DISTRICT OF COLUMBIA ZONING COMMISSION

CASE NO. 11-07 (AMERICAN UNIVERSITY)

OCTOBER 13, 2011

JOINT PRESENTATION

OF

MAIN CAMPUS NEIGHBORHOOD ASSOCIATIONS:

WESTOVER PLACE HOMES CORPORATION

SPRING VALLEY-WESLEY HEIGHTS CITIZENS ASSOCIATION

NEIGHBORS FOR A LIVABLE COMMUNITY

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I. Introduction.
(Testimony of Susan Farrell, Westover Place Homes Corporation)

[Slide 1 - Cover slide]

Good Evening Commissioners. My name is Susan Farrell and I am President of Westover Place Homes Corporation.

Tonight, you will hear from six parties in opposition to the proposed AU plan: five neighborhood associations and one individual. We have been working together for 18 months.

We will demonstrate that AU has failed to establish that its plan does not create objectionable conditions for the neighboring communities. The neighborhoods have been telling AU for nearly two years that their different plans would cause objectionable conditions.

[Slide 2 – Domino Effect]

The AU plan creates a classic domino effect. The law school, currently sited in a commercial zone, would move into a residential area, resulting in 2,500 students and staff on the Tenley site. That move will push existing dorm rooms and parking needs along Nebraska to the Main Campus.

The effect is an increase of over 30% in the number of enrolled students living and studying on the campus within the mature Wesley Heights, Westover and Tenley neighborhoods.

[Slide 3 – Changes needed to plan bullet points]

The Plan as proposed should be **rejected**. But, the plan could be modified if the University would work with the Parties to make appropriate changes to reduce the objections. Such changes must include:

- Caps on AU students and staff
    - Sub-cap for undergraduates
    - Sub-cap for law students

- Reduction of the East Campus complex density and number of dorms on the site
- Lowering the height of North Hall
- Re-siting of South Hall
- Location of some new housing on the interior of campus to some of the many potential sites
- Reducing the size of Beeghly addition
- A halt to the re-purposing of neighborhood retail space
- Effective controls on noise from the Campus
- Effective landscape screening from neighbors
- Extensive conditions on Tenley development to reduce size, mass and traffic

We are asking that you reject the plan as currently proposed and direct the Applicant to engage with the Parties following these guidelines to construct a revised application acceptable to all Parties. There is precedent for this action.

This approach was taken by the BZA on May 9, 1988, when the BZA issued a detailed set of guidelines to AU to be addressed in a revised application. There was an acceptable outcome and a revised plan was approved.

Now for the East Campus.

II. Objectionable Conditions of East Campus Affecting Westover Place (Testimony of Susan Farrell, Westover Place Homes Corporation)

A. The massive East Campus complex would cause multiple negative impacts on the surrounding residential neighborhoods if approved. It is

[Slide 4 – Photos of homes in low density neighborhoods]

positioned on the periphery of AU's Main Campus in a residential neighborhood of single family, low density homes, the Westover Place townhomes, and an elementary school.

[Slide 5 – Map of East Campus in Neighborhoods]

The East Campus complex would be sited on 6 of the 8 acres lot currently used for parking. It would be next to Westover Place, located on the adjoining 8 acres, and across the street from Wesley Heights. The Westover and Wesley Heights neighborhoods were developed before the parking lot was brought within the AU Campus boundaries in 1985. Hence, AU knew that should it eventually develop the site, it must do so in a manner which did not create objectionable conditions for the already established neighborhoods.

[Slide 6 – Pictures of Westover Place]

Westover Place is home to 149 families who live in three-story townhouses.

More than thirty of the homes share the 950 foot border with the AU parking lot. Our balconies and bedroom windows average less than twenty feet from the property line, with the closest home eleven feet from the property line.

(Refer to Westover pre-hearing statement documents 157 and 158 in the Commission's record for details).

B. The proposed East Campus Complex is just too dense and too urban. It would overwhelm the community.

[Slide 7 – NYC in the Neighborhood]

AU is just trying to force too much development onto this site. Seven new buildings, of which two are five story dorms and one, a six story dorm, would stand nearly twice as high as the adjacent homes.

Following the comments of Commissioner May during the proceedings, we employed the "balloon test" to demonstrate relative heights.

[Slide 8 – Balloons representing 5 and 6 story heights]

Those two little dots at the top of this slide are balloons which represent the relative height of the five and six story dorms proposed by AU. The six story would be at 78 feet, or more than twice as high as the 35 feet homes.

Quite simply, the East Campus complex is completely out of character with the environs.

[Slide 9 – East Campus would tower over the surrounding neighborhoods]

AU's towering and oversized buildings will be seen and heard from long distances, and change the character of the neighborhood.

Zoning in this R-5-A district would only allow ***as of right*** development for low height and density residential dwellings (DCMR 11-350.1), with a specified maximum height of 3 stories (DCMR 11-400.1) and forty (40) feet. A private developer simply **could not** build on this area with the four, five and six story buildings, retail businesses and commercial parking lots as proposed by AU.

No building should be allowed to be taller than three stories or 40 feet high in order to reduce objectionable conditions.

[Slide 10 – Residential Density slide comparing East Campus with Neighbors]

The proposed campus would house 590 new student residents on six of the eight acres. This density of 98 per acre is over two and half times the density of Westover Place (36.6 per acre) and eight times as dense as Wesley Heights (12 per acre). And this density does not even include the hundreds of students and staff who would be using the classrooms, the administrative facilities, the welcome center and the retail services.

In addition, the existing AU dormitories nearest to other neighbors (such as Clark/Roper and Nebraska Hall) are only two and three stories high. The five and six story dormitories proposed for the East Campus would be an abrupt departure from previous practice and should not be allowed.

The residential density of East Campus should be reduced to no more than 40 residents per developed acre and located in buildings three stories or less.

Placing this many students on the periphery of campus immediately next to neighbors will create a permanent conflict of lifestyles. There are extensive records of student misconduct and behavior, including hundreds of alcohol violations, which establish the likelihood of excessive nighttime noise and disruptive incidents.

C. Inadequate Buffer will create adverse effects

The administrative buildings that AU is proffering as "buffers" from the five story dormitories

[Slide 11 – Administrative building proffered as buffer]

will, in fact, have windows which open, hold classes until 11 pm and include a fitness center which could operate on a 24 hour basis.

These buildings will themselves create substantial light, noise, and privacy objections for neighbors.

These closely sited buildings do not serve as buffers. They are 40 feet from the property line.

[Slide 12 – Residents can be seen in their homes]

This slide shows Westover resident, Christine Spencer, standing in her bedroom window.

The photographer is standing forty feet from the property line wall - or exactly where the nearest administrative building would sit.

Hundreds of students and faculty will look out of those windows and straight into the nearby homes. And the nearby homes will be looking straight over the administrative building from their balconies and bedrooms to the towering 5 story dorms.

The proposed distance is simply inadequate to enable sufficient landscaping, effective water management and sound reduction mitigations. To act as a buffer, landscaped distances from the property line to the administrative buildings should be increased to a minimum of 100 feet and run the full length of the property. The buildings should have windows which do not open and fencing should be provided to ensure the buffer is truly a buffer and not a party area.

AU has cited Nebraska Hall as a dormitory which is close to private dwellings and has emphasized there is even a house within 100 feet. What AU has not volunteered is that this one, single home is owned by AU. There is no unaffiliated home which sits closer than 130 feet from a three story AU dormitory. East Campus should not create that precedent.

D. A detailed landscaping plan must be developed with the neighbors

AU must work with the community to determine size, number and type of trees to be used to screen homes from any development after a sufficient buffer has been determined.

[Slide 13 – AU misleading visualization of summer buffer]

AU's visualization of the existing summer foliage would lead one to think that little more landscaping has to be done to create an acceptable buffer.

[Slide 14 – Real view of summer buffer]

The reality is that over half of the homes along the property line can be seen directly from the current parking lot during summer foliage.

Can you imagine the winter view when the University is actually in session?

[Slide 15 – Winter view of buffer]

Well here it is. Virtually all of the homes will be visible during most of the school year from the building distances proposed.

E. Retention of the surface parking lot will also cause objectionable conditions as it turns from Commuter to 24 Hours

[Slide 16 – Parking Lot Moves from Commuter to 24 Hour]

The current parking lot is used by commuters, with virtually no cars present at night. In the proposed plan, this lot is likely to become a 24 hour nightmare for neighboring residents.

The plan retains only a 35-foot buffer from the Westover boundary. This limited distance will not shield the immediate neighbors from the increased noises, smells, lights and loss of privacy associated with use of the surface lot by buses and night-time vehicles.

Unlike the current use by daytime workers, the new parking lot would change significantly if 590 students were living on site. Westover residents should not be subjected to headlights in their bedroom windows as late-night revelers and friends visit at 3 in the morning.

The neighborhoods believe that more underground parking should be built. In the event that surface parking does remain, the buffer should be at least 100 feet, and fenced, with adequate night-time patrols to ensure that students are not disrupting the neighbors with noise.

Remember - Students are getting ready to go out when the neighbors are already asleep – and coming home when we are getting up. Allowing that juxtaposition sets up a permanent conflict.

F. AU's commercial retail plans are objectionable in a residential area not zoned for such use.

[Slide 17 – Retail map – what are they planning?]

AU has not provided any retail plan for the 17,000 square feet proposed along New Mexico and Nebraska. Without this plan it is impossible to accurately predict the effects on pedestrian and vehicle traffic, and parking. But such retail uses are certainly likely to

bring hundreds of students and others from the Main Campus across Nebraska and down New Mexico.

Residents reasonably fear late night hours, alcohol, music, noxious fumes, frequent deliveries and trash.

Residents would like to see no retail on the site, but if it is included, retail space should be drastically reduced and eliminated from buildings on New Mexico.

[Slide 18 – East Campus Massive Complex Summary]

In sum, building a massive complex called East Campus next to the established communities at the edge of campus would subject neighbors to the same problems suffered by neighbors of off campus housing: noise, conduct issues, trash, and other continuing conflicts.

This is institutionalizing the Group House.

III. Objectionable Conditions of East Campus Affecting Wesley Heights (Testimony of Michael Mazzuchi, Spring Valley-Wesley Heights Citizens Association)

Good evening. I am Michael Mazzuchi from the Spring Valley Wesley Heights Citizens Association. The adverse effects that East Campus would have on Westover homes are coupled with broader issues for the Wesley Heights neighborhood, because East Campus will remove Nebraska Avenue as an effective buffer from AU.

[Slide 19 – Wesley Heights Adjacent to AU]

As a result, a petition opposing the East Campus development has received overwhelming support in Wesley Heights.

[Slide 20 – Wesley Heights Petition]

The petition was signed by **96%** of the households that we reached, by over 80% of all Wesley Heights households period. We've given you a copy of the over 600 signatures, and we ask that you hear these concerns.

First, East Campus will create serious pedestrian safety risks. Many of our neighbors already report near accidents with pedestrians crossing Nebraska Avenue, and observe pedestrians constantly crossing against the light and in the middle of the street -- as AU's own traffic study confirmed.

[Slide 21 and Slide 22 – Pedestrians Crossing]

A huge housing and retail development on this site will effectively turn the busiest street in our area into an internal roadway of AU, and create a serious hazard.

These concerns are being papered over by AU and DDOT. Common sense should tell you that adding a new crossing signal will not fix a safety problem where people ignore the current signals. DDOT's lack of concern for this risk is based on no data and flies in the face of their own study of the area.

[Slide 23 and Slide 24 – Pedestrian Risks]

Please listen to hundreds of people who live here when they tell you that AU should not build so much housing where the risk of accidents is highest. In their 2000 Campus Plan, AU removed roads from its central campus to quote "improve safety" and "minimize conflicts between pedestrians and vehicular traffic." They ought to take their own advice, and build where it's safer.

Second, East Campus housing would be located almost directly across from the grounds of Horace Mann elementary school; the park is so close that it almost appears on AU's model of the site. The park has a turf field and other improved spaces, whereas East Campus would include no outdoor recreational facilities at all.

[Slide 25 and Slide 26 – Horace Mann]

As a result, AU students in large numbers will use the Horace Mann grounds. But Horace Mann is the only playground in reasonable walking distance for residents; and children should not have to compete with college students to use their neighborhood park. A field could easily be included in the center of the East Campus area, buffered from Westover residences. AU should scale back its plans and use some of its own land to provide for its own students.

Finally, the huge scope of East Campus development – where AU would add almost as many people as live in Wesley Heights -- threatens to create noise and disruptions on New Mexico Avenue.

[Slide 27 – Proximity of Liquor License]

East Campus housing will be built 500 feet from an existing liquor store. A few more feet down New Mexico, AU has brought in a tenant to open a pizza restaurant aimed at serving its students, which is seeking a liquor license. And another existing restaurant with a liquor license is just next door, at a spot that under prior management had enormous problems with noise and disruptions. The scope of AU's development plans risks New Mexico Avenue becoming the late night entertainment district for the future residents of East Campus. That would be badly out of place in a quiet residential neighborhood where most residents go to bed early and still expect to keep their windows open at night.

As the Office of Planning has indicated in its report, alternatives to East Campus exist. In particular, many alternative housing sites in the campus interior have been demonstrated through the efforts of Neighbors for a Livable Community. Early in the campus planning process, NLC retained Rhodeside and Harwell, an experienced design firm, so that AU would hear from the community not just objections, but also alternatives. Deana Rhodeside of Rhodeside and Harwell joins us tonight to describe her firm's evaluation of the AU campus and its housing options:

IV. The Rhodeside Alternative Framework
(Testimony of Deana Rhodeside, Rhodeside & Harwell)

[Slide 28 – Title Slide]

Thank you for the opportunity to submit this testimony. My name is Deana Rhodeside, and I am a Director of Rhodeside & Harwell, a planning, urban design and landscape architecture firm based in Alexandria. I am pleased to submit these comments on behalf of Neighbors for a Livable Community (NLC).

In the fall of 2010, NLC retained Rhodeside & Harwell to evaluate the AU Campus Plan and explore options for minimizing the impact of proposed campus development on surrounding residential areas. Through field visits and analyses, we looked carefully at the campus and came to the conclusion that opportunities exist to reinforce the campus core with more intense development while minimizing density and building heights along its periphery. These opportunities are illustrated in the Alternative Framework we developed.

[Slide 29 – Alternative Framework]

As the basis for developing the Framework, we established a set of guiding principles for campus development, which included:

- Exploring the potential to further concentrate residential land uses and overall campus density on the interior of the Main Campus;
- Ensuring that new development at the edges of the campus is not likely to become objectionable to surrounding residential areas; and
- Applying best planning practices to strengthen the overall organization, experience and sustainability of the campus.

Following these principles, the Alternative Framework recommends potential sites for thoughtful increases in density and intensity on Main Campus. It aims to take advantage of potential synergies between land uses and reinforce existing campus character and assets, while reserving land for the future.

In the Framework, the highest density and tallest buildings are proposed for sites in the interior of the campus, with building heights significantly stepping down closer to the

campus edges. A total of fifteen building opportunity sites are identified for further consideration including eleven dormitory sites. All of the proposed residential building sites are located on the interior of the Main Campus, and similar or complementary uses are clustered together to reinforce and build on existing campus functions.

We have suggested development on East Campus for administrative and academic uses, with building footprints located close to Nebraska Avenue to allow for sufficient buffers between homes and campus buildings. In addition, placement of the proposed building close to Nebraska Avenue would protect nearby residences from activity and noise. If the Zoning Commission ultimately approves limited, low-density housing on East Campus, a significant landscaped buffer would certainly be necessary and appropriate.

[Slide 30 and Slide 31 – Building Height and Square Footage]

As part of our study, we prepared a building height and square footage analysis. We found that, even by limiting residential development to the interior of Main Campus, it would be possible for AU to meet or exceed its stated needs for on-campus housing without constructing dormitories near low-density residential communities. If AU wants to minimize the adverse impacts of new dormitories on adjacent neighbors, we have provided an extensive list of potential sites for further analysis.

[Slide 32 – Alternative Framework]

In conclusion, we believe that it is still possible to achieve a solution that addresses the legitimate needs of both the University and its neighbors. We hope that AU will accept its neighbors' invitation to discuss these ideas further and negotiate a consensus-based solution that is acceptable to all parties.

V. Objectionable Conditions of the Campus Plan Affecting Spring Valley (Testimony of Robert Herzstein, Neighbors for a Livable Community)

I am Robert Herzstein, president of Neighbors for a Livable Community. I am speaking now in that capacity. My personal testimony as an adjacent neighbor will come later.

When we received the Rhodeside & Harwell framework, NLC organized a meeting with AU to discuss it. Together with the Rhodeside firm, we showed options for how AU could locate new housing on sites that would minimize objectionable conditions for nearby residential communities.

[Slide 33 – AU Sites and Rhodeside Sites]

As this chart shows, many sites in the Alternative Framework were in fact sites AU itself had identified early in its planning. But AU declined our suggestion that we return for one or more careful looks at the options identified in the Rhodeside framework.

As a result, the main housing and building proposals in the Campus Plan continue to be flawed and to ignore the sound principles in the Alternative Framework. Over and over in AU's plans, height and light and noise are pushed to the edges of AU's campus where the effect on neighbors is greatest. I will now focus on the effects on AU's neighbors in Spring Valley.

A. South Hall would place a six story building with 200 student beds on the highest point on that end of AU's campus, directly facing Spring Valley homes.

[Slide 34 – South Hall Proximity to Spring Valley]

Due to the topography at the site, AU cannot buffer the adverse effects of this project with landscaping or slight revisions to the building during further processing. Significantly, AU has not generated any scale renderings of South Hall from the perspective of the neighboring properties. The building would be directly visible to neighbors, especially at night and in the winter, and will generate noise that will traverse the open fields toward the quiet homes in Spring Valley. For similar reasons, the BZA in

1989 rejected AU's proposal for a parking garage at this site. Surely there are alternative sites.[1]

[Slide 35 – Asbury Site]

For example, the Rhodeside framework identified the location at or near the existing Asbury Building, and a 100,000 square foot structure was in fact approved for this site during the last *two* campus plans, but was never built.

[Slide 36 – Asbury Site 2001 Approval]

There is no reason to choose the objectionable South Hall site.

[Slide 37 – North Hall towers over Massachusetts Avenue]

B. North Hall places a building atop a hill at very edge of campus that will tower over Massachusetts Avenue, at a location and height the Office of Planning rejected as inappropriate in 2001. Without satisfactory changes, North Hall should not proceed as proposed. In discussions with neighbors the University has suggested alternatives, but none of them has resolved the basic problem of an institutional building towering above Massachusetts Avenue.

C. The University is proposing a 60,000 square-foot addition to the Beeghly science building.

[Slide 38 – Beeghly Proximity to Spring Valley]

The existing building, on a ridge above the soccer field, is already visible to neighbors on University Avenue and elsewhere, especially at night and in the winter.

[Slide 39 – Winter View of Beeghly]

We ask the Commission to require AU to scale down and break up the structure, so it does not present a solid, massive wall along the top of the ridge.

D. AU also seeks to construct two new sports buildings without providing sufficient information to evaluate the likelihood of objectionable impacts on the neighbors. Its

[1] See Exhibit 158A at page 18.

plans include no renderings of the building from the neighbors perspective, and are too sketchy to allow a judgment regarding visual and noise impacts. Those questions should not be left for further processing. These buildings should not be approved on the basis of the current submission.

E. Twenty years ago and again ten years ago AU was instructed to establish effective landscape buffers against day and night views of its busy institutional campus from neighboring homes. The work it has done still falls short. Here are photos of the campus from University Avenue.

[Slide 40 – Inadequate Landscape Screen from University Avenue]

And here is one from Woodway Lane.

[Slide 41 – Awful View from Woodway Lane]

The problem persists at night.

[Slide 42 and Slide 43 – Night Views Not Screened]

The Campus Plan Order should specify that the Beeghly and sports buildings will not be approved for further processing unless the landscape screen effectively prevents them from being seen from neighboring residences.

[Slide 44 – Objectionable Bleachers Proposed Again]

F. AU's indifference to the University's adverse effects on Spring Valley residents is especially evident with respect to the bleachers proposed for Reeves Field. Reeves Field is located right across University Avenue from Spring Valley homes, and one would expect that AU would see that this is not the place for thousands of cheering fans. But AU has proposed the new bleachers once again – this time for two thousand seats -- facing into Spring Valley, at the same site this Commission and OP specifically rejected in 2001. These plans – even if scaled down -- should be rejected again.

VI. Traffic Expert Report

A. (Introduction by Michael Mazzuchi, Spring Valley-Wesley Heights Citizens Association)

AU's history with the bleachers is one of denying the obvious: ignoring the inconvenient truth that AU's noise is affecting its neighbors. A similar denial by AU is occurring in the area of traffic. AU is well aware that Nebraska Avenue from Ward Circle to Tenley Circle is the most congested and dangerous route in Ward 3. Yet they propose two huge academic, retail and housing developments on this corridor, at Tenley Circle and East Campus. Every resident knows this plan is a recipe for gridlock and dangerous cut through traffic on what should be quiet local streets.

The neighborhood groups have retained a traffic expert, Mr. Joe Mehra, whose report has already been made part of the record. Mr. Mehra authored the first US Department of Transportation manual on traffic impact evaluation and has worked on both the GW and Georgetown Campus Plans. Mr. Mehra will now summarize the major findings of his report.

B. (Testimony of Joseph Mehra, MCV Associates)

Good evening. I am Joseph Mehra from MCV Associates.

[Slide 45 – Title Slide]

My report describes a series of flaws in how Gorove/Slade estimated future traffic and levels of service in the year 2020, and in the Campus Plan's contribution to future traffic and delay. All of these flaws have the effect of underestimating traffic and delay.

[Slide 46 – Important Mistakes in Gorove/Slade Study]

The question is: do these flaws add up to something significant, or are they just minor mistakes? I hope you'll read my 10 page report to see that just correcting for some of these flaws gives us a very different traffic picture.

My main findings and conclusions are as follows:

[Slide 47 – Main Findings (1)]

- 1st, Gorove/Slade seriously underestimates the number of peak hour trips that the AU Campus Plan generates. In particular, we find that the actual number of peak hour trips generated by the Campus Plan is about double Gorove/Slade's estimates on main campus and about triple on the Tenley campus.

[Slide 48 – Main Findings (2)]

- 2nd, Once these additional trips are put into the traffic simulation model – the same one Gorove/Slade used – we see that the AU Campus Plan severely degrades surrounding traffic conditions – as shown in the sample of 4 key intersections I studied.

[Slide 49 – Main Conclusion]

- 3rd, I conclude that based on AU's substantial adverse impact on traffic, serious consideration should be given to scaling back AU's requested growth and development plans or mitigating their adverse traffic impacts.

[Slide 50 – Correction to Gorove/Slade Data]

In addition to correcting the number of peak hour trips, I also made a few technical corrections such as using realistic lane widths and the actual share of trucks and buses in total vehicle traffic. And, for reasons also explained in the report, I assumed background traffic grows over the years 2010-20 by a total of 10% instead of the 1% used by Gorove/Slade.

Rerunning the same Synchro 7 traffic model as Gorove/Slade used, with everything else the same as in Gorove/Slade's analysis, the results on traffic delay are dramatically different.

[Slide 51 – Level of Service Comparisons]

Year 2020 Level of Service (A-F scale) and Delay (in seconds): Gorove/Slade vs. MCV

	GOROVE/SLADE			
	Background (Without Campus Plan)		With Campus Plan	
Campus & Intersection	*AM Peak*	*PM Peak*	*AM Peak*	*PM Peak*
Main Campus: Nebraska/Ward Circle (5)	C 25.0	C 26.2	C 26.7	C 30.5
Main Campus: Nebraska/New Mexico	C 21.7	C 22.1	C 21.6	C 24.8
Tenley Campus: Nebraska/Van Ness	C 26.6	C 20.5	C 30.3	C 20.2
Tenley Campus: Nebraska/Wisconsin	B 10.5	C 33.9	B 10.4	D 36.5
AVERAGE DELAY (seconds)*	**20.4**	**26.7**	**21.6**	**29.1**

	MCV (Joe Mehra)			
	Background (Without Campus Plan)		With Campus Plan	
Campus & Intersection	*AM Peak*	*PM Peak*	*AM Peak*	*PM Peak*
Main Campus: Nebraska/Ward Circle (5)	D 40.2	F 86.3	D 51.5	F 121.9
Main Campus: Nebraska/New Mexico	C 32.6	F 80.7	E 69.9	F 90.5
Tenley Campus: Nebraska/Van Ness	D 36.0	C 26.5	F 98.5	F 304.3
Tenley Campus: Nebraska/Wisconsin	B 13.1	D 49.8	B 14.0	E 61.2
AVERAGE DELAY (seconds)*	**30.1**	**63.8**	**54.6**	**129.2**

** The figures given here are weighted averages, with weights given by the relative traffic volume at each of the 4 intersections. The resulting weighted averages are very close to the unweighted averages.*

This pair of tables shows the delay time and corresponding level-of-service letter grade in 2020 for the sample of 4 key intersections – under Gorove/Slade's analysis in the upper table and mine in the lower table. As seen in the upper table, Gorove/Slade finds nearly all Bs and Cs, both with and without the Campus Plan. The average delay times for the 4 intersections are all in the 20-30 second range, as shown in the bottom row of the upper table.

When we allow for the technical parameter corrections and also for higher background traffic growth, Gorove/Slade's Bs and Cs turn to mostly Cs and Ds – a deterioration of about 1 letter grade – as can be seen in the first 2 columns of the lower table. Average delay in the 4 intersections rises to about 30 seconds in the AM peak and 64 seconds in the PM peak.

Finally, using the corrected figures for the number of peak hour trips the Campus Plan generates, the results turn to mostly Es and Fs, as seen in the last 2 columns of the lower table. That is, vehicle delay deteriorates in rough terms by about an additional 2 letter grades. In terms of the extra delay caused by the Campus Plan in the 4 intersections, average delay jumps in the AM peak hour from 30 seconds without the Campus Plan to 55 seconds with the Campus Plan and in the PM peak hour from 64 to 129 seconds. This clearly shows that AU's Campus Plan has severe effects on traffic in the area – in contrast to the insignificant impacts found by Gorove/Slade.

[Slide 52 – Conclusion]

I conclude that serious consideration should be given to scaling back AU's requested growth and development plans or mitigating their adverse traffic impacts.

VII. Objectionable Conditions from Loss of Neighborhood Retail and other Commercial Property
(Testimony of Glenn Westley, Spring Valley-Wesley Heights Citizens Association)

I have also submitted as my own non-expert testimony a reader's guide to key flaws in Gorove/Slade's analysis, using Gorove/Slade's own tables. It also shows how MCV corrects these flaws and is included with the group's written submission. I hope you will read it and believe you will find it user friendly.

[Slide 53 – AU Effect on Commercial Properties]

In addition to generating substantial traffic, AU's growth is displacing businesses of great importance to its neighbors. I wish you could have been in the room to feel the depth of feeling and anger at the ANC meeting this past February, when AU presented its draft campus plan shortly after rejecting a viable proposal to bring a grocery store back to the building it owns at 3201 New Mexico Avenue in Wesley Heights. Neighbor after neighbor rose to say we needed a food store back there.

Later we met with AU and showed them that hundreds of Wesley Heights and other petitioners were calling on them to support this need.

[Slide 54 – Wesley Heights Petition]

But instead of a grocery store, AU has used almost half of this prize walk-in retail space for AU mail sorting and other backoffice functions.

AU has recently stated its goal is to buy and convert commercial properties to university uses.* Wesley Heights has only 2 buildings with retail space; AU owns 1 of them.

[Slide 55 – SVWHCA Resolution on Commercial Properties]

The resolution shown here was unanimously adopted at the Spring Valley/Wesley Heights Citizen's Association meeting last month and asks the Zoning Commission for its help in protecting that remaining building and other scarce commercial properties in our 2 neighborhoods from such repurposing by AU.

[Slide 56 and 57 – GW Precedents for Repurposing Restrictions]

The Foggy Bottom neighborhood received such help in the 2007 George Washington University Campus Plan and PUD, which forbid GW from repurposing residential property in that area since that had been a problem there. Our problem is AU's repurposing of retail and other commercial property, an objectionable condition that this Commission should treat as such.

[Slide 58 – Comprehensive Plan Mandates]

The DC Comprehensive Plan issues calls to:

- "protect the low density, stable residential neighborhoods west of Rock Creek Park"
- "support and sustain local retail uses"
- "protect neighborhood commercial centers from encroachment by large office buildings and other non-neighborhood serving uses."

We hope you will help us by giving force to these mandates.

* This echoes AU's 2000 Campus Plan, which states the university's intent to "preserve the main campus for core academic needs and allo[w] largely administrative and support functions to relocate to adjacent business corridors."

VIII. The Need for Specific Enrollment Caps (Testimony of Michael Mazzuchi, Spring Valley-Wesley Heights Citizens Association)

All these concerns dictate that AU should continue to be subject to an enrollment and staff cap in line with AU's history, not AU's wish list. In the 1989 Campus Plan, the Zoning Commission endorsed a cap on AU's enrollment of 11,233 for this campus. In 2001, the Zoning Commission again used this limit of 11,233 as the basis for the present cap.

[Slide 59 – Comparison With 2001 Cap]

Moving the law school back into the same campus area would break this cap, sending AU's staff and enrollment well beyond a limit that has helped keep a balance between the university and the neighborhoods around it.

[Slide 60 – Cap Petition]

As a result, AU's neighbors in great numbers have objected to the Campus Plan, signing a second petition that calls for AU to continue to be subject to the 11,233 limit.

[Slide 61 – Map of Cap Petition Signatures]

We have presented you with these signatures, and this map of the area around AU shows with a red exclamation point each signer and where they live. As you can see, hundreds and hundreds of residents living near AU attest to the pressures it puts on their quality of life. They report objectionable conditions from traffic, pedestrian risks, loss of parking, noise, loss of neighborhood businesses, and problems from student conduct, all tied to the size of AU's overall operations.

AU has of course also organized letters of support for its plans. But these are mostly not from neighbors.

[Slide 62 – Map of Off Campus Support Letters]

This is the same map I showed you before, but it shows with a blue exclamation point the AU's neighbors who have filed letters of support. You don't see too many, because more than two thirds of such letters have come from people who don't live near the university. 40% do not even live in the District of Columbia.

[Slide 63 – Map of Cap Petition Signatures (2)]

This Commission needs to assess whether residents will suffer objectionable conditions from AU's growth. The best evidence to consider is not AU's flawed traffic study or empty assurances that a new committee or procedure will solve longstanding noise or student conduct problems. It is the reports of AU's neighbors.

[Slide 64 – Cap Proposals for Current Plan]

The cap for AU's current Campus Plan should thus begin where this Commission has previously struck a balance. If AU is permitted to upset that balance by moving its law school, additional limits should be adopted. First, AU should not be allowed to increase law school enrollment or other graduate enrollment. Secondly, AU's undergraduate population should be separately capped at its current size. AU never projected or planned for the more than 27% growth in undergrad enrollment that occurred during the present campus plan, and this has resulted in unacceptable conditions for students, a crisis atmosphere for future planning, and increased problems with off campus conduct. A cap at present enrollment would be a small change from AU's current projection, and hold them to it.

Without a cap on undergrad growth, the supposed requirement that AU have capacity to house two thirds of its students on campus is just an empty goal that the Campus Plan fails from day one. AU already violates the current two thirds housing requirement, and increased enrollment knowing it did not comply.

But the University's response to this situation is to make the first element of its plan the destruction of 500 beds of housing at Tenley in order to move the law school, and AU does not even propose to achieve two-thirds capacity until an unspecified date after 2014. An undergraduate cap at AU's current enrollment, that applies until AU actually has two thirds of its students living on campus, is what it will take to get this situation under control.

IX. Conclusion
(Testimony of Michael Mazzuchi, Spring Valley-Wesley Heights Citizens Association)

The neighborhood groups are not saying no to housing, and are willing to negotiate. Earlier Mr. Tummonds asserted that our groups insist that AU have zero beds on East Campus. That is untrue, and before these proceedings started we personally participated in discussions with AU where we recognized some housing on East Campus could be acceptable.

The real problem is that AU has at all times insisted on the full blown housing and retail development you can see in its model, and the height, density and other effects of that huge development put an unfair burden on AU's neighbors.

[Slide 65 – Summary of Requested Changes]

AU's David Taylor testified that the University's "neighborhood location" is one of its "greatest assets." We agree. Unlike many other universities in our city, AU is situated in quiet, long-established suburban neighborhoods with single family homes. It takes a lot of work to protect those neighborhoods as AU pursues is plans, but that work should continue. We hope that the Zoning Commission will reject the Campus Plan as currently proposed and encourage the parties to address the objectionable elements we have identified. With care, we can see that one of the University's greatest assets – and ours – is preserved.

Annex A

SUPPLEMENTAL TRAFFIC STATEMENT
Glenn Westley, PhD (economics)
Officer of the Spring Valley/Wesley Heights Citizens Association

A Reader's Guide to Correcting Gorove/Slade's Calculations of Peak Hour Vehicle Trips Generated in 2020 by AU's Campus Plan

In order to elucidate Gorove/Slade's calculations of peak hour vehicle trips in 2020 - and the defects in these calculations - I reproduce in one place at the end of this statement the relevant tables and figures from Gorove/Slade's *Transportation Report* (TR) and *Transportation Technical Analysis* (TTA) as well as certain slides from AU's 9 June 2011 Zoning Commission Testimony (by slide number). These are key elements in Gorove/Slade's calculations of future peak hour vehicle trips. References are also made to MCV's report filed in September 2011 with the Zoning Commission, which, in my opinion, properly corrects the defects in Gorove/Slade's estimates. Since Gorove/Slade uses different future trip estimation methods for the main and Tenley campuses, these are discussed separately below.

Main Campus

To estimate the number of peak hour vehicle trips generated by the Campus Plan in the main campus area in 2020, MCV properly takes account of two important facts neglected by Gorove/Slade, both of which affect calculated AU trips:

- First, the reality that some people drive to AU and park on the streets and hence aren't picked up in Gorove/Slade's driveway counts. MCV takes the share who park on the street at the modest 14.9% who admitted parking on the streets in the law school travel and parking survey (see Gorove/Slade's Table 5). The MCV report provides additional evidence on this point. ***[TR, Table 5, p. 41]***

- Second, that nearly all student growth from 2010 to 2020 is in graduate students, not undergraduates. AU projects the number of graduate students to grow from 3,230 in 2010 to 4,400 in 2020, while undergraduates are projected to grow from 6,318 to only 6,400 in the same time period. Graduate students, according to AU's testimony, have travel characteristics that are similar to AU law school students. Gorove/Slade surveyed the travel characteristics of law school students and found that 51% drove to the law school. Accordingly, MCV takes this as the percentage of graduate students who drive to main campus. In contrast to graduate students, none of whom live on campus, the majority of undergraduates are housed there. For this and other reasons, a much greater percentage of graduate students than undergraduates is likely to drive to campus. Hence, the additional 1,170 graduate students and 82 undergraduates that will be added from 2010 to 2020 will generate many more trips per student than does the current student body of 3,230 graduate students and 6,318 undergraduates (nearly a 2:1

ratio in favor of *undergraduates*). Gorove/Slade does not take this into account and therefore seriously underestimates the number of trips generated by student growth under the Campus Plan. ***[AU testimony, slides 11 & 34]***

How do these two facts alter the analysis from what Gorove/Slade did?

- Gorove/Slade starts with its driveway counts of total peak hour trips, which total 463 in the AM peak hour and 865 in the PM peak hour – as seen in Gorove/Slade's Table 9. ***[TTA, Table 9, p. 46]***. But these counts leave out those driving to campus and parking on the street since the driveway counters did not see them. To correct for this, MCV increases Gorove/Slade's driveway counts by approximately 15% to allow for these "hidden" trips.

- Next, using AU-supplied data, Gorove/Slade notes that the total number of students, faculty, and staff on main campus (that is, excluding the law school) is 12,505 in 2010 and is projected to grow to 14,100 in 2020, for a projected overall growth rate of 12.8% ***[TTA, Table 8, p. 46]***. Gorove/Slade then takes the growth in peak hour trips from 2010 to 2020 quite simply to be the same 12.8%, based on the *unweighted* increase in the number of undergraduates, graduate students, and faculty/staff of 12.8%. This is Gorove/Slade's estimate of the impact of the Campus Plan: it adds 12.8% of the 463 AM and 865 PM peak hour trips, that is, the 59 AM and 111 PM peak hour trips shown in the last line of their Table 10. ***[TTA, Table 10, p. 47]***

  In reality, one needs to employ a weighted average since nearly all faculty/staff drive (MCV adopts the finding of the law school travel and parking survey that 88% of faculty/staff drive), about half of the graduate students drive, and not so many undergraduates drive. That is, since we want to find the number of trips generated by these three groups, we need to take the number of faculty/staff, graduate students, and undergraduates added during the 2010-20 period under the Campus Plan and multiply each of these three population increases by the corresponding percentage that drive. This gives us the number of additional trips generated by each of the three groups, which we sum to get the total increase in trips resulting from the Campus Plan. This procedure, employed by MCV, gives an increase in total trips of 21.4%, rather than Gorove/Slade's 12.8%.

Simply by making these two common sense adjustments, MCV finds that AU's Campus Plan will generate about twice the number of peak hour trips as Gorove/Slade calculates.

Tenley Campus

In the case of the Tenley campus, Gorove/Slade didn't do any driveway counts of the existing law school at all. Rather, they counted for each hour from 8 am to 8 pm how many AU cars were parked in three of the six law school parking areas. They then used their travel and parking survey (which asks where the respondent parked on a given day) to infer the number of cars parking in the other three parking areas and on the street over the course of the day.

Figure 15 shows Gorove/Slade's resulting hourly estimates of the total number of cars parked, by parking location and in total. ***[TR, Fig 15, p. 43]***

However, these garage counts don't allow us to measure the number of peak hour trips generated by the law school very well. This problem is especially acute for the PM peak hour when the day shift of law students, faculty, and staff is leaving and the night law school shift is arriving. With night classes starting at 6 pm, both shifts may generate a lot of trips during the PM peak hour of 5:15 to 6:15 pm. Gorove/Slade simply has no way to pick this up in its analysis.

The problem can be seen by looking at Figure 15. The topmost curve shows Gorove/Slade's estimate of the total number of occupied parking spots. From noon till 6 pm this total is fairly constant at around 400. But how do we know how many vehicles are coming and how many are leaving during the PM peak hour of 5:15-6:15? Hourly parking garage counts don't tell us that – only that the number coming and going are about equal (since the number of parked cars is approximately constant during this period). Or put another way, the number of cars building up in the parking areas equals the DIFFERENCE between the number of cars entering minus the number leaving. In reality, we want the number leaving PLUS the number entering, and thus generating trips in the area. Counting parked cars every hour simply doesn't give us peak hour trips.

Gorove/Slade finds from their law school travel and parking survey that 30% of commuting trips occur during each of the peak hours but then asserts that the number of PM (and AM) peak hour trips is 30% of the garage capacity of 500. (The garage capacity of 500 is set somewhat above the 410 maximum number of spaces occupied during the day in Figure 15 to allow for law school growth from 2010 to 2020 and for the possibility that Gorove/Slade, by chance, had done its parking counts on a day with lower law school traffic and parking levels than normal.) Even with this small rounding up to 500, Gorove/Slade should have multiplied the 30% times the much larger number of commuting trips. It simply makes no sense to multiply 30% by 500: 30% is the percentage of trips occurring during the peak hours, not some percentage of garage capacity.

After correcting for this flaw, MCV finds that the number of peak hour vehicle trips is about triple what Gorove/Slade finds. MCV uses the same straightforward method to calculate peak hour vehicle commuting trips that Gorove/Slade itself correctly employs to calculate the number of peak hour pedestrian trips in their Table 28. ***[TTA, Table 28, p. 113]***

As explained in MCV's report, the number of commuting trips is obtained by multiplying the 2,000 law students expected in 2020 by the 40% Gorove/Slade testified will drive to Tenley (yielding 800 commuting trips) and multiplying the 500 faculty and staff expected in 2020 by the 75% Gorove/Slade testified will drive to Tenley (yielding an additional 375 commuting trips). Adding the 800 student and 375 faculty/staff trips we get a total of 1,175 trips. We then use Gorove/Slade's data (obtained from their law school travel and parking survey) that 30% of commuting trips occur in each peak hour. This yields 353 peak hour commuting trips, or about triple what Gorove/Slade finds. This method, employed by MCV, is exactly the same one Gorove/Slade uses to calculate pedestrian trips, but fails to apply in the case of vehicle trips.

This last assertion can be seen in Gorove/Slade's Table 28, which calculates total pedestrian trips for students, faculty, and staff walking to the Tenley campus from the nearby Tenleytown metrorail station, from metrobus stops, or directly from home. For example, in the first line of Table 28, Gorove/Slade takes the 2,000 law students and multiplies this number by the 30% they estimate will take metrorail to the Tenleytown station and then walk to campus (generating pedestrian trips). This gives a total of 600 pedestrian trips – since 30% of 2,000 is 600. Finally, Gorove/Slade takes 30% of these 600 trips as occurring during each peak hour, yielding the 180 peak hour pedestrian trips shown in the last two columns of Table 28 (see first row).