

Testimony of Robert B. Avery, Board President
Foxhall Community Citizen's Association

Re: Application No. 10-32; Georgetown University 10 year Campus Plan
Hearing Date: June 2, 2011

I. Overview.

My name is Robert Avery, and I am the elected President of the Board of the Foxhall Community Citizens Association (the FCCA). The FCCA is a neighborhood association that has represented the area immediately west of Georgetown University and Glover-Archbold Park since 1928. There are approximately 900 households in our community.

We strongly agree with the arguments made by our sister associations, CAG and Burleith, that Georgetown University's failure to adequately control the behavior of its off-campus students and its plan to expand the number of graduate students represent serious objectionable threats to the character of our neighborhoods.

We also believe that the proposed "loop road" which Georgetown proposes for its GUTS system and will be constructed immediately adjacent to Glover-Archbold Park, will be objectionable to park users and residents living in the Foxhall area, particularly along 44th Street.

Our association has twice voted unanimously in open meetings to oppose Georgetown's Campus Plan and to empower its Board to register as a party in opposition for exactly these concerns. In open calls for input on this issue I have received only one email in favor of the campus plan. In reviewing the letters that the Commission has received in favor of the plan I would note that only one came from a resident in our area and that person is an employee of the University. We will supply you with petitions that show that virtually all the households immediately bordering Glover-Archbold Park on 44th Street, and many other Foxhall area residents as well, are opposed to the loop road and the campus Plan.

II. Background-Loop Road.

ANC-3D member Ann Haas provided the history of Glover-Archbold Park in her testimony so I won't repeat it. As can be seen in **Slide 1** (slides can be found in Exhibit A in the Appendix to my testimony), the Park presents a serene urban landscape. Georgetown is proposing its loop road to border the Park and a scenic easement which it granted to the National Park Service in 2003 (**Slide 2**). The proposed road would be about 320 feet from the houses on the eastern end of Foxhall Village.

The easement arose out of a long-running controversy regarding the expansion of Georgetown's southern entrance on Canal Road (*see* Exhibit B for a copy of the easement). Over significant opposition from our neighborhood and others in Ward 3, Georgetown

University went over the heads of the community to obtain earmarked Federal funds to create an expanded campus entry off of Canal Road in 1987. Like every Federal highway project, this required a 20 percent matching local contribution. In 2003 Georgetown granted Glover-Archbold Park the scenic easement running most of the length of their boundary with the Park as the local contribution. Because the cost of the project according to the Federal Government was at least \$7 million dollars, this easement was presumably valued at least \$1.4 million dollars.¹ This concession on Georgetown's part was held out as a meaningful contribution to the community and mitigated some of the anger over the entrance.

As testimony to the controversy surrounding the entrance, it took almost 20 years to finish the project which occurred in 2007. At that time Georgetown President John DeGioia acknowledged the controversy when he said at the dedication:

"Today's ribbon cutting was especially made possible because of the willingness of all parties to compromise," DeGioia said. "The newly constructed entrance reflects these compromises — such as prohibiting left turns out of the university in the morning rush hour so as not to impede inbound traffic along Canal Road." (*Georgetown Current*, December 19, 2007).

In preparation for the transfer, Georgetown's own assessor acknowledged that the land in the easement is heavily sloped and really couldn't be built on and was best used for "buffers and open space." The community was also told that the entrance would not be used to link the southern end of the campus and Reservoir Road (consistent with the Office of Planning Position since the 1970's).

Our community has objected to the loop road since it first arose in our discussions with the University. We were concerned that it would diminish the value of the Park for everyone who enjoys spending time in it, as well as residents on the other side of the Park in Foxhall Village. Concerns were also raised that the road could be used to connect to the north end of campus (and Reservoir Road) and to service the hospital. In response, university representatives said a clause in the scenic easement restricted the use of any road to "service vehicles" (which, however, they said included buses) and prohibited the use of the road for hospital or Reservoir Road access. Furthermore, the need to obtain National Park Service permission would ensure that environmental concerns would be adequately addressed.

We are now told by Georgetown University under cross examination at this hearing that the scenic easement does not in any way restrict the University from building its proposed road along the eastern ridge of Glover-Archbold Park and using it for any traffic it pleases so long as

¹ The Surface Transportation Uniform Relocation Assistance Act of 1987 authorized \$6 million for the GU Canal Road entrance expansion project. According to Federal highway officials most of that money has been spent -- about \$3.7 million for construction and \$2.3 million for environmental work and design. DDOT provided an additional \$1.2 million for additional lighting along Canal Road. The source of that money is not clear.

the road is constructed wholly outside of the scenic easement. Thus, according to the University, the scenic easement does not prevent construction of a two-lane road capable of supporting buses and any other future traffic right on the edge of the easement. Moreover, the University argues that because the road is on its property, it doesn't really need the permission of the National Park Service to build; nor, one presumes, is the University prevented from connecting the road to Reservoir Road or using it for any purpose.

This raises the question whether the University ever really gave anything of value to the National Park Service in signing the easement or promising that a service road if built would not be used for a north/south road. It is but another example of a long history of the University not acting in good faith with the community.

III. The Loop Road Is Likely to Become Objectionable Because of Traffic and Noise.

Georgetown University's proposal shows a callous disregard for the National Park as a neighbor. The buses are the University's own creation--not the communities'. It is the University's responsibility to move them onto and out of the campus with as little impact on the surrounding community as possible. Just as it is not right to dump all that traffic on Prospect Street, it is equally inappropriate to dump it all on Glover-Archbold Park users.

Even neighbors from Georgetown who testified on behalf of Georgetown University during the May 12, 2011 Commission hearing had to admit that the noise from buses was annoying, and that they would support any plan that moved the buses off of their neighborhood streets. Moving the bus noise problem from the eastern side of the campus to the western side of campus is unfair to those people who use the Park and those who purposefully purchased homes backing up to a quiet National Park rather than on highly trafficked streets, such as Prospect Street and Q Street.

What will this proposal do? First, it will require that a scenic gravel path will need to be "re-graded" (*i.e.* trees cut down and paved) to build the proposed road (**Slide 3**). The road will run immediately adjacent to the scenic easement. Any traffic on it will be visible and audible to users within the Park, and to residents in Foxhall Village along 44th Street.

Traffic within Foxhall Village is very light, and noise from traffic is non-existent. Georgetown University's proposed bus loop road along the eastern ridge of Glover-Archbold Park would introduce traffic noise where currently there is none.

Foxhall Village is a quiet neighborhood because it does not have any through traffic. It is bordered on the west and south by Foxhall Road, on the north by Reservoir Road, and on the east by Glover-Archbold Park (**Slide 4**). Traffic on 44th Street can only be used for egress because it is one-way at both ends: cars are not allowed to turn on to 44th Street at Reservoir Road; similarly, cars are not allowed to turn on to 44th Street at Foxhall Road.

On May 12, 2011, Georgetown University representatives testified under cross-examination that the University plans to re-direct bus traffic from four of its five bus routes to

the loop road. Based on the University's current bus schedule (*see* summary at Exhibit C, based on printouts of the University's bus schedules provided at Exhibit D) and proposed changes if the University's plan is approved, on weekdays, buses will begin traveling along Glover-Archbold Park at 4:45 am and will operate until about midnight. From about 6:30 am to about 9:30 am, and from about 3:30 pm to about 6:30 pm, buses will have to travel along the ridge of the Park at least every two and a half minutes. In addition, on Saturdays, GUTS buses will run along the eastern ridge of the Park about every half hour from 11:30 am to 6 pm.

This is likely to be an under-estimate of the bus traffic. The University's proposed expansion of off-campus continuing education programs, increase in on-campus graduate students, and general promotion of bus travel are all likely to increase both the frequency of bus service and potentially the hours.

Will this become objectionable to neighboring property because of noise and traffic as set forth under the legal standards before the commission (*see* Exhibit E)? We believe that there is substantial evidence in the record that it will. Currently, there is no bus traffic along the eastern ridge of Glover-Archbold Park. It is undeniable that the diesel-powered bus traffic will produce noise and exhaust on the eastern edge of the park where currently there is none. As indicated by the presentation of parties opposed to the University's campus plan, the increase in noise and exhaust from bus traffic on the proposed loop road next to the Park will likely become objectionable to neighboring properties including the Park and private property along the western ridge of the Park.

Georgetown University operates buses manufactured by Blue Bird Corporation. These buses appear to be the All American Rear Engine model. Exhibit F provides a specification for the latest model of the Blue Bird All American Rear Engine bus. Included at Exhibit F is an analysis of the noise that the University's buses will make if they are allowed to travel along the eastern ridge of the Park. Exhibit F shows that the noise created by the buses in the center of Glover-Archbold Park and at the western edge of Glover-Archbold Park, will fall into the range of normal conversation (*i.e.* 45-60 dB(A)). This noise is incompatible with a National Park that right now is only filled with the noise from rustling leaves (15 to 20 dB(A)), the occasional bird call (44dB(A)), rainfall (50 dB(A)), and thunder (120 dB(A)). Thus, Exhibit F provides substantial evidence that the proposed bus loop road will likely becoming objectionable to neighboring property because of noise and traffic.

In addition, the buses will also be visually objectionable. As can be seen from **Slide 5**, the bus route will be clearly visible to residents of the western edge of Foxhall Village during the winter.

IV. There Are Obvious, Cheaper, and Non-Objectionable Alternatives to the Loop Road Along the Park.

The proposed northern end of the loop road is shown on **Slide 6**. Buses will travel north on West Road using the existing two-lane road which skirts a retaining wall on the eastern end of North Kehoe Field. According to the University's proposal there will be a bus stop at the

Northeastern-most point of the route at the Lombardi Cancer Center. There is a large paved area currently in front of the Center which is impeded by an edge of North Kehoe field which juts into the paved area.

The Lombardi Center bus stop is the last proposed stop on the loop. Thus, according to university representative conversations with our community, the only issue is how to return the buses to exit out to Canal Road. According to these representatives, and testimony of Georgetown's traffic consultant under cross-examination at these hearings, there is not enough room in the paved area by the Lombardi Center to turn around the largest of the current GUTS buses without backing up. Thus, we are told, Georgetown needs to build a new road which will replace the existing golf cart path on the northern end of North Kehoe Field, widen and reinforce the northern portion of the existing loop road next to the Park easement, and build an entirely new extension in the southern portion of the existing road as shown earlier in **Slide 3**. Just, we are told, to provide egress for the buses.

The design of this new road is shown in **Slide 7**, which is taken from Exhibit U of Georgetown's Campus Plan submission. Notice that the edge of North Kehoe Field jutting into the paved area in front of the Lombardi Center (shown as the blue circle in the slide) has been removed. Moreover, West Road has been straightened in the area abutting the retaining wall next to the field. The plans show new trees along the Eastern edge of West Road and in the paved area in front of Lombardi Center, presumably to make the bus route more "aesthetically pleasing."

Since the beginnings of our interactions with Georgetown over the campus plan we have asked for information on alternatives to the loop road and why these alternatives were rejected. We have yet to receive this information. In cross-examination at this hearing Georgetown's traffic expert was asked the same question. He answered in vague terms about difficulties in turning around buses at the Lombardi Center without having to significantly cut into North Kehoe Field. In cross-examination, Georgetown's campus landscape planner did not even know if West Road was wide enough to allow two buses to pass. These vague responses and Georgetown's refusal to provide any information on alternatives raises serious questions as to whether any alternatives were really considered.

There are at least two obvious alternatives to the proposed loop road which would avoid the infringement on the Park easement and would not be likely to be objectionable to neighbors on either side of the campus (**Slide 8**). One was pointed out by Council member Cheh in her testimony. The buses could simply be turned around at the Lombardi Center and driven back out on West Road or be turned around slightly to the east of the Lombardi Center. The second is to use the existing Tondorf Road to provide egress for the buses. Let us consider each of these options in turn.

Option A: Turn Around at the Lombardi Center.

As can be seen from **Slides 9, 10, 11, and 12**, this option would require little expense and no road-building. Because no bus stops are proposed for the loop road, it would this alternative

would serve the same function as that of the proposed loop road. This alternative would have little environmental impact. All that would be required would be to remove the portion of North Kehoe Field jutting into the paved area next to the Lombardi Center to enable a turnaround.

A 1998 study sponsored by the US Department of Transportation Centers Program showed that the turning radius required for a very large school bus carrying 89 passengers was 40 feet. *See* Exhibit G. Taking this as an upper bound for the required turning radius of the largest GUTS buses, it is clear from the photo from Google Earth shown in **Slide 13** that this can be easily accommodated at the Lombardi Center (the circle on Slide 13 has a radius of 40 feet). All that has to be done is to remove the small portion of North Kehoe Field shown earlier that juts into the paved area (**Slide 14**). Admittedly this would have some modest expense, but was shown earlier in the slide drawn from Georgetown's Plan submission, they are planning to do this anyway. Thus the turnaround at the Lombardi Center is unambiguously cheaper, requires none of the new construction north and west of North Kehoe Field and Yates Fieldhouse, and does not impose on Georgetown University's neighbors.

A slight variation on the turnaround at the Lombardi Center would be for buses to turn right at the center (which they currently do now as shown in **Slide 15**) and turn around in the Parking area to the Northeast of the Center.

Option B: Use the Existing Tondorf and North Roads for an Interior Loop Road.

Another easy alternative route for buses to use to return to Canal Road is to use the existing Tondorf and North Roads (**Slide 16**). Buses would turn right at Lombardi Center using the existing road they already use (**Slide 17**), then south on the existing Tondorf Road. The University has already constructed at least one pedestrian bridge across Tondorf Road as an entry point to its student union (**Slides 18 and 19**), and it appears that the university already plans an additional pedestrian bridge connecting the Reiss Science Building and the New Science Building (**Slide 16**). Thus the buses would not necessarily have to cross pedestrian traffic. Buses would return to the Canal Road entrance either by continuing down Tondorf Road and then turning right on North Road (**Slide 20**).

Either of these two options would provide the University all of the benefits of a loop road without impacting Glover-Archbold Park or properties along the western ridge of the Park. Neither alternative is likely to be objectionable to the University's neighbors. The University might argue that the use of an internal loop road might make their campus slightly less pedestrian friendly--and indeed because of noise and traffic might make life somewhat less attractive to users of the University's central campus.

But the University can't have it both ways. They can't argue that they don't want to put a bus route in the central part of their campus because it creates objections for other users of the campus and then turn around and argue that placing the same bus route on the western edge of their campus will not be objectionable to the neighboring park and residents of Foxhall Village.

V. Concern About Concealed Future Development Plans.

The presence of obviously cheaper and non-objectionable alternatives to the loop road raises the question as to why Georgetown is so persistent in sticking to its plan in face of repeated opposition of its neighbors, ANC 3-D, and Council member Cheh. A clue might be in seen in **Slide 21**. In earlier testimony and cross-examination at this hearing, Georgetown has stated that one of the proposed sites for the expansion and renovation of the Medstar Hospital is North Kehoe Field (shown as the orange oval on the slide). In cross examination at this hearing Georgetown's Dean of Students stated that the loop road (shown as the black arrow in the slide) would not be used to service the hospital if it were located on this site. Is this statement credible?

Consider the only alternatives to servicing the new hospital if the loop road is not used. Traffic could enter from the east (shown as the green arrow in the slide) but would have to either turn around at the Lombardi Center or use the loop road to egress. Georgetown has already argued that the turnaround at the Lombardi Center is not feasible so it is not clear how they would propose to do this without using the loop road.

Alternatively, traffic could access the hospital along the existing road to the Northwest connecting to Reservoir Road (shown as the blue arrow in the slide). But again Georgetown has argued that it not possible to turnaround at the end of the blue arrow near the heliport, so again, it is not clear how the loop road wouldn't be used.

Looking at this slide it is obvious that the hospital is the critical missing piece to this puzzle. If the hospital is indeed placed on the site at North Kehoe Field it is just not credible for Georgetown argues that it is going to use the loop road as the primary means of access. Use of the new loop for hospital access would represent a potentially massive increase in the traffic load on the road and on the Canal Road entrance.

VI. Is Georgetown University's Promise Not to Use the Loop Road for Hospital Access Credible?

In reviewing community testimony on previous campus plans and talking to community leaders who were involved in the process one theme kept recurring—statements of Georgetown not acting in good faith. Community members would be told that the University had no intention of doing something only to see that very thing done at a later date. "Plans change" is a common theme. Georgetown University's stewardship of the existing scenic easement is a case in point.

The purpose of the \$1.4 million easement, as identified in 2000 in the Georgetown University land appraisal and in Ann Haas's testimony at this hearing, was "to protect the scenic value of Glover-Archbold Park and the Potomac Palisades."

But, due to university activity, the easement's fragile slope has collapsed twice since 2007, dumping sediment into Glover Archbold Park and Foundry Branch, a tributary to the Potomac River (**Slides 22 and 23**). The District's Department of the Environment recently fined

the University \$30,000 for failing to prepare a soil erosion plan following emergency slope stabilization. As shown in a picture taken just two weeks ago, the area is untidy and littered with trash (**Slide 24**). Is there any reason to believe that the university will do any better with the loop road?

We need The Commission's help. A decision to allow the proposed loop road to be built in spite of the objectionable impact to the park and the neighbors to the immediate west, will only lead to further objectionable impacts later. To use an apt metaphor in light of the previous slides, we are on a slippery slope. Georgetown says now that this road will only be used for GUTS buses. But they have not presented a meaningful transportation plan nor said anything about the potential impact of hospital expansion plans. Further, the university's promise must be viewed in light of its history of bad faith dealings with the community.

Once built, future Zoning Commissioners and future neighborhood associations will be powerless to stop this from becoming a main, heavily traveled, thoroughfare for the campus. The only way to stop this from happening is to not allow the road to be built. We urge you to deny Georgetown the right to build this road because it is likely to be objectionable to the neighboring park and residents because of noise and traffic. As we have shown, there are other obvious, cheaper, non-objectionable ways for Georgetown University to achieve its desired transportation goals.

VII. Georgetown's Proposed Increase in Graduate Students.

The other area where our community has a concern which may be more acute than that of our sister associations is Georgetown University's proposed addition of 967 new non-continuing education graduate students. Georgetown has hired an economic expert who, in his report, argues that the impact of this expansion on the property dynamics of the surrounding area will be minimal. We believe, however, that this report was too narrowly focused and makes assumptions that are unlikely to be true, and thus reaches too optimistic a conclusion regarding the negative impact of the expansion.

Georgetown University and their experts are treading a very fine self-serving line. In the year 2000, the same economic firm hired for this year's plan estimated that shifting 780 students from off-campus to on-campus housing would result in 170 residences in Burleith and West Georgetown being converted from student to non-student occupancy. The firm said that not only would this increase property values but it would generate approximately \$7,400 (\$10,000 in today's dollars) per house (or \$1.4 million total) to the District due to higher sales and income receipts from non-student residents.

Now we are faced with the reverse flow. Georgetown proposes to add 967 new graduate students with no additional on-campus housing. Their economist argues that this will only have a de minimis effect, and he doesn't even bother to calculate the loss of revenue to the District.

Further, he makes very selective use of the data. He focuses only on the 4 percent of graduate students that live in West Georgetown and Burleith and ignores the large graduate

student populations in Foxhall and Glover Park which push the figure to 15 percent. Without taking into account which departments will grow, he assumes that the additional graduate students will look and live just like the graduate students added since 2000 rather than, for example, like the Georgetown medical students. According to their own records supplied to us in a meeting with Council member Cheh and campus officials and in their April 26, 2010 meeting with residents, fully 60 percent of Georgetown's medical students live in the 20007 Zip Code neighborhoods versus 15 percent for other graduate students.

Our neighborhoods are in delicate balance. We assume that the new graduate students, which are disproportionately in the Physical Sciences, will have an incidence of living in Zip Code 20007 half-way between existing graduate and medical students. As shown in **Slide 25**, this modest adjustment in the university's expert assumptions suggest that 122 houses in our neighborhoods could be converted to student occupancy by Georgetown's proposed 21 percent increase in graduate students rather than the mere 6 or 7 suggested by Georgetown's expert. Further, using the logic of Georgetown's own expert firm, not only would such a conversion have a potentially catastrophic impact on our neighborhoods, it would lead to a direct loss in tax revenue to the District of over \$1.2 million per year.