

January 31, 2012

VIA HAND DELIVERY

Chairman Anthony Hood
D.C. Zoning Commission
441 4th Street NW, Suite 210S
Washington, DC 20001

Re: ZC Case No. 11-07 – American University 2011-2020 Campus Plan – Responses to Requests for Additional Information Made at the January 23, 2012 Zoning Commission Public Meeting

Dear Chairman Hood and Members of the Commission:

The enclosed submission includes American University's (the "University" or "Applicant") responses to the requests for additional information that were made by the Zoning Commissioners at the January 23, 2012 Zoning Commission Public Meeting.

A. Student Housing

Provision of Beds On-Campus

The Applicant has revised the chart that it previously provided to the Zoning Commission which presents information as to how the Applicant will be able to provide housing to 67% of its full-time undergraduate students by the fall of 2016. The revised chart is included in the attached Exhibit A. This revised chart no longer assumes that beds provided in off-campus space leased by the University will be used in the calculation of the percentage of AU full-time undergraduate students that are provided housing by the University. The University will not include the master lease of any residential units in off-campus properties (including the Berkshires apartment building) in the calculation of the percentage of AU full-time undergraduate students that are provided housing by the fall of 2016. The University's proposal is now fully consistent with the Office of Planning's recommendation on this issue.

Ability to Accelerate Time Period to Achieve Housing Requirement

As shown in the attached timetable (included in Exhibit A), the Applicant is proposing an extremely aggressive schedule to move the development of the student housing projects (Nebraska Hall, North Hall, and East Campus) forward as quickly as possible in order to make these new residential units available for AU undergraduate students. Since the Nebraska Hall addition and North Hall received community support, AU has assumed the risk of proceeding with the detailed design of these projects, in order to advance the schedule as much as possible. Given the greater uncertainty for East Campus,

detailed design will not be initiated until AU receives a final zoning decision. As a result, East Campus can not be completed until June 2016, at the earliest. As much as the University would like to move this process along even faster, it is simply not possible to have any appreciable change in the percentage of full-time undergraduate students housed on the AU campus prior to the fall of 2016.

In addition, the Applicant would like to reiterate once again the importance of the Zoning Commission taking action on the North Hall project (ZC Case No. 11-07A) on February 16, 2012. If the Zoning Commission does not take action on the North Hall Further Processing application on that date, the ability for the University to have the North Hall facility open and ready to accept students in the fall of 2013 will be severely compromised.

B. Transportation Issues

GSA Decision on DHS Traffic Study and Impact on the Applicant's Traffic Study

Some of the Party Opponents in this case, as well as ANC 3D, questioned the validity of the Transportation Impact Study ("TIS") prepared by Gorove/Slade Associates, Inc., because of its inclusion of certain data from a transportation study prepared for the General Services Administration regarding future development of the Department of Homeland Security's Nebraska Avenue Complex ("NAC"). The information used in the TIS from the NAC transportation study was the following: (1) counts of existing traffic, (2) background growth assumptions, and (3) projections of traffic for the future NAC campus.

Gorove/Slade discussed the use of these study inputs with DDOT during the scoping of the TIS for the Tenley Campus, and it was agreed that although DDOT had reservations about the study as a whole, these inputs were not related to their reservations and that they were appropriate for use in the TIS prepared for the Campus Plan application, as well as the Tenley Campus Further Processing application. Therefore, the Applicant believes that whatever concerns or issues that the General Services Administration or DDOT have with the NAC transportation study, the data from that study which was used by Gorove/Slade in the TIS submitted in this application does not have any material impact on the overall conclusions of Gorove/Slade that the proposed Campus Plan application will not cause adverse traffic or parking impacts.

Applicant's Response to Appropriateness of the Stanford Model (Trip Cap) to this Case

Commissioner May requested that the Applicant address the appropriateness of the "Stanford Model" to this Campus Plan application. Attached as Exhibit B is a response prepared by Gorove/Slade Associates which discusses why there is no need for such a cap in this instance, as the University has demonstrated that they have a very effective TDM plan that has already had a positive impact on the reduction of vehicular trips attributable to AU, with no trip cap in place.

Applicant's Response to MCV Associates, Inc, Traffic Study

Also included in the attached Exhibit B is a memo from Gorove/Slade which rebuts the relevant issues raised in the MCV Associates, Inc. traffic study dated September 15, 2011.

C. Enhanced Neighborhood Liaison Committee

The Applicant believes that AU's Neighborhood Liaison Committee ("NLC") can be used as an effective tool to foster dialogue with the surrounding community and more importantly resolve issues during the term of the Campus Plan. This enhanced NLC program includes ideas, policies and practices from other universities in the District of Columbia and incorporates them into a framework that best fits the issues that AU and its neighbors are likely to face. The Applicant proposes that the components of the enhanced NLC described below be included as a condition of the Zoning Commission's approval of the Campus Plan.

The NLC will be strengthened by a number of improvements that seek to be more responsive to neighbor issues. Each meeting will be led by a member of the President's Cabinet, to ensure that neighbors have ready access to senior management. The focus of the meetings will be to review AU's commitments to the community and progress on issues of concern and interest to the community. More specifically, the following issues would be included on the agenda:

- Construction Management and actions to mitigate adverse impact on adjacent properties
- Transportation Demand Management Program and annual monitoring reports
- Off-campus student behavior and the effectiveness of management programs
- Effectiveness of the Good Neighborhood Policy for off-campus parking enforcement
- Management of noise on the athletic fields

The NLC will serve as the designated body to discuss campus and community issues, address conflicts and resolve disputes between the University and neighbors. AU will schedule quarterly NLC meetings that will be structured to encourage dialogue and problem solving. Recognizing that some disputes may require more time to resolve, AU's Office of Community and Local Government Relations will convene additional NLC meetings as needed with appropriate university officials and community members. As an example, should the annual monitoring reports show that some aspect of AU's transportation demand management system program is not working, or that some other remedial measures are needed, the NLC will hold additional meetings and implement adjustments as promptly as possible.

The NLC meetings will be held quarterly. To encourage broad participation, an annual meeting schedule will be established at the beginning of each year and promoted to all nearby neighborhood groups. The University has proposed the following dates for the current calendar year: March 20, June 19, September 18 and December 4. Community representatives will include individual neighbors, representatives from neighborhood condominium and citizens associations including the Ft. Gaines Citizens Association, Embassy Park Homeowners

Association, Spring Valley-Wesley Heights Citizens Association, Neighbors for a Livable Community, Westover Place Homes Corporation, Tenley Campus Neighbors Association and Tenley Neighbors Association, and commissioners from ANC 3D, ANC 3E and ANC 3F. Additional members will be added as they are identified. The notification of each meeting will be provided in advance by e-mail along with a request for topics and agenda items. Meeting notices also will be posted on the web page of the Office of Community and Local Government Relations, and in *AU in the Neighborhood*, the monthly e-newsletter for neighbors produced by the community relations office.

A separate web page for the NLC will be created and added to the existing Community Relations web site to provide: general information about the NLC; a calendar of meetings; meeting minutes; additional information or reports requested at a meeting; links to other university web pages including; Public Safety, Campus Life and Housing and Dining that provide valuable information on university regulations, policies and telephone numbers.

The University and the NLC will work together to organize new opportunities for neighbors to enjoy with students, faculty and staff that might include a social gathering, arboretum tour, or participation in Campus Beautification Day or a community service project.

D. East Campus – Updated Elevations and Landscape Plans, Reduced Amount of Retail Use

In response to the comments of the Zoning Commissioners on January 23, 2012, the Applicant and its design team:

- revised the elevations of the face of Building Nos. 4 and 6 which face the Westover Place Townhome Community to include brick;
- confirmed the sequencing of the construction of the proposed buildings on the East Campus;
- enhanced the landscaped buffer behind Building Nos. 4 and 6 and adjacent to the surface parking lot to provide year-round screening and buffering by reducing the number of deciduous trees and increasing the number of evergreen trees; and
- reduced the amount of University-related retail proposed on the East Campus to 3,000 square feet.

Updated Elevation of Building Nos. 4 and 6 Facing the Westover Place Townhome Community

The east elevations of Building Nos. 4 and 6 have been modified to be mostly brick to more closely complement the Westover townhouses. The modified elevations are presented in Exhibit C.

Confirmation of the Sequencing of the Construction of the Proposed Buildings on the East Campus

The construction of Building Nos. 4 and 6 will be sequenced such that they are completed no later than the opening of the student housing buildings on East Campus.

Enhancement of Landscaped Buffer Adjacent to the Westover Place Townhomes

The landscape buffer behind Building Nos. 4 and 6 and adjacent to the surface parking lot has been modified to reduce the number of deciduous trees by 11 and increase the number of evergreen trees by 14, which is a 24% increase in evergreens. The revised landscape plans are presented in Exhibit D.

Reduction in Amount of University-Related Retail Space

The Applicant has agreed to reduce the amount of retail square footage that will be provided on the East Campus. The Applicant is now proposing 3,000 square feet of retail use, consistent with the Office of Planning's recommendation in this case. The retail use will be located in Building No. 1 along Nebraska Avenue, as depicted in the site plan included in Exhibit E. As noted in the Comprehensive Retail Plan submitted by the Applicant on November 3, 2011, the anticipated users for that retail space will be campus-serving food and non-food retail establishments (such as an education service provider and/or an insignia clothing store).

E. Use of the Jacobs Athletic Field

In response to the issues raised by the Zoning Commission on January 23, 2012 regarding use of the Jacobs Athletic Field, the Applicant is enhancing the following conditions:

- Amplified sound on the Jacobs Athletic field shall be permitted only for intercollegiate athletic events sponsored by the University and for limited special events. The total number of intercollegiate athletic events and special events which utilize amplified sound shall not exceed 40 in a year.
- The University will install, with input and advice from Robert Herzstein, a new sound system on the Jacobs Athletic field which will result in the placement of the speakers physically closer to the bleacher seats and further removed from the shared property line with Mr. Herzstein. This will help ensure that sound levels comply with District of Columbia noise regulations.
- Athletics Department staff shall monitor sound levels during athletic events with amplified sound. Athletics staff shall use decibel meters and take three readings per event: one during pre-game activities and two during the event. If decibel meters indicate amplified sound levels above 60 decibels, then Athletics Department staff will lower the volume of the amplified sound. If the University is consistently unable to achieve amplified sound levels below 60 decibels, the University will agree to prohibit amplified music for the remainder of that sport's season.

A list of all of the conditions that are applicable to the University's use of the Jacobs Athletics Field is attached as Exhibit F.

F. Additional Issues Raised by the Zoning Commission

Appropriateness of Design Flexibility Requested by the Applicant in the Further Processing Applications

The Applicant believes that the design flexibility that it is requesting for all Further Processing applications associated with this Campus Plan is appropriate and is consistent (in terms of scope and specificity) with the design flexibility that the Zoning Commission typically grants in PUD cases, as well as design review cases. Included as Exhibit G are examples of the design flexibility that the Zoning Commission has granted in recent PUD applications, a Capitol Gateway Overlay design review case, as well as the design flexibility that the Applicant requests for the Further Processing applications in this Campus Plan.

District and Federal Agency Review of Environmental Issues

The agencies that have responsibility for review of the Spring Valley Former Used Defense Site monitoring are: the U.S. Army Corps of Engineers; the U.S. Environmental Protection Agency; and the District Department of the Environment. Therefore, the Applicant notes that the proposed Condition No. 36 (from the proposed Findings of Fact and Conclusions of Law submitted to the Zoning Commission on December 12, 2011) should be amended to note that the District Department of the Environment will be notified each time the University files a permit application for ground clearance, excavation, or other major construction that would implicate remedial work performed at or around the campus by the Army Corps of Engineers.

Orientation of the Proposed Reeves Field Bleachers

The Applicant will address the orientation of the Reeves Field bleachers at the time it pursues a Further Processing application for that project.

Details and Issues that Will be Addressed in Further Processing Applications

As noted in Condition No. 34 of the Applicant's proposed Findings of Fact and Conclusions of Law:

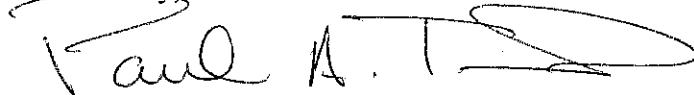
With each further processing application, the University shall submit information as to how the structure complies with the approved Campus Plan, an updated traffic analysis, a report indicating the supply of on-Campus housing and the number of undergraduate students.

The Applicant believes that whether a construction management plan is necessary is best left to the facts of each Further Processing application.


Conclusion

The Applicant believes that the information provided in this submission fully addresses the issues that were raised by the Zoning Commission at the January 23, 2012 Public Meeting. The Applicant looks forward to the Zoning Commission's decision on this application on February 16, 2012, so that the Applicant can move forward with the construction of the student residence facilities proposed in this Campus Plan application.

Sincerely,



Paul A. Tummonds, Jr.



Cary A. Kadlecek

Enclosures
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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2012, copies of the attached letter and enclosure were delivered via email to the following:

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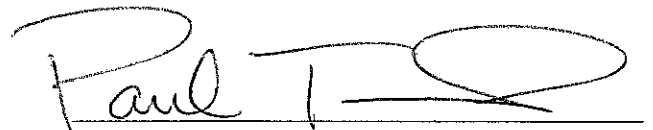
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