us work together through the next five
24 years and prepare for what may be a longer-lived
25 campus plan when some of the great turmoil on this

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1 campus has settled, the dust has cleared, and we can
2 see what the real impacts are on our community.

3 I'd be happy to answer any questions in
4 our remaining time.

5 CHAIRPERSON REID: Well, I must say, Ms.
6 Zartman, that that was an earful. Thank you very
7 much. You laid that out very nicely for us.

8 Are there any cross examination
9 questions? Ms. Dwyer?

10 MS. DWYER: No.

11 CHAIRPERSON REID: Board members of Ms.
12 Zartman?

13 (No cross examination signalled.)

14 CHAIRPERSON REID: Thank you very much.

15 Okay. We now have persons in opposition,
16 correct? I think we have four persons still
17 remaining to speak? Or do we? All right. Persons
18 in opposition, how many people? Well, how many is
19 that? One, two, three, four, five, six. Okay. Come
20 up three at a time, please, three minutes. Three
21 minutes each.

22 Now, let me just say, as you're coming
23 up, that we -- obviously, during the course of this
24 very lengthy hearing, we have ascertained through
25 testimony as well as written submissions the

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1 problems. The problem areas are very clear to us, as
2 far as the impact is concerned with the students and
3 the noise and the helipad, and so forth.

4 So we ask that you not -- unless you have
5 specified instances or something that's special or
6 different that you want to air, not reiterate that,
7 those things. We have been made very well aware of
8 the problem areas.

9 So you should use the time to give us
10 additional information that we may not have.

11 All right. Who wants to go first? Who
12 wants to go first?

13 MR. CROCKETT: I believe this gentleman
14 wants to go first for family reasons.

15 CHAIRPERSON REID: All right.

16 MR. CROCKETT: Proceed.

17 MR. COOPER: Okay. My name is Lane
18 Cooper, and I live at 3716 T Street. I bought the
19 house a couple of years ago.

20 I am literally surrounded by students,
21 and I guess if I'm going to contribute to the body of
22 knowledge a little bit here, let me just tell you
23 about one quick anecdote of what happened when we
24 kind of took it to the next level, and actually
25 participated in a student disciplinary meeting that

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1 was supposed to address the problem.

2 Bonnie and myself and a couple of other
3 neighbors had complained, I guess repeatedly, over
4 infractions from the same house over and over again.

5 And met with the students, actually, at Georgetown
6 to basically address this issue.

7 What came back to us from the students
8 was basically, "Well, why did you invest here?
9 Didn't you know that there's a university here?
10 Don't you know that you're supposed to expect us?"
11 That was the basic feedback I think, actually to the
12 officials at Georgetown's horror.

13 That was the feedback and the attitude
14 that was coming back, so there's this insolence, this
15 arrogance, this desire to fight for their right to
16 party, that basically comes back to us, that goes
17 beyond -- you're not dealing with -- you feel like
18 you're dealing with children, but you're not their
19 parent, and they're just misbehaving.

20 As a result, predictably, the behavior
21 continued after some time. They graduated or left or
22 moved on, so there were no long-term impacts on their
23 lives. But there was some impact on ours. I have a
24 two and a half year old child who needs his sleep. I
25 need my sleep. I'm a small businessman. And did not

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1 get any kind of consideration there.

2 I guess that's the -- I guess if I'm
3 going to say something new, there doesn't appear to
4 be any recourse for us as individuals when we deal
5 with these kinds of issues. And that's it. That's
6 kind of the anecdote that I would share with you.
7 It's a common one. I call the police almost every
8 weekend. They must have other things to do besides
9 deal with my middle-class complaints.

10 But there they are. If you'll excuse me,
11 I have to relieve my day care.

12 CHAIRPERSON REID: Thank you. Thank you
13 very much.

14 MS. PRUITT: Mr. Cooper? Did you turn in
15 a witness card?

16 MR. COOPER: I did.

17 MS. PRUITT: Thank you.

18 MEMBER MOULDEN: I'm going to have to
19 leave, so I'll read the rest of the record before we
20 make a decision.

21 CHAIRPERSON REID: As well as the record
22 from Mr. Crockett's presentation.

23 MEMBER MOULDEN: Yes. As well as Mr.
24 Crockett's presentation.

25 CHAIRPERSON REID: Thank you.

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1 MR. GWYNNE: I'm speaking for the
2 Federation, so do I have five -- Madam Chair, do I
3 have five minutes? I'm speaking on behalf of the
4 Federation of Citizens Associations.

5 CHAIRPERSON REID: Okay. I had asked for
6 parties. Are you -- you're --

7 MR. GWYNNE: We decided not to ask for
8 party status this time. I'm authorized to, but I
9 declined to.

10 CHAIRPERSON REID: Do you have a letter
11 authorizing you to represent your organization?

12 MR. GWYNNE: I'm the president.

13 CHAIRPERSON REID: All right. But do you
14 have a letter authorizing you to represent your
15 organization?

16 MR. GWYNNE: Well, no one brings that
17 kind of identification, Ms. Pruitt. You know that.

18 MS. PRUITT: Mr. Gwynne, right?

19 MR. GWYNNE: Yes.

20 MS. PRUITT: Generally, the Board does
21 ask for authorization from --

22 MR. GWYNNE: I have never at this Board
23 heard of that.

24 MS. PRUITT: Well, it's been a while
25 since you've been here.

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1 VICE CHAIRPERSON SOCKWELL: I have to
2 state that during my tenure here on the Board for the
3 past nearly 10 months, it has been requested and
4 required and submitted. And if you don't mind
5 submitting it at a later date, if you don't have it
6 today --

7 MR. GWYNNE: I'll do that.

8 VICE CHAIRPERSON SOCKWELL: -- we'd more
9 than appreciate that and not trouble you for this
10 evening or tonight.

11 MR. GWYNNE: I'll be glad to. Under
12 those circumstances, five minutes? I will be brief,
13 and I will skip over redundancies.

14 CHAIRPERSON REID: Thank you.

15 VICE CHAIRPERSON SOCKWELL: State your
16 name and address, please, sir.

17 MR. GWYNNE: Guy Gwynne, resident of
18 Burleith for 30 years, former foreign service officer
19 and president of the D.C. Federation of Citizens
20 Associations.

21 And I just want to make this point, the
22 Federation's consortium of impacted communities are
23 deeply concerned about this first of five campus
24 plans, all to be presented in the near future. I
25 have a reason for saying this. At least 15 of the

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1 city's key communities will be directly affected by
2 these 10-year plans as they are decided.

3 Some of these neighborhoods are already
4 painfully impacted by the past university expansion
5 and activity and are faced now with additional major
6 impact of ambitious expansionist campus plans for --
7 all for requested approval. My own community of
8 Burleith is, arguably, impacted by Georgetown
9 University housing policy to the point of saturation.

10 And I've made this point over and over,
11 as others have here, too -- very briefly, no other
12 problem exists between universities and nearby
13 residential community that even approach in
14 importance that of off-campus students that are
15 forced into the communities by lack of off-campus
16 housing. If there were adequate on-campus housing, I
17 dare say most of these universities would exist in
18 peace and tranquility with their neighbors.

19 I'm not going to go through all of the
20 problems that come from large numbers of students in
21 the neighborhoods that I list there, but I will add
22 additional on-campus housing, not additional students
23 without housing, is the solution.

24 Now, this is something that I would like
25 to bring up, and I haven't heard anyone else

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1 emphasize it. We note that several universities have
2 advanced, or reportedly will advance, the notion that
3 the correct measure of off-campus student populations
4 in residential communities should be the percentage
5 of total students on and off campus.

6 For impacted communities, however, this
7 is not a major consideration. What matters is the
8 actual number of students occupying the actual number
9 of houses and apartments, driving and parking the
10 actual number of vehicles, and the actual number of
11 frustrated taxpayers who sell out and abandon the
12 impacted area.

13 Percentages are relativities only. The
14 numbers in real terms are what the Federation urges
15 the Board to concentrate on. The effective community
16 impact lies in these.

17 There's a minor point here. Stop me if
18 this has been covered when I was out of the room.
19 But regarding the rather minor issue of aligning
20 Georgetown University's north campus entrance
21 number 1 with short 38th Street in Burleith, the
22 Burleith and the surrounding communities recommend
23 against this because making that short street a
24 continuation of the Georgetown University north
25 campus area would unduly increase campus departing

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1 traffic into our densely-inhabited residential
2 streets, particularly S and T.

3 The present arrangement is a working one,
4 and such an alignment would necessitate the
5 installation of a traffic island in the middle of
6 Reservoir Road, which was discussed at the mediation
7 plans.

8 Now, we don't need even the present
9 arrangements made worse by removing the barriers
10 between the north and south campuses, because that
11 would just flood additional traffic out of whichever
12 entrance is there.

13 Now, I'd like to bring up what we've all
14 been hearing about and have not discussed here today.

15 Mayor Williams clearly stated at the May Federation
16 banquet that he recognizes that some communities are
17 drowning under university impact, and that future
18 expansion should be dispersed about the city. I want
19 to hurry on beyond that, but I think this solution
20 should be considered by both the universities and by
21 the Office of Planning in its reports.

22 Now, another point here that I believe is
23 important, the Board is being urged to give up front
24 389 student permission to the university. Possible
25 recruitment could start immediately. What we need to

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1 do is -- and then with conditions after that to be
2 worked out.

3 I think basically what we need to do is
4 work out the conditions in advance, in order to --
5 these would assist in the universities to qualify for
6 future expansion of enrollments, construction,
7 housing, possible branching out into other parts of
8 the city.

9 So in closing, I want to say we urge the
10 Board -- could I continue my final point? We urge
11 the board on the university -- Georgetown will be
12 back on others.

13 Georgetown University campus plan, to
14 include the following, retain the current 1990
15 undergraduate enrollment cap until long-planned
16 additional on-campus housing for currently off-campus
17 students is completed; disallow the request before
18 the Board for 389 additional undergraduate students
19 until on-campus graduate housing has been built to
20 accommodate them; include graduate students, in a way
21 to be worked out by the Board itself, in this Board's
22 consideration of student enrollment numbers and their
23 impact on surrounding communities; disallow any
24 requests for a realignment of the north campus
25 entrance number 1 with 38th Street in Burleith; and

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1 consider requiring that projected new measure and
2 traffic engendering sport and theatrical facilities
3 be located in other needful parts of the city.

4 Thank you very much for my time.

5 CHAIRPERSON REID: Mr. Gwynne, we'd
6 appreciate it if you would submit to the record
7 conditions that you are recommending.

8 MR. GWYNNE: All right.

9 CHAIRPERSON REID: And then, although you
10 are not a party to the case, they will not be -- they
11 will handle this a little bit differently.
12 Nonetheless, I would like for you to -- well, I guess
13 it will be just these. These are the conditions that
14 you are recommending, or is --

15 MR. GWYNNE: Yes.

16 CHAIRPERSON REID: Or do you want to
17 submit them later?

18 MR. GWYNNE: Well, they are part of my
19 submitted testimony.

20 CHAIRPERSON REID: Okay. All right.

21 MR. GWYNNE: If you'd like, I will do a
22 shorter version of that for you.

23 CHAIRPERSON REID: Well, just the
24 conditions. I mean, like the testimony -- I would
25 just like for you to just give us a page or two of

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1 just the conditions --

2 MR. GWYNNE: All right. Sure.

3 CHAIRPERSON REID: -- that were germane
4 to your presentation here today.

5 MR. GWYNNE: And could you advise me,
6 please, or Ms. Pruitt, how do I prove my
7 authenticity?

8 CHAIRPERSON REID: Oh. Just a letter
9 from the --

10 MR. GWYNNE: Just a letter. I would have
11 to sign it.

12 CHAIRPERSON REID: -- organization,
13 signed by -- do you have a board?

14 MR. GWYNNE: I have a vice president.
15 I'm president of the board.

16 CHAIRPERSON REID: The officers that you
17 have -- it's just a formality that we have to --

18 MR. GWYNNE: All right. Thank you.

19 CHAIRPERSON REID: -- take care of.

20 All right. Now, three other people to
21 testify as persons.

22 MS. CRUSE: Well, I'm only one, but --

23 (Laughter.)

24 CHAIRPERSON REID: No. We have just --
25 are these the last three persons? One other? Two

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1 other? Okay. All right. So after these three, then
2 there are two more, correct? And then that's the --
3 okay. All right.

4 MS. CRUSE: Good evening. My name is
5 Karen Tamany Cruse, and I live on 35th Street,
6 directly across from a university dorm. I'm here
7 today because I am concerned about Georgetown
8 University's plans to greatly increase its student
9 enrollment over the next 10 years. In this regard, I
10 would like to make a few brief comments on one
11 specific item in the university's presentation.

12 Several assertions were made by Mr.
13 Bolan, Georgetown's real estate witness, that require
14 examination. Mr. Bolan stated that with the opening
15 of the Southwest Quad, student demand per housing in
16 zip code 20007, particularly in Burleith and West
17 Georgetown, would dry up. This assumed weakened
18 demand would, in turn, lead to the sale of rental
19 properties to resident owners. However, Mr. Bolan
20 offers no logical rationale for this position.

21 His assumption that the students who
22 remain in the community would shun those
23 neighborhoods closest to the university, preferring
24 instead to live outside 20007, goes against common
25 sense. It is obviously to a student's advantage to

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1 live as near as possible to campus.

2 By doing so, he avoids dependency on the
3 use of Metro and university buses and schedules.
4 Even a student owning a car would find it more
5 convenient to live in close-in housing with garage or
6 alley parking, thereby avoiding the problem of
7 residential parking restrictions faced by the
8 commuter.

9 Moving one's car every two hours is
10 certainly not conducive to class, study, and
11 extracurricular activities. A student's social life
12 also benefits from living near school. Visiting with
13 friends is more convenient, and a party a few blocks
14 from campus would obviously be more easily and better
15 attended than one across Key Bridge.

16 Finally, many parents would feel more
17 confident knowing that their children live in the
18 relative safety of the university's environs, rather
19 than in more distant parts of the city, particularly
20 when late-night travel becomes an issue.

21 With such reasoning, it makes sense that
22 those students who will live off campus after
23 Southwest Quad will continue to seek housing in those
24 neighborhoods closest to the university. A personal
25 illustration of this is the fact that it's very

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1 common for me to open the door and have a student
2 asking me, is there anybody on the -- do I know any
3 house on the block that is for rent.

4 Mr. Bolan further asserts that a strong
5 housing market in three or four years will induce
6 owners of rental properties to sell their units.
7 However, there is no way for him to predict what the
8 market at that time will actually be. Furthermore,
9 his contention that there are numerous property
10 owners who are waiting for just such an opportunity
11 to divest themselves of their property does not mesh
12 with fact.

13 While a few owners were caught in a down
14 market and turned to renting their homes until they
15 could be sold, the vast majority of houses were
16 purchased as investment property. In fact, several
17 landlords in the Georgetown-Burleith area own
18 multiple dwellings. These properties are not assets
19 waiting to be liquified. They are income-generating
20 businesses.

21 The house next to mine has been sold
22 three times over the past 20 years, each time as a
23 rental property. There is no reason to expect this
24 situation to change.

25 I believe that the opening of the

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1 Southwest Quad will greatly improve the student
2 housing situation in the community. However, any
3 benefits so derived would be undermined by the influx
4 of students generated by increased enrollments. When
5 and if our neighborhoods stabilize is the time to
6 revisit this issue.

7 Thank you for this opportunity to express
8 my concerns.

9 CHAIRPERSON REID: Thank you, Ms. Cruse.

10 All right. Next?

11 REV. RADLEY: Yes. I am the Reverend
12 Perrin Radley, an Episcopal priest living at 3701 R
13 Street, N.W., just north of Georgetown University.

14 The house that my wife and I live in
15 Madam Chair, is the house that I went back to live in
16 having been born there many years before. We moved
17 back because there was the sense that there was still
18 a neighborhood feeling there, like the one that I
19 remembered from my childhood. And when we would go
20 there to visit during the time that the house was
21 rented out, this feeling was maintained. And so in
22 December of last year, we returned to this house.

23 But things have changed, and I won't go
24 over the drunkenness, and so on, that everyone else
25 has spoken of, except to say that it is one thing to

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1 hear people running up and down the street shrieking
2 and yelling, and not knowing exactly how to call the
3 police about it, because they're gone by the time the
4 police -- I've been in touch with the police. And so
5 it's a very different thing from a party going on at
6 someone's house.

7 I have had several occasions where I've
8 opened the door to take my dog for a walk or
9 something and seen a young man urinating in front of
10 the -- on the sidewalk. Frequently, I have to go out
11 the day after a series of parties cleaning up half-
12 used beer bottles or containers of beer that have
13 been left all over the yard.

14 There is a habit of some of the young men
15 in the neighborhood of throwing balls, footballs,
16 baseballs, whiffle balls, and when I ask them to stop
17 doing that they don't. And then they give me lip in
18 the process.

19 The garagemen tell me that I ought to see
20 to the neighbors up the street, who are students with
21 their trash, because I'm going to be discovering lots
22 of rats. That has already happened.

23 When I call the students to say that
24 there is noise going on for a party, when they tell
25 me that they will deal with it, what I get is an

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1 answering machine, not a response from them.

2 What I'd like GU to do is to take care of
3 their students. One of the studies that keeps coming
4 up in the academic world is that the quality of
5 campus life is increased immeasurably if the students
6 of all four years live together and enjoy the four
7 years of college together. And I think that would be
8 a wonderful addition to life in Georgetown, if that
9 were to happen.

10 Thank you very much for letting me have a
11 chance to speak.

12 CHAIRPERSON REID: Thank you. Did you
13 say that what you want us to do is to take care of
14 the student --

15 REV. RADLEY: Oh, no. No, no, Madam
16 Chair.

17 CHAIRPERSON REID: Who is the "you" that
18 you're referring to? GU?

19 REV. RADLEY: GU. I guess I lapsed
20 into --

21 CHAIRPERSON REID: Oh, okay.

22 REV. RADLEY: -- colloquialism.
23 Georgetown University.

24 CHAIRPERSON REID: Okay. All right. I
25 was wondering.

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1 REV. RADLEY: Excuse me.

2 CHAIRPERSON REID: When you said "you,"
3 you mean --

4 REV. RADLEY: GU.

5 CHAIRPERSON REID: Okay. All right.

6 REV. RADLEY: But I retract that.

7 CHAIRPERSON REID: Okay. I just wanted
8 to be clear. Thank you.

9 All right.

10 MS. DEMPSEY: I'm Holly Dempsey. My
11 husband and I live at the corner of T and 37th. We
12 own the house at 3700 T.

13 As a U.S. Government civil servant, I
14 want to thank you for your patience. I arrived a
15 couple hours ago. I don't think anyone has said
16 thank you, and I think that's really important.

17 I also, on a personal side, work at the
18 Agency for International Development, in the Africa
19 Bureau, and we support a lot of democracy and
20 governance programs overseas. And it's wonderful to
21 participate in governance issues here in the United
22 States.

23 I'm not an engineer. I'm not a traffic
24 safety expert, so I can't report to you any
25 conclusions based on data projections with technical

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1 terms. I am, however, a pretty careful observer, so
2 I can relate to you some qualitative findings related
3 to traffic in Burleigh.

4 First of all, the traffic in Burleigh is
5 already at an unacceptable level. I think traffic
6 seems to be like water. We all are searching for
7 those wonderful zippity doo-dahs, so that we can get
8 wherever we need to be faster. So the key to
9 understanding the traffic situation in Burleigh has
10 two principles.

11 Number one is that drivers are trying to
12 seek shortcuts, going down Wisconsin Avenue, by going
13 up or down 37th Street. And one accomplishes this
14 when you're going south on Wisconsin by just taking a
15 nice little cut right by Calvert and just going all
16 the way down to Reservoir.

17 Truck drivers seem to particularly like
18 those shortcuts, despite being in excess of the
19 weight limit.

20 Going north, the reverse holds true. So
21 we're already experiencing the use of 37th Street as
22 a Wisconsin bypass, so to speak.

23 I mean, I would, too, if I were traveling
24 that. You have traffic for Fresh Fields, you have
25 traffic for Safeway, I mean, all these stoplights,

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1 all these businesses. We're all in a hurry in
2 Washington.

3 For ambulances coming to Georgetown
4 Hospital and going south, they use 37th Street to get
5 to Reservoir. I'm not going to address the siren
6 issue. That's not why we're here today. What I'm
7 saying, though, is that we're already bearing enough
8 -- we're already bearing too many negative impacts
9 from hospital traffic.

10 The second principle is that limiting the
11 amount of time on Reservoir Road has become
12 exceedingly popular. And what I'm referring to is
13 the intersection at 37th and T is something that
14 every driver seems to wish to avoid. So what happens
15 -- you need to bear with me for a minute -- is that
16 you go down 37th Street, you make a right -- if
17 you're going south, you make a right onto T, and then
18 you go down 38th or 39th.

19 I think that there's a disproportionate
20 ratio of cars to residents, because probably 50
21 percent of the license plates that go by are Maryland
22 and Virginia. And I don't think they necessarily
23 live in Hillendale or Burleith.

24 So what has happened is that the use of
25 T Street as a shortcut has turned our neighborhood

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1 into a thoroughfare. We are plagued by many vans and
2 SUVs.

3 And the conclusion I'd like to make --
4 I've got all sorts of wonderful little qualitative
5 findings. But what I was trying to make is that we
6 can't change the entrance to the hospital because
7 it's highly improbable and quite illogical that
8 Georgetown Hospital visitors and staff will not take
9 the advantage of Burleith as a shortcut.

10 Thank you.

11 CHAIRPERSON REID: Thank you very much.

12 Ms. Dwyer, I did not ask you for the last
13 three or four witnesses if you had --

14 MS. DWYER: I have no questions.

15 CHAIRPERSON REID: Do you not want to do
16 any cross examination? We can just cut to the chase
17 with this.

18 MS. DWYER: I know you want to finish
19 tonight, so I'll --

20 CHAIRPERSON REID: Okay. All right.
21 Thank you very much.

22 Okay. Now, the final three persons in
23 opposition? I think we have three more. Is it just
24 two? Three? Okay. All right. Is it two persons?
25 Where is the third person?

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1 All right. Please proceed.

2 MS. STEININGER: My name is Francine
3 Steininger. I live at 3618 T Street. I've been a
4 resident of Burleith for the last two years, and I
5 just want to state that I'm very concerned about and
6 opposed to Georgetown University's plans to increase
7 student enrollment, and particularly when they have
8 no plan for where to house these new students, and
9 when they have been ineffective in handling the
10 problems we've had with students in the past.

11 Depending on what kind of students end up
12 in the group houses that switch out every year and
13 summer, we can have either a relatively peaceful term
14 or a nightmare term. Nightmare terms involve things
15 you've heard about before, weekly occurrences of very
16 loud parties, roaming student groups until very late
17 hours of the night, trash on the lawns following the
18 parties, broken beer bottles, cans, etcetera.

19 Driving -- a lot of drunk drivers that
20 come out after those parties, which I didn't hear
21 mentioned before, and there doesn't seem to be any
22 police interest in trying to catch some of these
23 drivers that drive quite dangerously, and obviously
24 quite drunk.

25 Drunks -- I've had drunks pass out on the

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1 lawn next door to my house when my in-laws were
2 visiting for the first time. That wasn't very
3 appealing.

4 On occasions, when I've tried to speak
5 with students, they have been too drunk to take me
6 seriously, or too unconcerned to pay any attention to
7 me, since they know that really nothing is going to
8 happen to them anyway. It creates a lot of
9 frustration and anger for us, and it often sort of
10 puts a black cloud over our weekend when we have a
11 lot of these huge parties. And sometimes we even get
12 in fights between us, me and my husband, since I want
13 to go out and do something and he says, "Just ignore
14 it."

15 The process of trying to contain the
16 problem is totally inadequate, as far as I've seen in
17 the last two years, to get out of -- to be required
18 to get out of bed between midnight and 4:00 a.m. to
19 go out and try to find the house, so that you can
20 report it to Georgetown University Student Conduct
21 Office, when they answer the phone, or the police, is
22 not the way I like to spend my weekends.

23 Furthermore, it's impossible, as
24 mentioned earlier, to track down those roamers -- I
25 call them -- loud groups of noisy, shrieking, hooting

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1 students, in time to quiet them down. There's no
2 point in calling the police when they'll be gone by
3 the time and perhaps a new group will be by.

4 The Georgetown hotline is rarely
5 effective, only works on weekends and during term.
6 And also, I've had -- I've been very persistent in
7 calling them over and over and over again. It can
8 take a couple hours to close down a party, with the
9 result of between -- that can involve between 50 and
10 100 drunk people being dispersed out into the alleys
11 and streets until they find another place to go or
12 are dispersed. That's also not a very pretty site.

13 It's also usually accomplished by the
14 police, and I believe they have better things to do
15 than to babysit Georgetown students, since the
16 university can't keep them under control.

17 There is no satisfactory process for us
18 residents for serious action to get rid of students
19 in problem houses. There is supposedly some kind of
20 probation that the Student Conduct Office can put
21 them on, but by the time they have had their three
22 probations that might lead to some kind of serious
23 recourse, their year is filled out and a new bunch of
24 students come in.

25 Whether or not we can enjoy living in our

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1 house in each given year is up to the luck of the
2 draw, basically.

3 My last point just regards this timing
4 and turnover issue. Most students stay in the
5 neighborhood for only one to two years. By the time
6 a student might be disciplined, he will probably be
7 graduating, he or she. While some students are
8 perfectly fine neighbors, the ones that are not
9 clearly have no interest or incentive in being
10 considerate neighbors, since they're only going to be
11 there a short time.

12 MR. NYARKU: Time up, please. Time.

13 MS. STEININGER: Okay. And just the last
14 point, the response to complaints I think for a bad
15 house at minimum have to be swift, effective, and
16 decisive, and that has not taken place. There needs
17 to be an effective system in place that the neighbors
18 can rely on the university to know that if there is
19 going to be a problem that they will take care of it,
20 and it's not something that will be drawn out for the
21 whole year, and then at that point we'll have a new
22 problem at the end of the year.

23 Thank you very much for listening to my
24 comments.

25 VICE CHAIRPERSON SOCKWELL: Let me ask

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1 you a question. First of all, forgive me, how do you
2 spell your last name?

3 MS. STEININGER: Oh, sorry. Steininger,
4 S-T-E-I-N-I-N-G-E-R, 3618.

5 VICE CHAIRPERSON SOCKWELL: All right.

6 MS. STEININGER: T. Sorry.

7 VICE CHAIRPERSON SOCKWELL: Steininger.
8 I got most of it. Didn't get all of it.

9 You're one of several people having
10 mentioned the roving groups of students.

11 MS. STEININGER: Yes.

12 VICE CHAIRPERSON SOCKWELL: Loud noises,
13 and the fact that by the time the police are called,
14 and can respond, they're gone.

15 MS. STEININGER: Right.

16 VICE CHAIRPERSON SOCKWELL: Among the
17 issues that have been brought up by neighborhood
18 residences, the parties, and yet there are other
19 things that -- these roving groups may be coming from
20 other areas. Most often, do they seem to be coming
21 from nearby parties?

22 MS. STEININGER: Oh, yes.

23 VICE CHAIRPERSON SOCKWELL: Most often.

24 MS. STEININGER: Very much so, yes.

25 VICE CHAIRPERSON SOCKWELL: So you --

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1 MS. STEININGER: Usually, they're coming
2 out of the house and going to their cars and
3 screaming and yelling at each other from across the
4 sides of the streets as to where they're going next
5 and that kind of, you know, hooting like coming out
6 of a football -- or shrieking. At 3:00 in the
7 morning, you know --

8 VICE CHAIRPERSON SOCKWELL: Okay. You
9 don't think that much of the problem is caused by
10 groups coming back from the commercial strips.

11 MS. STEININGER: I don't think so, no.
12 And often it's people who are -- no, that just
13 doesn't seem to make sense in terms of the way
14 they're going in groups and seem to be going to
15 somewhere to have, you know, fun or coming back from
16 somewhere.

17 And I've seen people -- one car, one
18 small car had, oh, I don't know, about 10 people
19 piled into it. And they were very drunk, and I went
20 out and told them, don't you think maybe -- and they
21 had five people packed into the back trunk, and it
22 was open and they were sort of hanging out of the
23 back of it.

24 And I was too intimidated -- it was all
25 guys -- to really say, you know, quiet down. I was

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1 like, don't you think maybe that might not be a safe
2 thing to do? And they just laughed at me and jeer at
3 you. And it's just not -- it's not something that's
4 easy to approach, even on a personal basis.

5 VICE CHAIRPERSON SOCKWELL: Well, my
6 friends were able to get 11 people in a Volkswagen
7 when I was in college. And that was a Beetle, a real
8 Beetle.

9 MS. STEININGER: Were they all drunk at
10 2:00 in the morning?

11 VICE CHAIRPERSON SOCKWELL: Yes.

12 (Laughter.)

13 MS. STEININGER: And did they take off in
14 a wild --

15 VICE CHAIRPERSON SOCKWELL: Right. Well,
16 not exactly. The Volkswagen didn't move fast.

17 CHAIRPERSON REID: Thank you very much
18 for your testimony.

19 (Laughter.)

20 Let's move on.

21 VICE CHAIRPERSON SOCKWELL: Thank you
22 very much.

23 MS. STEININGER: I mean, I was a student.
24 There are certain --

25 CHAIRPERSON REID: Let's move on to the

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1 next -- the last -- I think the last testimony here
2 this evening.

3 MR. COONAN: My name is Thomas R. Coonan,
4 and I'm a 26-year old occupant homeowner at 1720 37th
5 Street, N.W., and we're two blocks north of Reservoir
6 Road, the northern boundary of GU. The following is
7 a brief summary of situations in my block and my
8 specific to my residence.

9 At my residence, a 10-foot Juniper tree,
10 one of two ornamental trees, three feet of hedge,
11 three feet of fence, were yanked out after 3:00 a.m.

12 I doubt any BZA member has suffered this senseless
13 destruction. At my residence, a concrete bird bath
14 and statuary were destroyed with a large rock at 3:30
15 a.m. I'm sure no BZA member has had this experience.

16 But, hey, this is just a bird bath. But it was my
17 bird bath and not that of a BZA member.

18 At my residence, a large concrete urn
19 containing geranium flowers was taken after 3:00 a.m.
20 This urn was one of a matching set. Do BZA members
21 have matching sets of urns, or is one missing? Are
22 you wise enough to sense a pattern here? Or could it
23 be that you're just another appointed city agency
24 cipher who does not want to be confronted with such
25 dastardly facts and simply chooses to side with

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1 prestigious institutions over the pleas of tax-paying
2 residents.

3 CHAIRPERSON REID: Okay. Mr. Coonan, now
4 this is what you need to do.

5 MR. COONAN: May I stop the clock?

6 CHAIRPERSON REID: We have no problem
7 with your giving us your testimony. Nonetheless, I
8 would suggest that you modify it so that you don't
9 make disparaging remarks in regard to the BZA,
10 because, at this late date, I can assure you that our
11 time and our patience is very thin. And while we
12 would like to hear what you have to say, do so
13 without the insults.

14 MR. COONAN: That is in the eyes of the
15 beholder. After living there for 26 years and
16 dealing with --

17 CHAIRPERSON REID: If you would like to
18 tell us your problems, or you --

19 MR. COONAN: You want to throttle and
20 gag, is that the idea?

21 CHAIRPERSON REID: If you want your
22 issues to be aired, you are perfectly welcome to do
23 that. Nonetheless, I, for one -- I don't know about
24 my other Board members -- do not want to hear you sit
25 up there and make disparaging remarks about the BZA.

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1 Use this time wisely to give us the issue that you
2 have. I have no problem with that.

3 VICE CHAIRPERSON SOCKWELL: Mr. Coonan,
4 sir, do you believe that anyone here was a member of
5 the BZA 26 years ago?

6 MR. COONAN: Is that a rhetorical
7 question? Or is that a serious question?

8 VICE CHAIRPERSON SOCKWELL: This is a
9 serious question.

10 CHAIRPERSON REID: Give us the facts
11 that --

12 VICE CHAIRPERSON SOCKWELL: If we are not
13 those people, and if you have not participated in
14 hearings before any of us, why would you want to give
15 anything but factual information to us?

16 MR. COONAN: The answer is I've been
17 doing this for about three decades, and I have not
18 seen any improvement. We are losing the war. This
19 is terrible.

20 CHAIRPERSON REID: We understand that.

21 VICE CHAIRPERSON SOCKWELL: That I can
22 relate to.

23 CHAIRPERSON REID: We understand that.

24 VICE CHAIRPERSON SOCKWELL: But you have
25 to understand that if you're asking for the Board to

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1 hear you, and to resonate with your issue, you should
2 do it in a positive manner, I think, and --

3 MR. COONAN: There's nothing positive
4 about this hearing. The people are losing a battle.

5 VICE CHAIRPERSON SOCKWELL: May I ask you
6 why you're here?

7 MR. COONAN: Because I want you to know
8 that people are not happy --

9 VICE CHAIRPERSON SOCKWELL: No, you're --
10 that's not why you're here.

11 MR. COONAN: -- with the requirements of
12 your organization here.

13 VICE CHAIRPERSON SOCKWELL: That's not
14 why you're here.

15 MR. COONAN: Yes.

16 VICE CHAIRPERSON SOCKWELL: No, it isn't
17 why you're here. You're here to --

18 MR. COONAN: Are you a mind-reader?

19 VICE CHAIRPERSON SOCKWELL: I am reading
20 your response.

21 MR. COONAN: Good.

22 VICE CHAIRPERSON SOCKWELL: Which is on
23 paper. And, of course, I'm not asking you to
24 befriend us. I'm just asking for a certain amount of
25 civility and very directness about your problem.

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1 If I am interested in your problem, I
2 don't care who you are, how long you've had the
3 problem, but if I'm interested in your problem, then
4 I want to hear what the problem is. Nothing more,
5 nothing less.

6 MR. COONAN: The problem is what I am
7 stating.

8 VICE CHAIRPERSON SOCKWELL: Good.

9 MR. COONAN: And I will not back down
10 from what I have --

11 VICE CHAIRPERSON SOCKWELL: I'm not
12 asking you to --

13 MR. COONAN: -- suffered through --

14 VICE CHAIRPERSON SOCKWELL: Just take out
15 the extra words and make it straight. I assume that
16 you can do this in any other situation. Try to do it
17 for me.

18 MR. COONAN: Can I get a guarantee from
19 you that you are going to read this?

20 VICE CHAIRPERSON SOCKWELL: You can have
21 a guarantee from me that I will not only read it, but
22 I will understand it.

23 CHAIRPERSON REID: I've already read it,
24 and I --

25 VICE CHAIRPERSON SOCKWELL: I've looked

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1 at it.

2 CHAIRPERSON REID: Excuse me one second.

3 VICE CHAIRPERSON SOCKWELL: But it's
4 laced with things that make it difficult for the
5 point to be established.

6 MR. COONAN: Do you want the damage
7 report to continue?

8 CHAIRPERSON REID: Well, we can read the
9 rest. Just give us the report and make your issues
10 here today, and do so without necessarily causing any
11 alienation. That doesn't, you know --

12 VICE CHAIRPERSON SOCKWELL: Yes, we're
13 not asking for love. We're just asking for the
14 facts.

15 MR. COONAN: I'm asking for impartiality
16 that we haven't found in the previous BZA that's been
17 talked about here, with the finest, most cogent, most
18 politically diplomatic comments --

19 CHAIRPERSON REID: Mr. Coonan, the
20 previous BZA is not here. We're here.

21 MR. COONAN: Yes, they are. No, this is
22 a living government. It continues. If you're
23 pretending we just created a new government, a new
24 BZA, somebody doesn't understand Government 101.

25 CHAIRPERSON REID: Do you want to

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1 continue your testimony here?

2 MR. COONAN: I'm sorry?

3 CHAIRPERSON REID: Do you wish to
4 continue? Do you want to give us the issues or not?

5 MR. COONAN: Well, if I want to give them
6 the way you want them, then I guess I should shut up
7 and let you go on.

8 VICE CHAIRPERSON SOCKWELL: Well, why
9 don't you give them the way you'd give them in a
10 professional situation outside of the BZA.

11 MR. COONAN: I find myself not in one.

12 VICE CHAIRPERSON SOCKWELL: Well, how do
13 you know that?

14 MR. COONAN: Because I don't expect
15 anything better than I've seen in 26 years of this --

16 VICE CHAIRPERSON SOCKWELL: Okay. I
17 understand. You have --

18 MR. COONAN: -- the dance we do --

19 VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

20 MR. COONAN: -- every 10 years, or done
21 every three years.

22 VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

23 MR. COONAN: There's the issue.

24 VICE CHAIRPERSON SOCKWELL: Mr. Coonan,
25 you have low expectations. You have very low

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1 expectations.

2 MR. COONAN: Definitely.

3 VICE CHAIRPERSON SOCKWELL: Good. Then
4 why don't you just submit your testimony and go home.

5 MR. COONAN: Well, I think that's what
6 you would like.

7 VICE CHAIRPERSON SOCKWELL: I would like
8 you to do that.

9 MR. COONAN: Okay. Well, you win,
10 because you won every time before. And don't think
11 you are a new group. You are just a continuation of
12 an agency. This is not a new --

13 VICE CHAIRPERSON SOCKWELL: Mr. Coonan?

14 MR. COONAN: -- situation.

15 VICE CHAIRPERSON SOCKWELL: Mr. Coonan,
16 you have agreed to my request. Thank you.

17 MR. COONAN: Do you want some more?
18 You --

19 VICE CHAIRPERSON SOCKWELL: No, this is
20 fine.

21 MR. COONAN: -- keep on, like to egg on,
22 obviously.

23 VICE CHAIRPERSON SOCKWELL: No, this is
24 fine. No, you have to understand.

25 MR. COONAN: Okay. Good luck.

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1 VICE CHAIRPERSON SOCKWELL: No. You
2 should hope for luck. Good-bye, Mr. Coonan, and
3 thank you.

4 MR. COONAN: Good-bye, BZA. Brand-new
5 agency just created out of the whims of your
6 imagination.

7 CHAIRPERSON REID: Thank you.

8 Now, we move to the conclusion, which is
9 closing remarks by the applicant.

10 MS. DWYER: What the applicant would like
11 to propose is that we submit our closing remarks and
12 our rebuttal testimony in writing, in the interest of
13 time and the hour that we find ourselves. And in
14 doing that, there would be opportunity for any
15 response to that by the other parties.

16 CHAIRPERSON REID: No. Once you give
17 your closing remarks, your rebuttal, that's it. That
18 concludes this particular proceeding for today.
19 There is no opportunity for the -- unfortunately, for
20 the opposing side to have any other remarks.

21 MS. DWYER: All right. Well, we --

22 CHAIRPERSON REID: However, I do have a
23 couple of questions.

24 MS. DWYER: Certainly.

25 MS. PRUITT: I'm sorry. Just for

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1 clarification, then, Madam Chair, are you willing to
2 take their closing remarks in writing?

3 CHAIRPERSON REID: Board members, are you
4 amenable to accepting the applicant's closing remarks
5 in writing?

6 MEMBER RENSHAW: Yes.

7 VICE CHAIRPERSON SOCKWELL: Certainly, if
8 that's --

9 MS. DWYER: Great. We'd be happy to do
10 that, rather than call the witnesses that we would --

11 VICE CHAIRPERSON SOCKWELL: I mean, don't
12 feel that just because Mr. Coonan was upset that you
13 should feel obligated.

14 CHAIRPERSON REID: And the question I
15 have for you --

16 MS. DWYER: Yes.

17 CHAIRPERSON REID: -- is, could you
18 respond to the assertions that were made here today
19 by Mr. Crockett in regard to your client not having
20 complied with the previous Board order of 1990?

21 MS. DWYER: Yes, I would be happy to.
22 And, in fact, let me bring this order up. And I
23 would also like to clarify some statements that were
24 made.

25 I think the statement that was made was

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1 that in the 1990 order everyone came to agreement on
2 this Appendix H, and supported the university's
3 campus plan at that time. And the suggestion is that
4 they would like that same commitment to continue.

5 And I would just like to point out, we
6 did file the order in the record. And if you turn to
7 page 27 of that order, it lists the parties in
8 opposition to the campus plan at that time, and the
9 parties that opposed it were the Citizens Association
10 of Georgetown, the Burleith Association, the Glover
11 Park Citizens Association, the Foxhall Community
12 Association, and the Committee of 100.

13 So the statement that everyone came
14 together at that time and supported the campus plan
15 because of that housing commitment is not true, as
16 evidenced by the Board's order.

17 What the Board did at that time, and the
18 actual conditions will be found beginning on page 35
19 of the Board's order, it, first of all, approved the
20 campus plan for a 10-year period.

21 Secondly, it required the university to
22 submit a revised campus plan based on some changes
23 that were made at the hearing, and we did that, so we
24 complied with that condition.

25 The third condition was that the

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1 boundaries were as we testified to, and we complied
2 with that.

3 The fourth was that for each building the
4 university would submit a special exception or
5 further processing. We've complied with that.

6 The fifth condition was the housing
7 program, which was in Appendix H. And what the Board
8 said at that time was that the university could --
9 had an outside limit on its enrollment of 340, and we
10 have demonstrated in the record that we are less than
11 that number. I think we're at 229. So we're 111
12 less than what was approved.

13 It also said that the university, for
14 every student that it added, would have to provide a
15 bed on campus. And the university could provide the
16 beds by moving graduate students and faculty off
17 campus, which the university has done; rehabilitating
18 existing buildings, which the university has done;
19 and constructing new dormitories. And the
20 university, over the course of the last 10 years,
21 even though it only increased enrollment by 229, it,
22 in fact, added 303 beds. So it more than met the
23 requirement of one bed for each student.

24 It also imposes a condition that the
25 university require all freshmen and sophomores to

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1 live on campus, which the university did.

2 Number 6 was a condition that the
3 university provide the parking spaces that were its
4 cap, which the university did.

5 Number 7 was that the university
6 incorporate the terms and conditions of an agreement
7 reached with the community on traffic and
8 transportation issues, and the university did, and,
9 in fact, I should point out that one of the
10 agreements reached on transportation in the 1990
11 campus plan was the realignment of 38th Street.

12 And that was, in fact, supported by the
13 Burleith Citizens Association at that time, subject
14 to working with DPW to ensure that there would be no
15 cut-through traffic. And that was one of the terms
16 and conditions of the traffic agreement.

17 Eight was a requirement that the
18 university implement a transportation management
19 plan, which the university has done.

20 Number 9 was a requirement that if the
21 university went ahead with a building that was
22 called, at that time, Building F, that it go to the
23 BZA for further processing. We've complied with
24 that.

25 Number 10 was an agreement that was

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1 reached with the community on the quarterly meeting
2 process. The university has fully complied with
3 that.

4 And number 11 was that the cogeneration
5 facility was approved in concept, but that the
6 university would have to come back to the Board for
7 further processing, which it did.

8 So we have complied with all of the
9 conditions.

10 Let me go back to one of the conditions
11 that referred to Appendix H. Within Appendix H, the
12 university committed to provide, over the life of the
13 10-year plan, 925 beds on campus. But as Appendix H
14 clearly says, and as we showed in the letter that we
15 filed in the record from the 1990 campus plan, the
16 commitment to provide the 925 beds was conditioned on
17 the university having the financing and also the
18 approval of the cogeneration facility.

19 And I would point out, since some of
20 those who testified as to what happened with the
21 cogeneration facility were not here in 1990, and
22 didn't work on the case, what happened with
23 cogeneration is that the Board approved it in concept
24 in the campus plan, the university then went forward
25 for the further processing, and the Board approved

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1 the cogeneration facility building, with a condition
2 that there be satisfaction of the environmental
3 review by the DCRA.

4 And when the environmental review process
5 was entered into by the university, DCRA did not
6 issue the permit for the cogeneration facility. So
7 the university had no ability to go forward with that
8 project. It was not any fault of the university. It
9 pursued that project through several years of agency
10 hearings and in court, but ultimately the city did
11 not issue the permit, and then there was a lawsuit to
12 try and get the city to issue the permit.

13 Again, since the cogeneration facility
14 was one of the express conditions of Appendix H, what
15 the university has said, and I think what the Office
16 of Planning acknowledges, is that the conditions that
17 were supposed to have taken place back in 1990, that
18 would have provided the financial ability for the
19 university to provide those beds, did not take place
20 and were not met.

21 What the university is proposing in this
22 plan is not simply, again, the 1990 campus plan.
23 There was some testimony that the university had
24 certain housing goals and commitments in the 1990
25 campus plan, and those should be continued. And I

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1 think, as the witnesses have said and the Office of
2 Planning has pointed out, circumstances and
3 conditions have changed. And what the university has
4 said is that its new housing goal is the 84 percent.

5 I think that hopefully answers your
6 question as to whether the conditions were met under
7 the 1990 campus plan.

8 CHAIRPERSON REID: Thank you very much,
9 Ms. Dwyer.

10 MS. DWYER: And if I could just make one
11 other statement. If we were to simply take the 1990
12 plan and say, "Well, gee, let's do that again today,"
13 the 1990 plan, as we pointed out, also approved 2.3
14 million square feet of development, nearly twice what
15 we are now proposing in this plan.

16 And the off-campus student affairs
17 program was not in place in 1990. It was a brand-new
18 program, and one of the reasons why the university --
19 the Board tied the provision of beds to the increase
20 in students was that it didn't know back in 1990
21 whether that plan was going to work.

22 And I think a lot of testimony that the
23 off-campus student affairs program, while it could
24 possibly be strengthened, and the university has
25 proposed that, has provided a mechanism over the last

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1 10 years to address some of the issues from students
2 living off campus.

3 It doesn't mean that there isn't more
4 that can be done, but, as I said, back in 1990, there
5 wasn't anything. And that was a brand-new program,
6 and for that reason the Board said that, given the
7 fact that there will be years for the program to
8 start working, we're going to tie the increase in
9 students to a bed on campus.

10 CHAIRPERSON REID: Thank you very much,
11 Ms. Dwyer.

12 Let's see. Having heard now two days of
13 testimony, and having just a voluminous amount of
14 materials, I think that it goes without saying that
15 Georgetown University is, indeed, an excellent
16 university, and that it definitely enjoys a renowned
17 reputation in this country. As a matter of fact, it
18 is an asset to this city. We're very proud to have
19 it here.

20 And I know it is not without problems.
21 And I -- I just am absolutely appalled at the level
22 of complaints that I have heard in regard to the
23 students and the behavior of the students off campus.

24 Now, I understand that there have been
25 some "mitigating measures" that have been put in

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1 place. Nonetheless, these do not seem to be
2 effective. The hotline for complaints, with the
3 voice mail, or not being answered, does not help the
4 community. The Office of Student Conduct -- well,
5 many of the people in opposition said here today that
6 they understand that there is much being done, and
7 that the person who is the Director -- I think her
8 name is Jean --

9 MS. DWYER: Jean Lord.

10 CHAIRPERSON REID: -- Jean Lord has done
11 a reasonable job. But the fact of the matter is, in
12 order for this particular campus plan to be approved,
13 whether it's -- the main test is adverse impact, and
14 the adverse impact goes to -- and I mean numerous,
15 numerous complaints of the noise from the students,
16 and the drinking problem, and the public -- the
17 underage drinking, the public drinking, the partying,
18 the driving under the influence, the unseemingly
19 behavior of the students, the parking problem, the
20 trash problem, the profanity, the obscene and
21 decadent behavior, the urinating in public, and the
22 sexually explicit conversations that have taken
23 place, and over 100 police complaints, and the lack
24 of supervision, and the reference to the "Animal
25 Houses" in the neighborhoods.

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1 And this all goes to the deprivation of
2 the peaceful enjoyment of the people -- of the homes
3 of the people who live there. And I just think that
4 Georgetown has to be aware of these problems. This
5 is something that is not new.

6 And for you to come to get approval on a
7 campus plan, I would think that there would have to
8 be for me -- I don't know about the other Board
9 members -- but I'm speaking for myself, the Chair,
10 that you would have to demonstrate to us that there
11 is something being done. It just -- it seems to me
12 that it is just out of control, just totally out of
13 control.

14 But to the --

15 (Applause.)

16 And, as such, there's a responsibility of
17 Georgetown, not just as an educational institution,
18 but also you're supposed to be molding the future
19 generation, and giving them guidance and supervision,
20 and showing them correct and proper behavior.

21 I know that when I was in undergraduate
22 school -- it was quite some time ago, it is true --
23 nonetheless, we were not allowed to conduct ourselves
24 like that. Period. And I think that if you -- what
25 my suggestion would be would be the creation of an

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1 off-campus student housing management plan, in
2 conjunction with the community organizations, to
3 address some of these concerns satisfactorily.

4 I don't mean put a bandaid on an open
5 wound. I mean serious surgery that would then
6 mitigate the problems that -- the problems are just
7 so overwhelming and numerous that I know that
8 Georgetown has to be aware of the fact that it can't
9 continue.

10 MS. DWYER: Madam Chair, I hear
11 everything that you're saying, and we have listened
12 carefully to the testimony. And we will --

13 CHAIRPERSON REID: Excuse me one second.
14 There's a letter --

15 MS. DWYER: And read the letter --

16 CHAIRPERSON REID: -- one letter that we
17 received was from a Tom Schneiderman, 19 pages,
18 double -- I mean, single spaced. And we've received
19 several letters and several submissions that were
20 like five and 10 pages single-spaced typed that we
21 have to read. That didn't make us happy --

22 (Laughter.)

23 -- to have to read all of that.

24 MS. DWYER: I know.

25 CHAIRPERSON REID: These people -- I

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1 mean, they were bearing their souls.

2 MS. DWYER: Right.

3 CHAIRPERSON REID: And I felt the pain,
4 quite frankly.

5 MS. DWYER: I agree with you, and we have
6 read the same letters. And on behalf of the
7 university, I can say that some of the letters are
8 embarrassing to read. What the university knows is
9 -- and what it really believes, is that it is a
10 minority of the students that are creating problems
11 for the larger population of the students, but that
12 doesn't mean that they can't address the issue.

13 And we will be coming back to you with
14 changes to the off-campus student affairs program.
15 But, clearly, there has to be a mechanism, as the ANC
16 has suggested, where if there is a particular problem
17 house -- and I think in some of the photographs, and
18 some of the letters, you can identify the house on
19 the corner that is the problem. And if it is a
20 problem house, then a student may lose their right to
21 live off campus.

22 VICE CHAIRPERSON SOCKWELL: Ms. Dwyer,
23 may I --

24 CHAIRPERSON REID: Ms. Dwyer --

25 VICE CHAIRPERSON SOCKWELL: May I -- let

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1 me interrupt just --

2 CHAIRPERSON REID: Let me finish --

3 VICE CHAIRPERSON SOCKWELL: -- please.

4 CHAIRPERSON REID: -- and then I'll let
5 you -- I'll let you get your chance.

6 VICE CHAIRPERSON SOCKWELL: Well, I'm
7 going to say a few words.

8 CHAIRPERSON REID: What I am saying is
9 that what needs to be in place is a proactive, rather
10 than reactive, such that before they even move into
11 these homes from the university, there is a clear-cut
12 procedure, policy, procedures, where there are
13 sanctions, there are penalties that are made clear to
14 them as to what is expected and what would happen if,
15 in fact, these rules were violated in any way.

16 Again, like I said, I don't know what all
17 of the answers are, but I do know that Georgetown
18 University is a great university with great minds.
19 And I'm sure they can come up with a plan that would
20 mediate -- I mean, ameliorate, if not completely
21 eliminate, as much as possible these problems that
22 they are plagued with, as far as the behavior of
23 these children are concerned.

24 MS. DWYER: We will do that. And what I
25 was starting to say is if a student knows that living

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1 off campus is a privilege that can be revoked, and
2 that is one of the sanctions, and that's one of the
3 messages that the university has to make very clear,
4 but we will come back with a comprehensive plan with
5 the university and the off-campus student affairs
6 program and office to respond to -- to address the
7 issues that we've heard and to put in place
8 conditions and restrictions and sanctions.

9 CHAIRPERSON REID: You have to do
10 something about the drinking, something about the
11 excessive partying, the time ranges for having social
12 activities, perhaps Georgetown might have more
13 activities on campus. You know, I mean, like I said
14 before, great minds are there, and I'm sure that they
15 can come up with a plan that we would like -- I would
16 like to see prior to our making our determination.

17 MS. DWYER: Yes. We will definitely do
18 that.

19 CHAIRPERSON REID: Because that would be
20 -- that would be what would give me the basis for
21 being able to determine if, in fact, I feel that it
22 is -- it is wise to give a positive approval, give an
23 approval on this particular campus plan.

24 And I have not been confronted with this
25 before, but I feel that it is part of my

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1 responsibility as a Board member to try to ensure
2 that if, in fact, this campus plan is approved, that
3 the citizens in the community can expect to live in
4 reasonable -- I mean, and I don't think that anything
5 they asked was unreasonable.

6 They were willing to contend with
7 students. They didn't mind that. They didn't mind
8 the socializing. But it is just the extent of the
9 behavior and the decadence and the disrespect that I
10 don't think anyone should have to contend with in the
11 community.

12 Mr. Sockwell?

13 VICE CHAIRPERSON SOCKWELL: I'll start --
14 well, maybe I'll say more than a few words.

15 (Laughter.)

16 Just to say, first of all, recently I was
17 fortunate enough to experience a weekend of living in
18 a group house occupied by undergraduate students at
19 Syracuse University, where the conditions within the
20 house were deplorable, because the students could
21 care less; where, for the evening fire, they came
22 back to the house with DPW Syracuse street
23 construction signs to burn in the fireplace, thinking
24 it was all a good thing.

25 In this instance, I sat back and just

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1 watched to get a feeling for how that situation was
2 working. The trash that they were throwing out the
3 back door, the discussions of the parties, the
4 drinking the fun, this is all the things that --
5 these are all the things that undergraduate students
6 very often feel are part of their freedom, their last
7 level of freedom before going into the work world.

8 And the community in which these
9 particular young people were living was heavily
10 impacted by group homes, four, five, six in a row,
11 that sort of thing. And I can very easily see what
12 the Burleith neighborhood is going through, what the
13 West Georgetown area is going through.

14 And the university, which has strict
15 controls on the campus, has virtually no control off
16 the campus. And the circumstance of knowing what the
17 problem is and doing nothing about it effectively is
18 the deplorable part of this, because it's not new.
19 Georgetown is extremely impacted because it is such a
20 tight community.

21 The university has been there forever.
22 And the circumstance of the way students think has
23 changed probably over the last 25 or 30 years. That
24 thought of freedom, the lack of respect for the
25 police, or any other authorities outside of the home,

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1 some inside of the home, creates the atmosphere where
2 the students actually just are in anarchy and think
3 nothing of any controls outside of the classroom.

4 The university has to find a way to make
5 the students not necessarily understand, just
6 conform.

7 (Laughter.)

8 Understanding will come once they go to
9 work for Xerox and --

10 (Laughter.)

11 -- Bell Atlantic, and whomever. But
12 conformance to the rules, where there are
13 jurisdictional issues that affect the guard forces on
14 the campus from being able to enforce certain things
15 off the campus. But the point is there has to be a
16 way. The university should be desperately seeking a
17 way.

18 The Burleith community that rents houses
19 to the students may not be the ones to make the call,
20 as long as they get their rent, as it appeared in
21 Syracuse. However, the university has no choice but
22 to work within the neighborhood that it resides, to
23 fix the problem.

24 The problem is not unsolvable. These
25 students are there for an education. No education,

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1 no students. No students, no university. No
2 university, happy community. Hmm, doesn't all work
3 that way. They should all be able to coexist in the
4 same space at the same time, and they can't.

5 Mr. Coonan, who had a terribly strong
6 objection to the university, has legitimate --
7 regardless of his feelings about the BZA, has
8 legitimate issues. His issues, by and large, were no
9 different from anyone else's. Some of them may have
10 been exacerbated for him personally by certain
11 personality things that may be part of what happened
12 to him.

13 But the point is, the university students
14 are the cause of the problem. The university is part
15 of the solution, but hasn't participated effectively,
16 and hasn't needed to participate effectively except
17 every 10 years when they come before us. When they
18 come before us, the universities are always going to
19 do this, have this program in place, that program in
20 place, will put additional programs in place; 10
21 years later, they'll come back, same programs in
22 place, no action.

23 And if the university intends to
24 realistically see the problem as being theirs, and
25 can communicate that to this Board, then they can

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1 communicate that to the citizenry and get something
2 done. Otherwise, it's business as usual, or maybe
3 not.

4 CHAIRPERSON REID: Okay. Ms. Renshaw?

5 VICE CHAIRPERSON SOCKWELL: That's all I
6 have to say.

7 MEMBER RENSHAW: Yes. Madam Chair, and
8 our guests in the audience, participants, I am very
9 saddened that Georgetown University allowed the
10 conditions that we have heard today to continue.

11 This, it seems, according to the infamous
12 Appendix H, has been going on for years, and I read
13 that in 1973 this business of the issue of the impact
14 of students living in surrounding neighborhoods was
15 raised, and in 1973 it became a relatively
16 controversial issue between the university and the
17 community. Here we are at year 2000.

18 Now, the neighbors, the neighborhoods
19 deserve the best from its -- their community partner,
20 Georgetown University. And I expect a campus plan to
21 reverse the adverse impact that has been articulated
22 in the past, and, unfortunately, was again
23 articulated today.

24 It is not up to the neighborhoods to
25 police. The city has played a role in this problem

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1 that has continued, because there has not been the
2 appropriate enforcement from the appropriate
3 agencies. But it is up to the university, from now
4 on, to control and to lay out a standard of conduct
5 from those who have used the university, and make
6 sure that there are the controls in place to protect
7 the neighbors and the neighborhoods.

8 And, again, I would hate to come back in
9 whatever year that is set by the BZA and to find that
10 these controls have not been met, and that we hear,
11 once again, the adverse impacts that we have heard
12 from the communities today. It has to stop now.

13 And this Board, in its deliberation, will
14 be discussing that further. But, again, I'm saddened
15 that the university -- a great institution, a
16 powerful institution -- has been humbled by the
17 conduct of the very students that it is preparing for
18 the world of work and to participate in communities
19 like ours in the future.

20 The students have set a terrible example
21 for other students coming after them, and has been a
22 shame to that university, which is in the process of
23 preparing them for the world of work.

24 So, again, we've learned a lot from
25 today. I thank you for all of your presentations,

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1 both on the side of the applicant and on the side of
2 the communities. And we certainly have had a long
3 day, but it's been worth it. Thank you.

4 CHAIRPERSON REID: Thank you, Ms.
5 Renshaw.

6 So, Ms. Dwyer, there you have it.

7 MS. DWYER: I do.

8 CHAIRPERSON REID: Basically, this
9 situation -- and it's very serious, because it's
10 putting your campus plan in jeopardy. And it's --

11 MS. DWYER: We understand that.

12 CHAIRPERSON REID: And if there is any
13 inkling of this campus plan being approved, as well
14 as for 10 years, because several people asked for
15 five, and those are the kinds of things we're going
16 to be looking at.

17 So we're going -- your client is going to
18 really have to convince us that -- and, like I said,
19 there are so many different aspects, notwithstanding
20 the traffic and the parking -- we didn't even get
21 into that -- that will have to be presented to us, in
22 such a way that it demonstrates that there will be no
23 more, or very little. We don't expect perfection.
24 We know that kids and students will -- but this is
25 extreme.

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1 MS. DWYER: We hear you.

2 By what date should we file our closing
3 and rebuttal, and then what date for the proposed
4 findings of fact?

5 MS. PRUITT: I'd just like to kind of go
6 over -- I believe there are three items that the
7 Board has requested to be submitted to the record,
8 and that was the first item from Lieutenant Burke, to
9 submit the budget for the noise patrol program, and
10 the number of noise complaints they had within the
11 last year.

12 Mr. Gwynne is to submit a condensed
13 version of his conditions, along with a letter of
14 authorization.

15 And then, the applicant is to submit a
16 plan to address the off-campus housing problems in a
17 more proactive way.

18 Right now, it looks for a decision for --
19 or at least to put this on the agenda for
20 September 5th. The submission should be due
21 August 10th, with your closings on the -- your
22 closing in writing on the 17th, and findings of fact
23 due on the 24th.

24 So let me review the numbers again.
25 August 10th for any outstanding submissions as the

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1 Board requested. The applicant's closing in writing
2 is due on August 17th, with findings of fact from
3 parties and the applicant due on August 24th.

4 MS. DWYER: All right. If in going
5 through the -- my notes or the transcript there were
6 other things that needed to be filed in the record,
7 they would also be due August 10th.

8 MS. PRUITT: Correct. This is what I
9 could remember from my --

10 MS. DWYER: All right. And that may be
11 it. I just haven't gone through it. Okay.

12 MS. PRUITT: Madam Chair, I believe
13 there's --

14 CHAIRPERSON REID: I'm sorry. Come up
15 quickly. Questions? Procedural questions, or
16 questions -- okay.

17 MS. ZARTMAN: Just for the list, I
18 believe the ANC -- Peter Pulsifer was also to provide
19 the arguments behind his --

20 CHAIRPERSON REID: That's right.

21 MS. ZARTMAN: -- presentation, the
22 element of his presentation. And, of course, the
23 Zoning Administrator was to get an opinion to you.

24 CHAIRPERSON REID: Yes. Yes, in regard
25 to the issue of the use -- the variance.

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1 MS. ZARTMAN: Correct.

2 CHAIRPERSON REID: Okay. Definitely.

3 MS. ZARTMAN: If there are other --
4 obviously, we won't see the closing argument. Is
5 there any ability to comment about anything factual
6 that may be in the closing?

7 CHAIRPERSON REID: I think so. I think
8 that --

9 MS. PRUITT: That was discussed -- you
10 were saying that there's usually no rebuttal, or,
11 rather, there is no response to applicant's closing.

12 CHAIRPERSON REID: I'm not speaking of
13 response to. I think that the parties have a --

14 MS. PRUITT: Oh. Of course, it'll be
15 served on them, yes.

16 CHAIRPERSON REID: Yes. You will see the
17 closing arguments.

18 MS. PRUITT: You just won't be able to
19 comment.

20 CHAIRPERSON REID: We know that there is
21 no -- but, yes, all parties will be served -- all of
22 the parties will receive whatever is submitted.

23 MS. PRUITT: And, in fact, we would ask
24 that in -- if any findings of fact are given to us,
25 that you also serve it on the other parties.

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1 MS. ZARTMAN: Okay. And the one other
2 element, I believe all of the organizations supported
3 a five-year timeline. If we did not make that clear,
4 it was universally supported across the
5 organizations.

6 CHAIRPERSON REID: Okay. Well, we
7 understand that, but I had also asked that each of
8 you -- each entity submit the conditions that -- or
9 if you could compile them, that would be great --
10 that you --

11 MS. ZARTMAN: We shall.

12 CHAIRPERSON REID: -- a recommendation,
13 as well as the ANC.

14 MS. ZARTMAN: We shall. Thank you.

15 CHAIRPERSON REID: All right. Is that
16 it? Thank you very much.

17 MS. DWYER: Thank you for sitting so late
18 and letting us finish.

19 (Whereupon, at 7:46 p.m., the proceedings
20 in the foregoing matter were adjourned.)
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