

From: Barbara Kahlow, for the WECA (barbara.kahlow@verizon.net)

Date Sent: 2/7/07

To:

- 1. Sharon Schellin, OZ for the Zoning Commission (sharon.schellin@dc.gov)
- 2a. Maureen Dwyer, for GWU (maureen.dwyer@pillsburylaw.com)
- 2b. David Avitabile, for GWU (david.avitabile@pillsburylaw.com)
- 3. Con Hitchcock, for ANC-2A & the FBA (conh@hitchlaw.com)

Subject: Follow-up on DDOT for Case Nos. 06-11 & 06-12

On 1/17/07, the Zoning Commission asked the West End Citizens Association (WECA) to respond by 2/7 to the DC Department of Transportation's (DDOT's) two responses (dated 1/4 and 1/12, i.e., after the Parties had submitted their 12/29/06 Findings of Fact) for Case Nos. 06-11 and 06-12. In fact, DDOT's responses only addressed questions posed by the Foggy Bottom and West End Advisory Neighborhood Commission (ANC-2A) and the Foggy Bottom Association (FBA). DDOT has not yet responded to the questions separately posed by the WECA. Thus, the record remains incomplete.

On 11/30/06, the Commission had asked the WECA to provide by 12/7 a copy of its chart entitled "16 of 67 Traffic Intersections with E or F LOS: GWU's 11/15/06 Exhibit E Table 3-2, Intersection Level of Service Summary (with Comments from Table 2-4)," accompanied by an explanatory note for the analysis that the WECA had requested DDOT to provide. To date, DDOT has not provided any response to the WECA's traffic questions posed orally on 11/30 and in its 12/7 Commission-requested written submission.

On 12/7/06, in its written submission, the WECA stated,

Section 210.2 of the Zoning rules governing Colleges and Universities provides, "Use as a college or university shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions" (emphasis added).

With respect to the traffic chart that I prepared and submitted into the record (attached hereto), the WECA would like DDOT to explain -- separately for each of the 16 intersections -- the underpinning for its overall conclusion of no objectionable traffic impact from GWU's request (in Case Nos. 06-11 & 06-12) for a 43 percent increase in overall density (from a max of 3.5 FAR to 5.0 FAR). This analysis is critical because, in the main, these 16 failing (E or F LOS) intersections would be negatively affected -- even after the Applicant's proposed mitigation measures. In fact, as the Summary of Chart note reveals, 11 of the 16 increase in grade despite mitigation and 3 see no change in failing grade despite mitigation. The last 2 (23rd Street/G Street & 20th Street/F Street) reflect the

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ZONING COMMISSION
District of Columbia

CASE NO.

06-11

EXHIBIT NO.

~~06-11~~ 249

ZONING COMMISSION
District of Columbia
CASE NO. 06-11
EXHIBIT NO. 249

FAX
1002513
TO: SHARON SCHELLIN (P: 427-61178, D: 1274311)
FR: BARBARA KAHLLOW (965-1183)

Barbara Kahlow

From: Barbara Kahlow [barbara.kahlow@verizon.net]
Sent: Wednesday, February 07, 2007 11:59 AM
To: 'Schellin, Sharon (DCOZ)'; 'Dwyer, Maureen E.'; 'Avitabile, David'; 'Con Hitchcock'
Cc: 'M Thomas - ANC2A02'; 'Joy Howell'; 'Sara Maddux'
Subject: WECA's Follow-up on DDOT (ZC Case Nos. 06-11 & 06-12)
Attachments: WECA-DDOT-campus.doc

All - Please find attached the West End Citizens Association's (WECA's) Follow-up on the DC Department of Transportation (DDOT) for Case Nos. 06-11 & 06-12. Please especially note that, since DDOT failed to submit its responses to the WECA's 11/30 & 12/7/06 questions, the record remains incomplete. - Barbara

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Applicant's traffic consultant's anticipated but not credible decreases in LOS from F to C and E & F to C, respectively.

Due to DDOT's incomplete analysis, the WJCA would like to amend its Finding of Fact #10 to read:

On 12/7/06 and in previous filings, the FBA's expert traffic consultant raised a host of critical substantive issues with GWU's traffic analysis, which reveal that GWU's traffic impact analysis conclusions are not credible. In addition, as two other FBA witnesses testified, GWU's traffic analysis does not even consider the traffic impact generated by dozens of GWU activities in the sizeable Lisner Auditorium theater (730-21st), student athletics Charles E. Smith Center (600-22nd), Clyde Heck Marvin student Center (800-21st), Media and Public Affairs Building (805-21st), and other intensive-use buildings with auditoriums, such as the Elliott School of International Affairs (1957 B) (9/28/06 transcript, pp. 65-6 & 76).

Also, on 12/7/06, the WJCA requested the D.C. Department of Transportation (DDOT) to explain – separately for each of the 16 “failing” (E or F level of service (LOS)) intersections – the underpinning for its initial overall conclusion of no objectionable traffic impact from GWU's request for a 43 percent increase in overall density. An independent analysis by DDOT is critical because, in the main, these 16 failing intersections would be negatively affected – even after GWU's proposed mitigation measures. In fact, 11 of the 16 increase in LOS grade despite mitigation. DDOT failed to submit its analysis, as DDOT committed on 11/30 to subsequently provide.

In addition, GWU failed to submit a complete traffic analysis. ANC-2A/FBA's 12/7/06 Question 8 to DDOT asked, “Given that GWU is applying for a 20-year campus plan to last until the year 2025, why did DDOT's report not contain any analysis for years 6 through 20?” DDOT's 1/4/07 response stated, “Supplemental analysis on this issue should be performed by the applicant” (p. 7).

Lastly, the WJCA endorses the ANC-2A/FBA's 2/1/07 amended Findings of Fact on traffic, which were based on evidence in the record.

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