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DISTRICT OF COLUMBIA ZONING COMMISSION
CASE NO. 11-07
(AMERICAN UNIVERSITY – CAMPUS PLAN AND FURTHER PROCESSING)

PREHEARING STATEMENT OF THE
SPRING VALLEY-WESLEY HEIGHTS CITIZENS ASSOCIATION
IN OPPOSITION TO THE CAMPUS PLAN

MAY 27, 2011

ZONING COMMISSION
District of Columbia

CASE NO. 11-07
Board of Zoning Adjustment
District of Columbia
EXHIBIT NO. 152
CASE NO.18857
EXHIBIT NO.18A

The Spring Valley-Wesley Heights Citizens Association (the “SVWHCA”) submits this Prehearing Statement further to its request filed May 24, 2011 to participate as a party in this proceeding considering the American University Campus Plan, as filed with the Zoning Commission on March 18 and as amended by a filing on May 20 (the “Campus Plan”). As set out in its request, the SVWHCA is an unincorporated association which has as its members all residents of the Spring Valley and Wesley Heights neighborhoods, which are the largest residential neighborhoods bordering the Main Campus of American University (“AU”). The SVWHCA concurs in the objections to the Campus Plan that have been raised by the Westover Place Homes Corporation, Neighbors for a Livable Community, Tenley Campus Neighbors Association and Tenley Neighborhood Association. In this submission, SVWHCA will focus on certain neighborhood-wide adverse effects of the Campus Plan, and particularly on its potential effects on Spring Valley and Wesley Heights.

A. Citizens’ Petitions with Over a Thousand Signatures Oppose the Campus Plan

Members of the SVWHCA organized a response to the Campus Plan in the form of two petitions from residents who would be affected by the Campus Plan. The petitions provide an important summary of the principal grounds of the SVWHCA for opposing the Campus Plan, and indicate widespread objections to the Campus Plan among individual residents. The first petition (the “Wesley Heights Petition”) was initially circulated in response to the draft Campus Plan filed by AU in January, and is focused on objectionable aspects of the Campus Plan in Wesley Heights, which is adjacent to the proposed “East Campus” housing.

A copy of the Wesley Heights Petition is set out on the following page.

Members of the SVWHCA also circulated a second petition (the “Cap Petition”), requesting that the Zoning Commission retain the cap on AU’s overall enrollment described in the 2001 Zoning Commission order approving the 2000 Campus Plan. Details of this proposal are described in Section C. below. The initial version of the Cap Petition was circulated in respect to AU’s refusal on several occasions – for example, in connection with ANC3D’s consideration of the Campus Plan -- to include any cap at all on its enrollment. Subsequent to AU’s May 20 submission acknowledging that AU would agree to a condition placing a cap of 13,600 students and 2900 staff on the Campus Plan, a slightly modified version of the Cap Petition has continued circulating.¹

A copy of this version of the Cap Petition is set out immediately after the Wesley Heights Petition.

¹ The ultimate request in the two versions of the Cap Petition is the same: that the Zoning Commission retain the 2001 cap on AU’s enrollment and staff in the 2011 Campus Plan.

An Open Petition from Citizens of Wesley Heights

To Advisory Neighborhood Commission 3D, the District of Columbia Zoning Commission, Mary Cheh, Ward 3 Representative to the District of Columbia City Council, the District of Columbia City Council and District of Columbia Mayor Vincent Gray

- 1. American University's Proposed 10-year Campus Plan, and its plans regarding off-campus properties owned by AU, threaten the stability and preservation of the Wesley Heights neighborhood. Recently, AU has:**
 - Proposed to construct dormitories to house 765 students in an area at the corner of Nebraska and New Mexico Avenues that AU has labeled its "East Campus."
 - Refused to lease off-campus space owned by AU to a proposed Wesley Heights grocery store, denying plans that would have restored an important amenity in the neighborhood that had existed for over 25 years.
 - Not included any legal conditions in the Proposed 10-year Campus Plan limiting the future student enrollment or staff employment of AU, future boundaries of "East Campus," uses that may be made of off-campus properties owned by AU, or the establishment of fraternities, sororities, or student group homes in Wesley Heights and surrounding neighborhoods.
- 2. AU's proposals will have substantial, adverse effects on residents and property values in Wesley Heights and nearby neighborhoods. Specifically:**
 - The "East Campus" housing would be built very close to existing, established residences in the Westover community. These residences will suffer unacceptable intrusions from noise, inappropriate building heights and aesthetics, and other harms. Residents in Westover and throughout Wesley Heights have already suffered or will suffer significant losses in their property values due to the proximity of the planned "East Campus" housing.
 - The "East Campus" housing would be built almost directly across the street from Horace Mann elementary school and playground, and "East Campus" has no field or park. The 750+ undergraduates who live there inevitably will use the Horace Mann fields and grounds, interfering with the enjoyment of the area by the young children in the community.
 - "East Campus" is 500 feet from an existing wine and liquor store, making it an unacceptable location for undergraduate housing.
 - Unchecked expansion of AU will mean more housing and commercial space in Wesley Heights being used for university or student purposes and not for important neighborhood amenities. The grocery store in the former Balducci's space – for which AU has refused to accept a viable proposal from a well respected neighborhood businessman – is only the first example.
 - Increased AU student and staff populations will worsen traffic and increase pedestrian and parking congestion.
- 3. AU should be required to go back to the drawing board with its proposals. AU should engage in a new planning process that will consider real alternatives to its proposals in a manner that is responsive to community concerns. In particular, AU should:**
 - Build dormitories on the interior of its main campus, away from residential properties, and use the "East Campus" location solely for academic and administrative buildings consistent with the character of the adjacent community.
 - Foster neighborhood-supporting amenities in leasing its non-campus properties, and, in particular, bring a grocery store to the area formerly occupied by Balducci's.
 - Agree not to allow any off-campus property owned, purchased or leased by AU to be used for fraternity, sorority or other student housing or for uses that generate excessive noise.
 - Commit that uses by AU of properties in Wesley Heights that it owns or may acquire in the future – such as the OECS building at 3216 New Mexico Avenue – will not generate foot or vehicle traffic in excess of the customary use by the current occupants and will not increase building height or size of footprint.

Printed name	Address	Signature	Date	Email
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Printed name	Address	Signature	Date	Email

Petition from Neighbors of American University

To ANC 3D, ANC 3E, ANC 3F, the District of Columbia Office of Planning and the District of Columbia Zoning Commission

We are residents of neighborhoods bordering the American University campus. We ask you to preserve the existing cap on student enrollment and staff at AU when you consider the AU 2011 Campus Plan.

The zoning laws protect our rights by requiring AU to show that AU's operations will not be objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions. The Zoning Commission determined in 2001 that without caps on AU's headcount of 10,600 students, full-time equivalent of 9,250 students, and 2,200 employees, AU did not meet this standard.

We agree with that finding from 2001. It is even truer today. As residents near AU, we have experienced:

- Traffic delays associated with students and staff commuting to AU, construction and deliveries at AU and other AU operations
- Delays and near accidents associated with AU pedestrian traffic, especially around Ward Circle
- Lack of available parking for residents because AU students and staff park on neighborhood streets
- Use by AU of commercial space outside its campus for university or student purposes and not for important neighborhood retail businesses
- Noise, disturbances and litter associated with student residences off AU's campus, and
- Noise associated with AU operations, construction and special events

AU's Campus Plan proposes an increase in AU's enrollment and staff that would exceed the 2001 cap by more than 20%. This would renege on agreements AU has had in place with the community for over 20 years, and would be completely inconsistent with maintaining the character of the neighborhoods around AU.

The 2001 cap was based on exclusion of AU's law school from its campus, and the proposal in the Campus Plan to bring the law school back on campus has been contested. If the proposal to relocate the law school goes forward, AU should be subject to the cap that previously applied when the law school was on campus: headcount of 11,233 students, full-time equivalent of 9,800 students, and 2,200 employees, in each case inclusive of all law school students and staff. If the proposal to relocate the law school is denied, AU should be subject to the 2001 cap of headcount of 10,600 students and full-time equivalent of 9,250 students, in each case excluding law school students, and 2,200 employees.

The stability and preservation of our neighborhoods require that AU be required to adhere to the 2001 cap as described above. Without this cap, AU's operation will be objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions.

This petition is in addition to any other objections that we or our neighborhood organizations are making regarding the AU Campus Plan.

Printed Name _____ Address _____ Signature _____ Date _____ Email (optional) _____

Printed Name _____ Address _____ Signature _____ Date _____ Email (optional) _____

Printed Name _____ Address _____ Signature _____ Date _____ Email (optional) _____

The Wesley Heights Petition received overwhelming support within the Wesley Heights neighborhood.² The Wesley Heights Petition was signed by 96% of the households in Wesley Heights that we were able to reach, and by over 80% of all Wesley Heights households. Many residents of nearby neighborhoods also signed the Wesley Heights Petition, and in total it was signed by over 600 individuals.

The Cap Petition has been circulated not within the full territory of the SVWHCA but to the band of residences that are most closely adjacent to AU's Main Campus or its Tenley Campus. Within this area, response to the Cap Petition has also been quite substantial. Over 600 individuals have signed the petition to date and signatures continue to be received. The Cap Petition reflects a broadly held view of affected neighbors: i.e. that AU should continue to be subject to the 2001 cap, as adjusted depending on whether the AU law school is relocated. But it also reflects the *personal testimony* of hundreds of residents who live near AU and who have observed objectionable conditions that are directly linked to the overall size of the university. While AU is a respected institution that fulfills an important educational mission, it is nestled entirely within low density residential neighborhoods. AU has reached a size and scope of operation where further growth almost inevitably interferes with important aspects of its neighbors' quality of life. These effects are detailed in the Cap Petition.

Together, the Wesley Heights Petition and the Cap Petition represent objections to the Campus Plan from over a thousand individual residents, and we request that the Zoning Commission give them substantial weight in responding to the Campus Plan.

B. AU's Filing Fails the Legal Standard for a Complete Campus Plan.

The zoning regulations require AU to submit for approval "a plan for developing the campus as a whole". DCMR 11-210.4. This Campus Plan fails that standard, because it omits essential material regarding the Tenley Campus. AU's March 18 filing stated that the plans for Tenley Campus "continue to evolve" and that AU intended to file a "Further Processing Application" for Tenley within "60–75 days" of the filing of the plan for the main part of the Campus. In AU's May 20 filing, this date has become "Summer 2011." More importantly, AU's May 20 filing indicates that it "continues to work" on the "massing, height and location of the buildings" for the Tenley Campus, making it obvious that the Tenley plans are incomplete. We believe that the Zoning Commission should not take action on the plan until AU files a complete plan.

We submit that any plan that properly meets the standard for developing the campus "as a whole" must address the uses of such properties. Considering a complete Campus Plan is essential because the operations of AU are interrelated. For example, AU's request to build dorms on East Campus is directly tied to their plan to demolish 500 beds of student housing on the Tenley Campus in conjunction with plans to relocate the AU law school there. The Zoning Commission found in 2001 that the off-campus Spring Valley location for the AU law school was inextricably tied up with the issues regarding the Main Campus, and the Tenley Campus is even more so. (See Zoning Commission Order No. 949 (Case No. 00-36CP/16638) (July 19, 2001)

² We defined "Wesley Heights" as the residential area between the east side of New Mexico Avenue and Foxhall Road (excluding Foxhall Road itself), and from Dexter Street to Newark Street, plus the portion of 44th Street south of Dexter Street.

(“2001 Zoning Order”), page 25.) Students and staff at Tenley will travel to and from the Main Campus, park there and live near there, and vice versa. The enrollment and staff cap on AU’s size will necessarily need to take into account both sources. And the portions of AU’s activities that are conducted at nearby off-campus locations are inevitably part of a single, integrated operation. Furthermore, in omitting any plan for the Tenley portion of the campus, AU has also failed to address plans for the current Washington College of Law building or any other commercial or residential properties owned by AU and used for university purposes.

We therefore request the Zoning Commission to defer consideration of the Campus Plan until a full Campus Plan has been submitted to the relevant ANCs and the ANCs have actually considered the whole plan with the benefit of input from the affected communities. Only a full plan that addresses the uses of all properties that function directly or indirectly as part of AU’s campus operations, and the overall effect on neighboring properties from such university-related uses, should be considered an eligible plan. Because of the different locations, it may of course be desirable for the Zoning Commission to consider different elements of the plan separately. But no part of the Campus Plan should be considered until a full plan has been submitted.

C. AU Should Be Subject to a Cap on AU’s Enrollment and Staff at a Level That Recognizes AU’s Residential Surroundings and the Balance Struck in Prior Zoning Orders.

AU is located in the middle of several low density residential neighborhoods – Wesley Heights, Spring Valley, AU Park, Tenleytown. Increases in AU’s size therefore necessarily affect the character of the surrounding neighborhoods, and the zoning regulations recognize this concern in providing that a university’s “number of students” can itself be an objectionable condition. Prior Zoning Commission orders on this subject reflect a well established understanding that many potentially objectionable conditions are indeed associated with the operation of AU. These include traffic, parking, noise, disturbances, the effects of student group homes, and the use by AU of scarce commercial properties and neighborhood amenities. The Zoning Commission has struck a balance between AU’s operational needs and university goals, on the one hand, and the adverse effects on its neighbors that can be associated with AU’s operations on the other. The Cap Petition requests the Zoning Commission to preserve this balance. We discuss this further below after explaining some facts and figures relating to the cap.

1. Prior to the 2000 Campus Plan, AU Was Subject to An Overall Cap That Included the Law School. Some historical background on the caps applicable to AU is helpful in understanding the Cap Petition. In the 1989-2000 Campus Plan, a headcount cap of 11,233 students and 2200 staff was applicable to AU, and at the time that cap was adopted AU’s law school was operated on its main campus. Therefore as of 2000, just prior to the 2000-2010 Campus Plan, the actual enrollment and staff, and caps on enrollment and staff, applicable to AU were as follows:

	Actual Headcount as of 2000	Headcount Cap as of 2000
Total Headcount (Non-Law Students) ³	9,532	
Undergraduate Students	4,967	
Graduate Students	3,733	
Non-Degree Students	832	
Law Students ⁴	1,400	
Total Headcount (including Law Students)	10,932	11,233
Faculty/Staff (FTE) ⁵	1,541	2,200

2. **Relocation of the Law School Resulted in a Modified Cap.** During the term of the 1989-2000 Campus Plan, AU had relocated its law school to the current Washington College of Law building at 4801 Massachusetts Avenue. The space at 4801 Massachusetts was zoned for commercial use, and if viewed in isolation would not require the special zoning exception applicable to universities in residential zones. AU therefore argued that for purposes of the 2001-2010 Campus Plan, the law school enrollment and staff should not be counted toward its cap and that the headcount cap of 11,233 students from 2000 should continue to apply. Effectively, AU argued that its non-law school operation should be permitted to grow to a size that had previously applied to the law school taken together with other programs.

The Zoning Commission did not accept this argument. It found that “law students continue to create on-campus impacts notwithstanding the off-campus location of the law school” and that “those impacts must be taken into account when setting the campus population caps for the new campus plan.” (2001 Zoning Order at Page 25). Accordingly, the Zoning Commission concluded that “[t]he population caps for students . . . should be revised downward from the 1989 Plan to reflect that the University’s law school remains in close proximity to the campus and operates in such a way that law students generate traffic, parking and activity impacts at the University’s campus.” The Zoning Commission decreased the 1989 cap to 10,600 from 11,233; this reduction of 633 did not decrease the 1989 cap by the full enrollment of the law school (1,400), but by approximately half the size of the law school.

3. **The Modified Cap from 2001 Allowed Substantial Growth in AU’s Operations.** During the term of the 2000-2010 Campus Plan, AU’s size has grown under the higher ceiling made possible by subtracting the law school from its population but lowering the cap by only half that much. The current numbers are as follows:

³ See 2001 Zoning Order Page 6.

⁴ See 2001 Zoning Order Page 25.

⁵ Taken from 2000 Campus Plan Traffic Study p. 3.

	Actual Headcount as of 2010	Headcount Cap as of 2010 (Law School Off Campus)
Total Headcount (Non-Law Students)	10,298	10,600
Undergraduate Students	6,318	
Graduate Students	3,230	
Non-Degree Students	750	
Faculty/Staff (FTE)	2,207	2200
Law Students (not capped due to location in commercial space)	1,770	
Law School Staff (not capped due to location in commercial space)	400	

Non-law school enrollment has grown by 8% (9,532 to 10,298) and the law school has grown by 26% (1400 to 1770). The undergraduate population at AU has increased by 27% (4967 to 6318). The overall size of AU's enrollment, considering both the on and off-campus segments, has grown by just over 10% since 2000 (10,932 to 12,068). Faculty and staff have increased substantially, by 43% (1541 to 2207).

4. Bringing the Law School Back on Campus Would Cause AU to Exceed

Prior Capped Levels. If the law school is moved back to AU's campus from its current location, as AU proposes, the change in the cap made at the time of the 2000 campus plan would logically be reversed, such that the law school would now be counted in AU's campus numbers and the cap would be restored to the level that applied when the law school was operated on campus (11,233). But AU would be over this cap based on its current enrollment and staff numbers, which can be seen as follows:

	Actual Headcount as of 2010	Headcount Cap as of 2010
Total Headcount	12,068	11,233
Undergraduate Students	6,318	
Graduate Students	3,230	
Non-Degree Students	750	
Law Students	1,770	
Faculty/Staff (FTE)	2,607	2,200

Effectively, moving the law school back to the AU campus, even at AU's current size, would allow an increase in the prior cap on AU's enrollment of 7% and an increase in the prior cap on AU staff of 18.5%, without AU having ever discussed or justified such an increase. And while AU has grown, the considerations that dictate the need for a cap on AU -- traffic, parking, noise, disturbances, the effects of student group homes, and the use by AU of scarce commercial properties and neighborhood amenities, the overall "footprint" AU makes on the residential neighborhoods around it -- have not changed. In fact, given the planned expansion at the Department of Homeland Security's Nebraska Avenue Complex, the incremental effect of AU on traffic, parking, noise and other considerations for the surrounding neighborhoods is only intensified. AU's overall plans would also intensify the localized effects of its operations on

Wesley Heights, by concentrating students previously housed at Tenley on the East Campus site directly bordering the Wesley Heights neighborhood.

5. AU Should Be Required to Recognize Its Limits and Make Choices among Its Goals.

AU should remain capped at levels that recognize the balance struck in prior zoning orders. Effectively this would mean that as AU transitions to bringing its law school back on campus, the total cap applicable to AU would be equal to the lesser of (i) 10,600 plus any law students who have moved from the WCL location and (ii) 11,233. As the law school is relocated to the Tenley Campus, other aspects of AU's operations would need to be somewhat reduced in order to accommodate the increased on-campus presence associated with the law school. One pro forma illustration of a possible means of working within something close to the prior cap is the following:

	Pro Forma Future Headcount	Headcount Cap as of 2010-2020
Total Headcount	11,200	11,233
Undergraduate Students	5,600	
Graduate Students	3,200	
Non-Degree Students	700	
Law Students	1,700	
Faculty/Staff (FTE)	2,400	2,200

It is helpful to review these illustrative figures in comparison to the historic figures provided by AU in the Campus Plan (see Annex 1). In this illustration, the law school at 1,700 would be slightly smaller (4%) than the existing enrollment but essentially the same as figures for recent prior years. Graduate enrollment would remain approximately the same, having declined since the 2000 Campus Plan. The undergraduate enrollment at 5,600 would decrease by approximately 11% from its current figure, but would still be well above the 4,967 figure as of 2000, and would remain within the range for undergraduate enrollment at AU as recently as 2005. Staff would presumably be reduced in tandem with a reduction in overall enrollment from current levels. While this would not reduce the staff to within the current cap of 2,200, it is possible that a slightly higher staff cap or (for example at 2,400) or a slightly lower enrollment cap could be considered to offset this effect.

6. The Cap Critically Affects All Other Issues in the Campus Plan.

In setting out these pro forma figures, we of course understand that AU would probably react to the cap with different figures than these. But the point is that the overall cap has very important implications for other aspects of the Campus Plan. For example, if living within the cap meant AU would determine not to relocate the law school, the existing sites for housing at Tenley could still be used. And if AU does relocate the law school but compensates by reducing its undergraduate population, less undergraduate housing will be necessary. Thus, if AU were operating at an enrollment of 5,600 – again slightly higher than its actual 2005 undergraduate enrollment figure -- the “two thirds” on campus housing requirement that drives its request to build new housing would require only 3733 beds. **Given AU's existing capacity of 3533, very little new housing would actually be required to be built.**

In fact, as has been explained at length in the resolution of ANC3D opposing the Campus Plan, AU is already proposing to build a great deal more housing than it currently needs given its actual housing practices in relation to its undergraduate population. ANC3D has calculated that AU's need for new housing construction is as little as 373 beds, whereas after a long series of wildly varying proposals over the last 18 months, the Campus Plan proposes 1,290 new beds. AU is proposing to build housing it does not need based on its current numbers. The evident explanation, though AU has not admitted it, is that AU actually expects substantial growth in its undergraduate population or other operations that would demand housing, and is seeking permission now for the housing that would accompany such growth.

This point bears emphasis: AU has assumed a right to substantially increase the size of its on-campus operation, well beyond prior capped levels, and has proposed housing to go with those plans for future growth. But a logical approach would dictate dealing with the cap issue first, and addressing housing needs in light of the resolution of this issue. If AU is capped as it always has been, then AU may, depending on the priorities AU sets within that overall cap, substantially change some elements of the current Campus Plan.

7. The Cap Must Include AU Students Physically Present on Off-Campus Properties.

We believe the experience of the operation of AU's law school at the Washington College of Law building bears out the argument made by the neighborhood associations in 2001 that "*where the commercial property's use is integrated with the nearby operation of a university on residentially zoned property, the entire university operations must be examined in order to determine whether further facilities on residentially zoned properties are 'not likely to have objectionable impacts' upon neighbors.*"⁶ For purposes of the cap under the 2011 Campus Plan, we request the Zoning Commission to determine that any students physically present in nearby off-campus properties (defined as properties within a mile of either the campus or any other properties already included for this purpose) should be counted for purposes of this cap. For example, AU has given no information whatsoever about its planned use of the Washington College of Law building after the law school leaves. AU should not be able to once again circumvent the cap by locating new programs in this building, and any students attending classes or other activities at this location should be counted toward the cap. Also, any further law students added at the current Washington College of Law location should be counted against the cap going forward.

The signers of the Cap Petition recognize that being subject to such a cap would mean that if AU brings its law school back on campus, the law school may not be as big as AU would wish, and that AU's other operations would need to be limited to a size more like its enrollment in 2000-2005. However, bigger is not necessarily better, and we know of no reason why AU cannot operate quite successfully at these levels—they have proven that they can. And bigger is decidedly *not* better in the specific setting of AU's campus: a location surrounded entirely by low density residential neighborhoods. If these neighborhoods are to retain their character, AU cannot have everything it asks for. It simply has to set priorities and make compromises within the limits that are necessary to reasonably preserve the quality of life in this residentially zoned area.

⁶ 2001 Zoning Order at Page 5 (quoting argument of Neighborhood Associations).

We therefore request that the Zoning Commission renew the prior caps on AU. AU should be subject to:

- (1) a cap on student headcount equal to the lesser of (i) **10,600** (fulltime equivalent of 9,200) plus the number of law students currently present at the Washington College of Law building who have been relocated from that site and (ii) **11,233** students (fulltime equivalent of 9,800); and
- (2) a cap on employees equal to **2,400**, including all faculty and staff currently present at the Washington College of Law building who have been relocated from that site.

8. In the Alternative, AU Should Be Subject to a Separate Cap on Undergraduate Enrollment. Assuming that AU would move its law school on campus at its existing size, an overall cap on AU's enrollment that is based on the 2001 Zoning Order (11,233), would in effect require a roll back in AU's undergraduate enrollment (though its overall on-campus enrollment would still go up by 8%). If the Zoning Commission does not support an overall cap at this level, we believe AU should certainly be subject to a cap on its undergraduate enrollment.

AU has already increased their undergraduate enrollment by **27%** since 2000, something they did not project in the last Campus Plan and did not plan for. In public discussion of the Campus Plan, AU has continually stressed their housing problem, but any problems AU has are problems that AU has knowingly created. AU controls its enrollment. AU did not propose any new housing in connection with the 2000 Campus Plan, and as they note in the current Campus Plan, they have not initiated a new housing building in 25 years. But during the term of the present campus plan, AU's undergraduate enrollment went from 4,967 to 6,318 – up by 1,300 students. Why did AU admit so many students when they had not planned housing for them? This planning failure by AU has led to students suffering from crowded conditions, and has intensified the impact of the Main Campus on AU's neighbors, especially in recent years.

Now AU is effectively proposing to shift 500 more students (200 undergraduates and 300 students in nondegree programs) by moving their entire Tenley operation to the Main Campus. To compensate, AU should slightly reduce or at least freeze their overall undergraduate enrollment in order to give the community a chance to absorb the effects of increased Main Campus undergraduate housing, without *also* having to live with dramatic future growth that would be possible under AU's proposed cap of 13,600. For the undergraduate population, a slight rollback or freeze of enrollment would not be much of a change from AU's own projection, which is a small 1.3% increase.

As an alternative therefore, the Zoning Commission should consider a combination of (i) a small rollback or cap on AU's undergraduate enrollment at its current level of about 6,300, (ii) allowing AU to keep and continue counting its Berkshire apartment leases toward its on-campus housing requirement, since AU has confirmed its intent not to give these up anyway and (iii) a requirement that AU maintain available housing for 60% of their undergraduates. While AU is subject to a requirement to have housing **capacity** for two thirds of its undergraduates -- a requirement AU is presently not complying with -- the percentage of AU's undergraduates who

are actually housed on campus is lower, only about 60%.⁷ We believe the Zoning Commission should consider recognizing this reality, so as to permit a lower overall housing build and enable AU to focus housing construction in the campus interior. Illustrative scenarios are below:

Undergrad Cap of 6,100 and 60% Housing Availability Requirement (3,660 beds required)	
Existing Housing Net of Tenley Beds Lost	3,050
Retain Berkshires	200
Retain 33% of Triples	100
North Hall per 3/18 Plan	200
Nebraska Addition	150
	3,700
Undergrad Cap of 6300 and 60% Housing Availability Requirement (3,780 beds required)	
Existing Housing Net of Tenley Beds Lost	3,050
Retain Berkshires	200
Retain 33% of Triples	100
South Hall reduced from 3/18 Plan	150
North Hall reduced from 3/18 Plan	150
Nebraska Addition	150
	3,800
Undergrad Cap of 6100 and 65% Housing Availability Requirement (3,965 beds required)	
Existing Housing Net of Tenley Beds Lost	3,050
Retain Berkshires	200
Retain 33% of Triples	100
South Hall reduced from 3/18 Plan	175
North Hall larger than 3/18 Plan but less than 5/20 Plan	290
Nebraska Addition	150
	3,965
Undergrad Cap of 6300 and 65% Housing Availability Requirement (4,095 beds required)	
Existing Housing Net of Tenley Beds Lost	3,050
Retain Berkshires	200
Retain 33% of Triples	100
South Hall reduced from 3/18 Plan	150
North Hall larger than 3/18 Plan but less than 5/20 Plan	275
Nebraska Addition	150
East Campus	175
	4,100

The above numbers illustrate that in scenarios with a cap or small rollback on undergraduate enrollment, and otherwise leaving existing arrangements in place, AU does not

⁷ According to AU's figures, 84% of seniors historically lives off campus, as do 75% of juniors and 20% of sophomores. This dictates that overall on-campus housing would not exceed 60% of the total undergraduate population. Similarly, of AU's design capacity of 3,533, as increased by 300 for triples and 200 for leases at the Berkshire apartments per AU's figures, approximately 300 beds are used for nondegree students at Tenley Campus. This would mean AU would house no more than 3,733 undergraduate students or just under 60% of 6,318.

need to construct East Campus. It can, as affected residents have urged, focus largely on expanding sites where housing already exists or sites in the campus interior. This is especially important because AU is not proposing to build evenly, and in fact is proposing to build first where they ought to build last. AU particularly should not be permitted to build East Campus and the Nebraska Hall addition first, and leave other housing locations in the campus interior – locations AU itself has proposed -- to be pursued only if needed. As discussed below, the 590 students AU is proposing to bring to the edge of Wesley Heights would effect a dramatic change in the character of a neighborhood for which Nebraska Avenue has served as the longstanding buffer. Undergraduate housing should be built here only when reasonable on-campus alternatives have been exhausted.

D. East Campus Housing Will Create Objectionable Conditions for the Surrounding Neighbors.

The residents of the Westover community have articulated in detail the objectionable conditions that the proposed housing on East Campus would create for their existing homes. The Wesley Heights Petition – which is signed by more than 3 times as many people outside Westover as within it – demonstrates that these concerns are shared throughout Wesley Heights. In addition, there are particular objectionable conditions identified in the petition on which we would like to elaborate:

1. **The East Campus Development Will Create Objectionable Noise.** The Nebraska Avenue parking lot is located at one of the highest points in the District of Columbia, with the grade descending down Massachusetts Avenue to both the west and the east, and down New Mexico Avenue to the south. Any resident of Wesley Heights close to this spot can attest to the ease with which noise travels from the high ground at the top of New Mexico Avenue. But on this very highest point, AU proposes to construct residences two full stories higher than any other nearby buildings, and to use them as college dorms. A college dorm is not a quiet neighbor. And AU has done little or nothing in its design to address neighborhood-wide noise effects of its plans. While AU has oriented windows away from the Westover development on the east side, the windows for two of the residence halls face southwest fronting New Mexico Avenue and will project noise out and downhill into Wesley Heights. AU has not suggested any mitigant for these quite obvious noise issues. The city has noise laws and similar ordinances, but these laws are difficult to enforce as a practical matter and may be of little help. **The way to address the issue is to locate student housing where appropriate buffers exist.** Nebraska Avenue has long provided the appropriate buffer, and should continue to do so.

No one is against college students or against AU. But aside from the direct noise coming from dorms, college age students in general tend to have a much greater attraction to a variety of activities that create noise in the open, particularly loud music and parties, and especially late at night, than do residents who are often older and/or have young children. Housing large numbers of students at the very edge of the Wesley Heights simply invites conflicts between residents and neighbors with respect to these different lifestyles.

2. **The Location of Housing on East Campus Is Objectionable Due to an Adjacent Wine and Liquor Store.** As set out in the Wesley Heights Petition another objectionable aspect of the East Campus housing in this respect is that it would be located just up

the street from an existing wine and liquor store. The problems of underage drinking and alcohol abuse on college campuses are notorious, and AU's students are not exceptional in this regard. Proximity of places to buy alcoholic beverages has been cited in the scholarly literature as contributing to alcohol abuse among college students, and in adverse effects on neighborhoods such as vandalism, assault, noise, litter, drunkenness, and other public disturbances.⁸ If ANC3D were to consider a request for a liquor license, such close proximity to college housing would likely be grounds for refusing it; conversely, AU shouldn't build college housing up the street from a liquor store. Most residents would be under 21, but the location will inevitably invite problems associated with the use of fake identification and underage students arranging for 21 year old friends to "buy" for them and their parties. Even the owner of the liquor store in question, Ace Beverage, has signed the Wesley Heights Petition that notes this objection. Such proximity of the proposed dorms to an existing liquor store should also be an objectionable condition within the meaning of the zoning laws.

3. Because the East Campus development provides AU's students no outdoor recreational space, the Campus Plan as proposed will injure the neighborhood by creating conflicts over the use of the Horace Mann field and grounds. East Campus housing would be located almost directly across New Mexico Avenue from the grounds of Horace Mann elementary school. The Horace Mann grounds have an improved turf field, a track, a volleyball court, an outdoor basketball court and a smaller turf field on an upper level. AU's plans for East Campus include none of those or any other outdoor recreational facilities for the students housed there. As a result, AU students in large numbers are likely to use the adjacent Horace Mann grounds. The Horace Mann grounds are an important neighborhood amenity: young children learn to ride bikes on the track and use the soccer field and basketball court, smaller children use the adjacent playground equipment and the entire park environment is a place where families in Wesley Heights gather and interact. The park is a scarce resource -- the only playground that is in reasonable walking distance for residents -- and children should not have to compete with college students for its use. Indeed, since the improved turf field was put in, conflicts have already begun to emerge with adult users of the field, which before was left largely for children's use. Many of these adults are AU students who are attracted to a high quality facility that is quite scarce on AU's campus, but the use by adults conflicts with the use by children. There has even been a case of an adult kicking a soccer ball hard at a goal on the Mann field, missing the mark, and almost hitting a young child in the head while he was riding around the track on a bike with training wheels. Children did not previously face such risks in using the playground.

If East Campus housing is instead built as currently envisioned, a great deal of the use of the park that was previously for neighborhood children will be taken up by AU students, and an important feature of the quality of life in the neighborhood is likely to be lost. This is an objectionable condition within the meaning of the zoning laws. We believe that East Campus is not an appropriate location for student housing, and that a better use of the East Campus parking lot would be to provide a recreational space for AU's students. At a minimum, however, we

⁸ See for example Weitzman ER, Folkman A, Lemieux Folkman K, and Wechsler H, "The Relationship of Alcohol Outlet Density to Heavy and Frequent Drinking and Drinking-Related Problems Among College Students at Eight Universities," *Health & Place*, 2003; 9(1), 1-6 and Wechsler H, Lee JE, Hall J, Wagenaar AC, Lee H, "Secondhand Effects of Student Alcohol Use Reported by Neighbors of Colleges: The Role of Alcohol Outlets," *Social Science & Medicine* 2002; 55(3): 425-435.

believe there should be a condition in the Campus Plan that housing only be built at East Campus if AU provides adequate outdoor recreational facilities for its students.

4. The East Campus Housing Is Proposed at Objectionable Heights and Densities.

The East Campus housing as proposed, or any other high density development, would be quite different from the adjacent residences and have large impacts in terms of traffic, parking and its overall effect on what has always been a quiet, low density residential area. Most of the East Campus parking lot is zoned R-5-A, for which the general standard for residences is that “only a low height and density shall be permitted” (DCMR 11-350.1), and maximum heights are limited to 3 stories (DCMR 11-400.1), and floor area ratios to 0.9 (DCMR 11-402.4). East Campus housing in the R-5-A portion of the East Campus location will greatly exceed these limits. If a non-university owner wished to develop the site, there would be basis to deny a development of the height and density AU requests.⁹ Again, we request that the Zoning Commission not approve the location of housing at the East Campus site. But at a minimum, we request the Zoning Commission to impose a condition that any housing be limited to buildings no higher than the adjacent Westover residences, and that densities on the R-5-A segment of the East Campus similarly be limited to those at Westover or Embassy Park.

5. The East Campus Housing Encourages “Creep” of AU into Wesley Heights.

We have seen a steady expansion of AU into Wesley Heights as a property owner. It is well known in the community that AU stands ready to purchase any available property for sale. We discuss specific concerns with respect to commercial properties below. As a general matter, however, we are concerned at the location of such a large number of residents at the periphery of AU’s campus and at the border of Wesley Heights. The 590 students for whom AU wants to build residences is about half as many people who live in all of Wesley Heights! We believe that location of a such a substantial group of residents at the top of New Mexico Avenue, especially in the context of an unchecked expansion on the overall size of AU’s operation, will inevitably lead AU to acquire and use for university purposes the scarce commercial properties and even residential properties in Wesley Heights.

E. AU’s Campus Plan Will Have Adverse Effects from Use of Off-Campus Properties.

1. Ownership and use of commercial properties by AU impairs their use for neighborhood serving businesses.

Wesley Heights has seen firsthand that ownership of commercial properties by AU results in these properties being used for purposes that serve the university and not the neighborhood. The residents who signed the Wesley Heights Petition have witnessed a long and frustrating history of AU’s ignoring the community pleas for restoring a grocery store to the space which AU owns and which was formerly occupied by Balducci’s. AU has never explained with any hard data why a grocery store could not be brought to this space, nor has AU shown any appreciation of the very important role that a grocery store within walking distance would play in the overall quality of life in Wesley Heights. Instead, AU has now leased part of the Balducci’s space to a pizza restaurant that is aimed at the AU student population, not

⁹ The zoning regulations provide that “a college or university building or structure covered by an approved campus plan may be erected to a height not exceeding sixty feet (60 ft.),” but this provision applies to an R-5-B district, not the R-5-A zone where most of “East Campus” sits. DCMR 11-400.12.

neighborhood residents, and has consigned over half of the remaining space to be used as an AU mail sorting facility. That a popular neighborhood grocery store has become AU's mail room is a vividly demonstrates the adverse effects on local retail created by AU's unchecked growth.

We understand that the Zoning Commission cannot control AU's leasing decisions regarding the Balducci's space or other commercial properties. But we believe the experience with the Balducci's space demonstrates the serious questions that are raised by ownership of off-campus properties by AU and other universities. Similar issues, though outside Wesley Heights, are raised by the proposed exit of the law school from the commercial property it currently occupies. Again, AU has given no actual information other than that it has not decided what to do. Commercial spaces are scarce in the mostly residential Spring Valley and Wesley Heights neighborhoods, and ownership of them by AU blocks their use for neighborhood businesses. As the university grows, it is incorporating within its effective campus, if not its legal campus, neighborhood retail space that cannot be replaced. Such loss of neighborhood retail should be recognized as an objectionable condition under the zoning law, and growth of AU that has such effects should be stopped.

The use of nearby commercial properties by AU is also inextricably tied to the effects of other elements of AU's Campus Plan. The Zoning Commission recognized this principle in its discussion of the AU law school building in 2001, determining that the impacts of students attending AU's law school and accessing a commercial space "must be taken into account to the extent that those impacts relate to the university uses allowed by special exception on a campus in a residential zone."¹⁰ Similarly, a 1977 BZA Order required Georgetown University to obtain BZA approval before acquiring more real estate for university purposes. We submit that approval of the AU Campus Plan should be conditioned on no new off-campus properties being purchased by AU during the term of the Campus Plan, unless such prospective purchases and uses are specifically identified and evaluated in connection with the rest of AU's Campus Plan with respect to the effects ownership by AU will have on the surrounding neighborhoods. If this is not seen as feasible, then at a minimum, approval of the Campus Plan should be conditioned on no new off-campus property that is owned or purchased by AU being used for university purposes as opposed to retail businesses.

In all events, AU should commit that uses by AU of properties in Wesley Heights that it owns or may acquire in the future will not generate foot or vehicle traffic in excess of the customary use by the current occupants and will not increase building height or size of footprint. For example, the Organization of Eastern Caribbean States building at 3216 New Mexico Avenue is one of a number of buildings in Wesley Heights that AU has been in discussions to purchase recently. AU should undertake not to change the character of the surrounding neighborhood should it purchase this or any similar property.

2. AU should help prevent residential properties from being used as student group houses. The proceedings before both ANC3D and ANC 2E in relation to the Georgetown University Campus Plan are replete with evidence of the adverse effects that can arise from the use of neighborhood homes as housing for groups of students. No one is trying to deny students the right to live in the neighborhoods surrounding AU, and of course a fair number already do. But

¹⁰ 2001 Zoning Order at page 25.

group houses in these neighborhoods can and do create serious problems, and AU should do its part to help prevent uses of homes as group housing for students. Specifically, AU should agree not to allow any off-campus property owned, purchased or leased by AU to be used for fraternity, sorority or other student housing or for uses that generate excessive noise, or to permit students to reside in houses owned by national chapters of fraternities and sororities.

F. AU's Plan Will Create Substantial Objectionable Conditions from Increased Traffic

AU's study of vehicular traffic consequences of the Campus Plan is deeply flawed and has severe shortcomings as measured against the common sense perception of residents regarding the effects AU has on traffic. Residents personally observe and experience the impact on traffic from vehicles going to and from AU. They can attest to the effects that AU has on vehicular traffic, and have done so by the hundreds through the petitions.

At the outset, AU makes a generalization about trends that is simply not defensible. The Campus Plan states that the “number of vehicular trips generated by the AU Main Campus during the weekday AM and PM peak hours is declining, at a rate of 3.9 percent *per year* since 1999.” AU goes on to assert that “[b]ecause the traffic and parking demand of the university is in decline, impacts to the surrounding transportation network will be minimal with the development of the 2011 Plan.” (Campus Plan at page 35). But the claim of a generalized trend based on a few days of observations (taken in different months) at the endpoints of a ten year period simply can't be taken seriously. There is no reason to believe that there is any such “trend,” or that it would continue. Moreover, the projected increases in AU's campus population are stated to come not from the undergraduates who make up two thirds of AU's current main campus enrollment, but from staff, law students and other graduate students (Campus Plan Exhibit 6). Those populations obviously drive more than do undergraduates. (Similarly, shuttle bus ridership figures stem in part from transportation to and from Main Campus relating to housing at Tenley that AU plans to demolish).

Other principal defects of the study are as follows:

First, the traffic study as to the Main Campus ignores AU's plans for Tenley Campus, and vice versa. The Tenley Campus is less than a mile from the Main Campus, and the two share common parking facilities and a shuttle bus service. But when AU's study calculates traffic delays in future scenarios, it makes no provision for the developments at Tenley in its assumptions as to baseline new traffic volume (Transportation Report Technical Analysis, page 28-29), and considers as AU “trip generation” only the travel of the projected 1,600 increased students and staff on the main campus, not the 2,400 students and staff who would be added to the Nebraska Avenue corridor at the law school (Transportation Report Technical Analysis, page 48). This is a significant defect in the traffic study and an especially clear example of why consideration of the Campus Plan should be deferred until a complete plan can be submitted.

Second, the study only measures traffic associated with AU by measuring cars that enter or exit the four main gates of the University. If someone drives to a spot near AU in the neighborhood and parks on the street, that isn't measured as AU traffic. If someone drives up Nebraska or Massachusetts Avenue and drops off an AU student or employee, without going through the gate, that isn't counted either. Construction traffic is also not measured unless it

involves entering at one of the gates. By linking its traffic statistics to its statistics for use of campus parking, AU is significantly understating its impact on traffic.

Third, the study assumes traffic signal timing is “optimized” through changes that no one actually knows will be made. “Optimization” in AU’s analysis means longer red times for Massachusetts Avenue and longer green times for Nebraska at Ward Circle. That means longer traffic backups in the morning at 46th Street and Massachusetts (Transportation Technical Analysis page 49) and in the evening at intersections of Massachusetts Avenue west of Ward Circle that the report does not address. The study also assumes changes to the signal and lane markings on Massachusetts Avenue that will involve long delays for vehicles exiting Ward Circle onto Nebraska Avenue, absent unrealistic assumptions that pedestrians will choose to take extra time to use a new crossing east of where they currently cross, instead of continuing their current behavior (Transportation Technical Analysis at page 54). At the same time, changed timing means additional traffic flow on Nebraska Avenue heading away from Ward Circle and toward other crowded intersections – such as south at the intersection with Foxhall Road and north at the intersection with Van Ness Street (or at Tenley Circle) and the traffic study does not address those effects. DDOT has other factors to balance besides conditions at Ward Circle and need not adopt the AU study’s view of “optimized” signals. Indeed, the study does not even present data on the basic question that should be considered first, before moving on to the more complex issue of optimizing signaling in the entire area around AU: the impact of the additional traffic assuming no changes in signaling.

Finally, the study appears to consider that traffic doesn’t matter except during peak rush hour and unless streets hit “F” levels of service. Everyone who lives in the neighborhood knows that traffic is a problem at Ward Circle and the intersections near it during many hours of the day. Setting the bar for success at whether intersections have an “F” level of service during peak rush hour is setting it far too low. For example, even with all its questionable assumptions, the study shows AU’s additional traffic degrading the level of service on Massachusetts Avenue eastbound in the morning from an assumed “D” to “E” and in the evening from an assumed “C” to “D”, increasing the average delay per vehicle by more than 33%. That is a substantial and adverse effect on traffic.

G. AU’s Plan Will Create Substantial Objectionable Conditions from Increased Risk to Pedestrians.

The gap between the study and reality is particularly acute in relation to pedestrian traffic. The study notes in its field observations what many who drive in the neighborhood have witnessed, which is that the pedestrians crossing Nebraska Avenue to go to AU do not obey the traffic laws and engage in risky pedestrian behavior. (Transportation Technical Analysis page 15: “Although pedestrians are prohibited from crossing Nebraska Avenue at the intersection [with the Nebraska parking lot], some crossings were observed, with pedestrians weaving in between stopped vehicles.”) And the study predicts that pedestrian crossing volumes across Nebraska will increase dramatically with the proposed East Campus housing, by 50-100% at peak rush hour. (Transportation Technical Analysis at page 48). Moreover, this represents only “peak” pedestrian traffic and does nothing to take account of the many pedestrian trips associated with coming and going of students during the day and night and the other uses proposed for East Campus. The study also identifies a relatively poor “D” level of service for pedestrians at the intersections of Nebraska Avenue with New Mexico Avenue and Ward Circle, both with and without the Campus

Plan (Transportation Technical Analysis pages 32 and 51), based on the almost one minute pedestrians are required to wait between available crossing times (Transportation Report at page 8). But the study ignores the reality observed by many residents that pedestrians do not actually wait for the permitted crossing times. They cross when and where they can, in many cases against the signal or outside permitted crosswalks.

In AU's latest proposal, pedestrian safety concerns relevant to Nebraska Avenue that are raised by AU's development of East Campus are being papered over, not addressed. A proposed pedestrian activated signal would put a new traffic light about 225 feet from the existing light at New Mexico and Nebraska. But the problem is that as a general matter pedestrians will not wait for the signal! The safety problem at this spot is not from a lack of hardware or from a lack of other nearby crossings. The problem is that Nebraska Avenue is not very wide but is very busy, and the traffic gets slowed down and people are impatient and so they jaywalk. Members of the SVWHCA are extremely worried and concerned that by placing a large residential development at the farthest edge of their campus, where students will have to cross Nebraska Avenue multiple times day and night, AU is endangering their students. If AU houses a large number of students at this spot, then sometime in the future -- multiple times -- someone driving on Nebraska Avenue, probably at night, is going to hit a student. If AU built dorms in the campus interior where there are no roads to cross, they would avoid this risk.

The fact is that Nebraska Avenue is a busy commuter thoroughfare. For AU to build housing on the other side of it, so that students living there must cross Nebraska Avenue, no doubt many times a day and for virtually any purpose having to do with the university, is encouraging vastly increased pedestrian traffic where it is demonstrably dangerous to do so. The traffic may of course eventually slow down and stop in the face of these conflicts with pedestrians, but then substantial traffic congestion will be the inevitable result.

H. AU's Parking Plans Are Completely Inadequate.

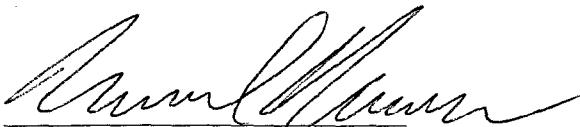
Parking is a further concern raised in the petitions. It can readily be seen that AU's plans for parking are completely inadequate to the projected numbers of additional staff and students they intend to bring on campus. While AU has some unused parking spaces, it will more than eliminate these through the combined effect of relocating the law school and building on East Campus. And the reason for the unused spaces is largely not the lack of parking need, but because AU charges students over \$80 per month for a parking space (Transportation Report, page 18), whereas parking on neighborhood streets is free if you don't get caught, and costs \$75 if you do (Transportation Report, page 39). AU says they will continue their off-campus parking enforcement program. But in fact AU's Main Campus enforcement program produced only 1109 citations for parking on neighborhood streets in 2009 (see Annex 2); that's only a few citations per day and reflects extremely good odds in favor of parking violators. AU actually has no particular way of telling whether a car that is parked on a neighborhood street is associated with an AU student, particularly if it has an out of state plate with a reciprocity sticker (which is also much cheaper than AU's parking fees) or is registered in a parent's name. Residents attest to the results, which is that AU students routinely park on neighborhood streets. When the spaces on AU's campus are both inadequate in number and too expensive, the parking problems associated with AU are sure to increase dramatically.

I. Conclusion

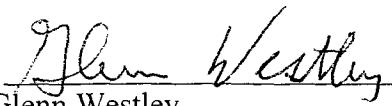
AU's predictions that its expansive Campus Plan will not create objectionable conditions are belied by common sense, and by the voices of more than 1000 of its neighbors. These residents attest to the substantial adverse effects the Campus Plan would create on safety, noise, traffic, neighborhood retail and quality of life. We request that the Zoning Commission (i) defer action on the Campus Plan until a complete plan, including for the Tenley Campus, is submitted, (ii) deny approval for the East Campus development and (iii) renew the 2001 cap on AU's staff and enrollment for the 2011 Campus Plan, adjusted for the location of the law school as described in the Cap Petition.

Respectfully submitted,

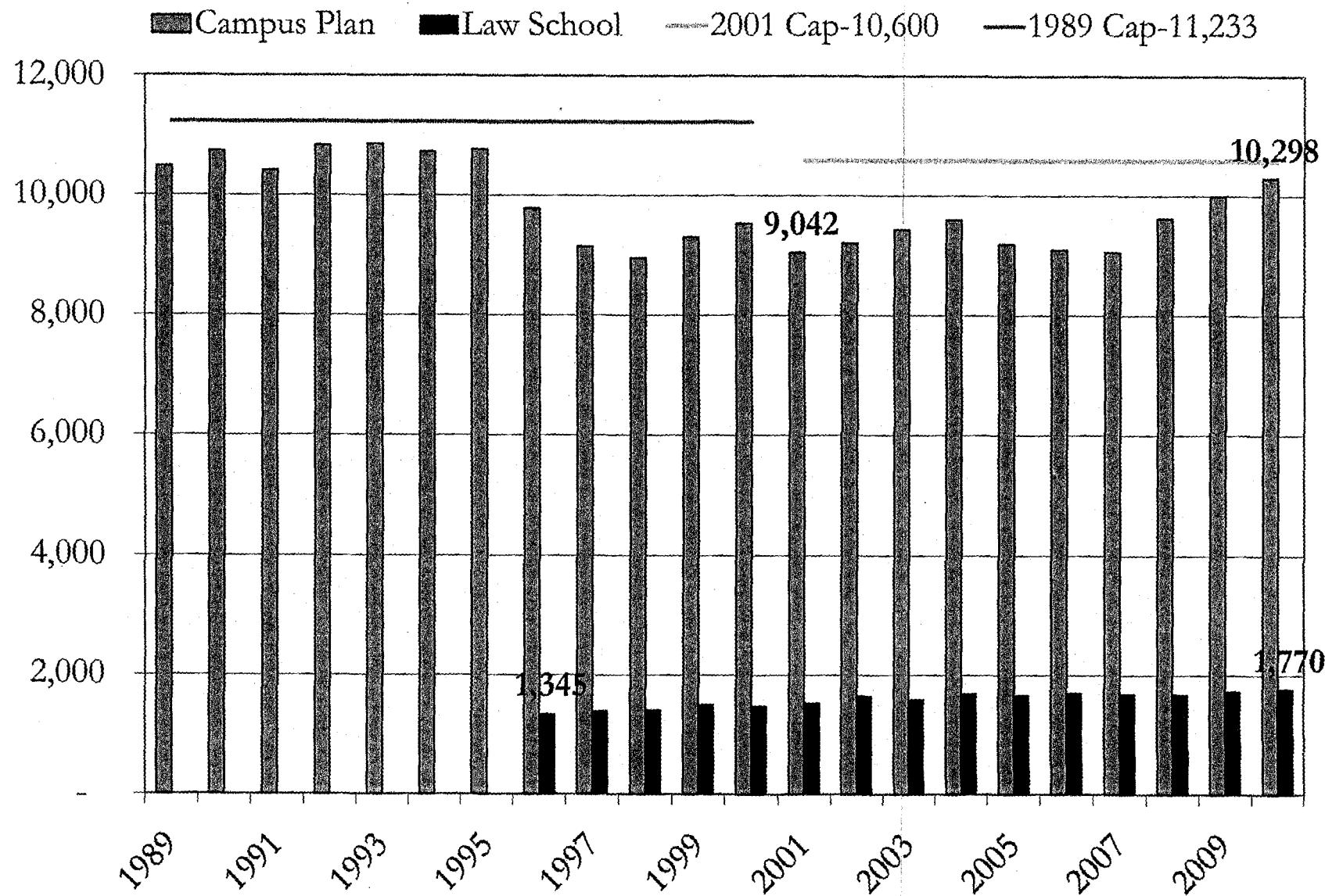
Spring Valley-Wesley Heights Citizens Association

By: 
Michael Mazzuchi

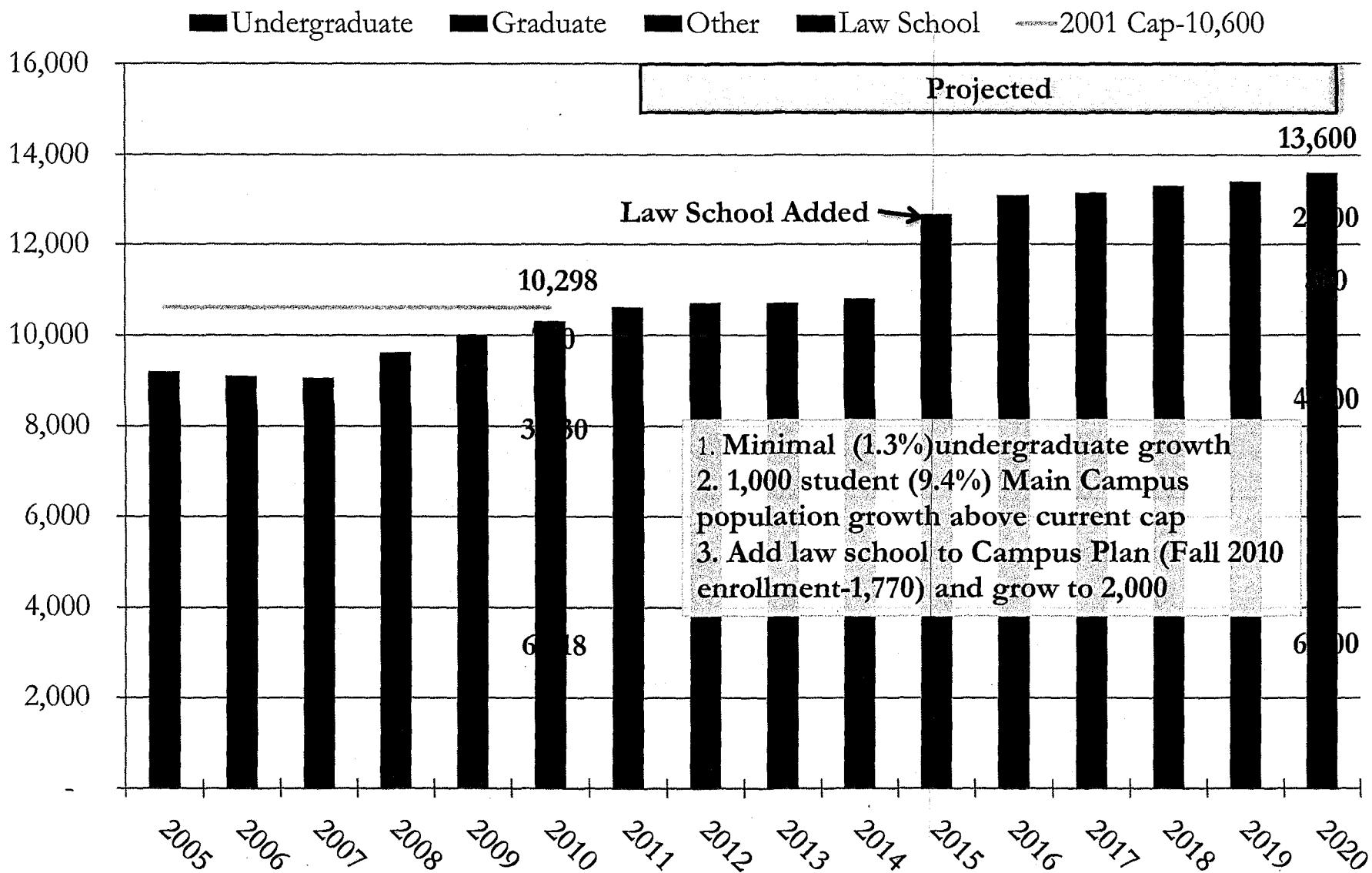
Chair of Law and Legislation Committee

By: 
Glenn Westley
Chair of Zoning Committee

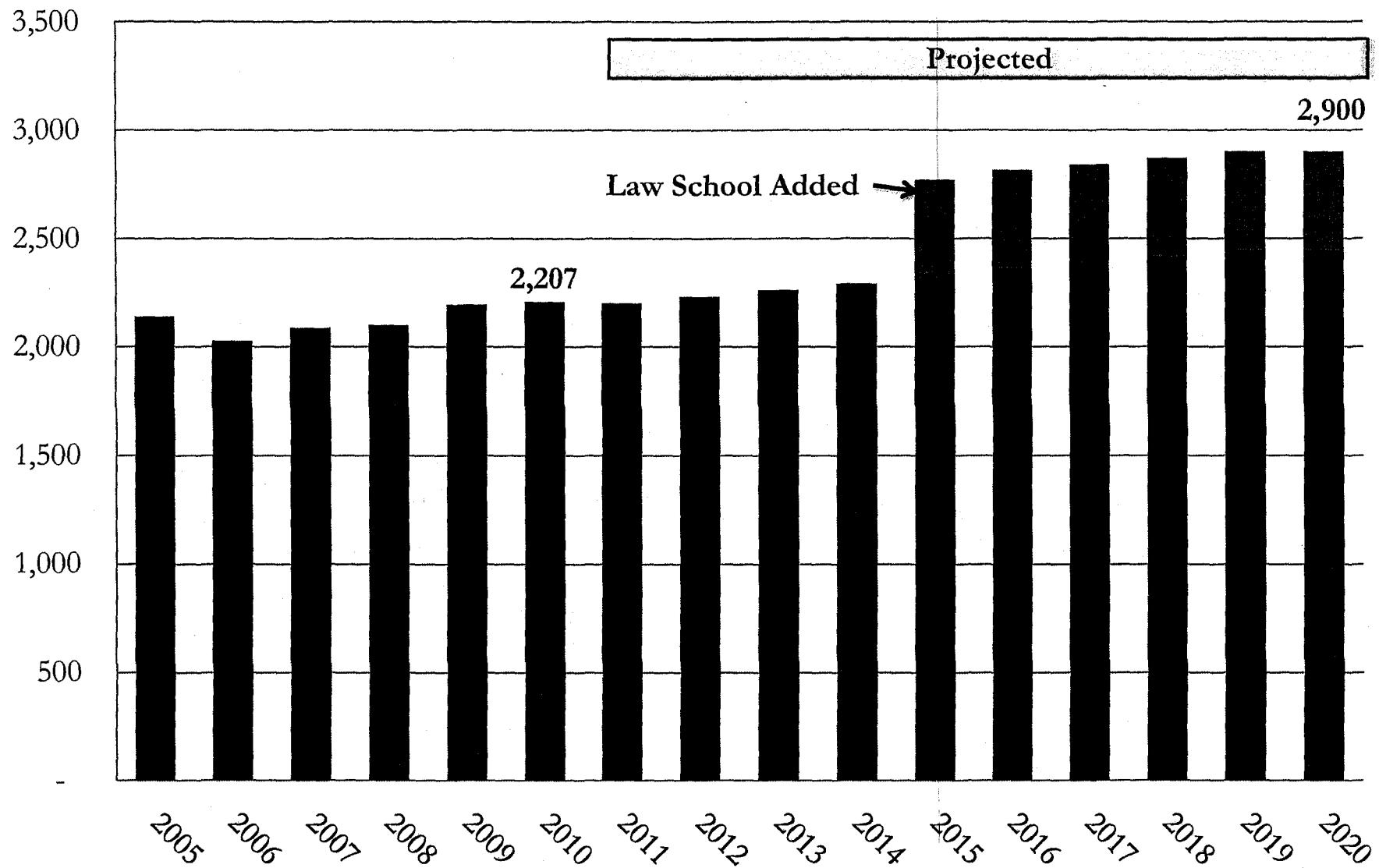
AMERICAN UNIVERSITY
Student Population Headcount
Fall Semester 1989-2010



AMERICAN UNIVERSITY
Campus Plan Enrollment Headcount
History/Projections Fall 2005-2020



AMERICAN UNIVERSITY
Campus Plan Faculty-Staff Headcount
History/Projections 2005-2020
Law School Included



Annex 2

Recent American University Crime Statistics

Source: AU Statistics As Report to Neighbors for a Liveable Community

	Alcohol violations from densely living students proximate to neighborhoods and school will deteriorate quality of life. This is really common for college campuses said Meagan Cahill. Halloween Drink or Treat leads to holiday transports to Hospital for intoxication. First few weeks of school also high in hospital transports. Violations per the AU website: 2009: 386; 2010: 112, 2011 Q1: 26
4.1.2	
Alcohol Law Violations	
4.1.3	Drug violations occurring in close proximity to neighborhoods and school will deteriorate quality of life. Violations per AU web site: 2009: 62; 2010: 45; 2011 Q1: 5
Drug Law Violations	
University Issued Parking Enforcement	
Violations for parking in the neighborhoods	Increased density will increase parking violations as spaces are reduced. Violations 2009: 1109
Parking Enforcement violations= Law School	2009: 4784
Disorderly Conduct	Increase in disorderly conduct due to the density of student living will impact the quality of neighborhood life due to noise and inconvenience. Statistics as reported by AU 2009-NR, 2010-31, 2011 1st Q-18
Aggravated Assault	2009-6, 2010-8, 2011 1st Q-2
Arson	2009-3, 2011-1st Q-3
B&E	2010-2
Burglary	2009-10, 2010-72, 2011 1st Q-17
Simple Assault	2009-NR, 2010-23, 2011 1st Q-3
Defacing Property	2009-NR, 2010-13, 2011 1st Q-39
Domestic Violence	2009-0, 2010-1, 2011 1st Q-1
False Fire Alarms	2009-NR, 2010-2, 2011 1st Q-0
Forcible Sex Offenses	2009-3, 2010-3, 2011 1st Q-2
Fraud	2009-NR, 2010-35, 2011 1st Q-8
Harassment	2009-NR, 2010-19, 2011 1st Q-6
Robbery	2009-1, 2010-11, 2011 1st Q-0
Threats	2009-NR, 2010-8, 2011 1st Q-0
Thefts	2009-NR, 2010-19, 2011 1st Q-44
Trespass	2009-NR, 2010-26, 2011 1st Q-2
Weapons Violation	2009-0, 2010-0, 2011 1st Q-1