

Testimony of Larry Joseph, President of Westover Place Board of Directors in the matter of
11-07C American University Campus Plan Minor Modification

Chairman Hood and Members of the Zoning Commission,

My name is Larry Joseph and I am the President of the Board of Directors for Westover Place Homes Corporation. We appeared before you on multiple occasions during the deliberations of the American University Campus Plan. Westover Place Homes Corporation is legally constituted under the laws and regulations of the District of Columbia and has been in existence for over 35 years dating to the beginning of our community. The shareholders of Westover Place Homes Corporation are the 149 town home owners. The Westover Place Board of Directors has the legal and fiduciary responsibility for the care of an 8 acre site and the welfare of its 149 homes and roughly 300 residents. We also share a roughly 950 feet border with East Campus. We are arguably the community most affected by the ongoing activities on the East Campus site.

During the Campus Plan process Westover Place was joined by other neighborhood associations as well as the ANC in actively opposing development on the East Campus. We presented alternative plans that demonstrated that AU could meet its stated housing needs without the proposed dormitory construction on East Campus. In opposing the plans as presented in the Campus Plan our concerns related to the objectionable conditions raised by the manner in which AU proposed to develop the site. My purpose, however, is not to reopen the Campus Plan as the Zoning Commission has already ruled on that matter in Z.C. Order 11-07 and the DC Court of Appeals ruled that the East Campus development was valid. East Campus is going to be our near neighbor for a long, long time. Westover Place has a vested interest in ensuring that East Campus fits into the existing neighborhood.

In its request for a Minor Modification, American University has made two requests of the Zoning Commission, one dealing with the below grade garage on East Campus and the second dealing with motor coach traffic on site. Reviewing the voluminous filings on the original 11-07 case, I find that the University offered a number of documents on the underground garage proposing several different garage capacities. The University testified that the garage would provide underground parking for the East Campus, and would be the method for service vehicles and buses to serve retail, academic, administrative and housing on East Campus.

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This included an underground bus turnaround. The drawing for the underground garage in its original submission appears to have 119 parking spaces while the final submissions the garage seems to contain 150 underground parking spaces. The Office of Planning in their report to the Zoning Commission endorsed the 150 car garage and the Commission included it as part of its Order 11-07. Westover Place supported the enlarged garage during our Campus Plan testimony and we still support the concept. Reducing automobile traffic by taking that many cars off the streets, not exacerbating an already difficult parking situation, and dampening noise by being below grade all speak to minimizing the impact on our community.

There are concerns in the community about the garage disrupting ground water flow and possibly impacting Westover homes. In its Order 11-07, the Zoning Commission Order granted the Campus Plan subject to conditions. One of those conditions, #41(b), states:

“Responsibility for Damage to Adjacent Properties - The University shall repair, at its own expense and as promptly as reasonably possible, any damage to the properties of an adjacent property owner, and any improvements thereon, caused by and resulting from construction work conducted on the East Campus.” The Westover Board of Directors does not believe that the University would intentionally construct East Campus in a manner which would imperil our homes and structures, and knowing that a Condition in the Order further clarifies the responsible party if any property damage results, we believe that this portion of the request should be approved.

In the second part of its request American University has offered to prohibit charter buses or motor coaches from entering the East Campus property. This is a step in the right direction as any action that reduces traffic and its ensuing noise on East Campus reduces a potential objectionable condition and thus has a positive impact on our community. The Westover Place Board of Directors supports the University request to prohibit charter buses and motor coaches from entering East Campus.

We are, however, concerned about all of the traffic into and out of East Campus. To address this issue, we request that the University agree to hold a discussion with the community on East Campus traffic routes during its next construction update meeting. The University should review planning regarding traffic into and out of East Campus, as well as, the impact of traffic on adjacent arteries and surrounding neighborhood streets.

Since traffic management addresses post-construction activity, this request should not further delay the ongoing construction.

To summarize, we support the request for the Minor Modification subject to the presentation of further detail on traffic management. At its January 14th meeting ANC 3D also voted to support with conditions the AU request for a Minor Modification.

Westover Place is currently dealing with all the ramifications of an active construction site: noise, dust, and ground vibrations just to name a few concerns. We request that in its deliberations regarding this request by AU the Commission resists any actions that may cause further delay to the schedule as outlined in Zoning Commission Order 11-07. Any delay, even a minor one, stretches out the inconvenience and disruption to our community.

Thank you for your time and attention.