

February 23, 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 February 16, 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 February 16, 2012 Zoning Commission Public Meeting.

A. Modifications to the Neighborhood Liaison Committee

The University recognizes that the divisions and disagreements that have been part of the debate over this most recent campus plan have strained relationships between AU and many of its neighbors. AU believes that it has an opportunity for a fresh start and agrees with the Zoning Commission's request to further enhance the composition, structure, purpose and leadership of the Neighborhood Liaison Committee (NLC). AU has reviewed the programs that other universities have adopted (including Howard University's Community Advisory Committee) and has tailored this new community liaison program to address the types of issues that AU and the community have faced in the past, as well as create a program that is flexible enough to adapt to issues that may arise in the future.

AU proposes a number of changes, enumerated below, to the NLC. To provide context, some items that were previously proposed are repeated. New proposals are so labeled.

- NEW – New Name
 - With a view to a fresh approach and with respect to neighbors' concerns that the acronym "NLC" is easily confused with the Neighbors for a Livable Community (NLC), AU proposes to change the name to the Community Liaison Committee, with the acronym "CLC."
- NEW – Senior University Leadership

- The Community Liaison Committee (CLC) will be led by the Vice President of Campus Life, who is the chief student affairs officer at the university and one of seven members of the President's Cabinet. The Vice President of Student Life provides senior executive leadership for 15 departments in the Office of Campus Life, including student conduct. The Vice President of Campus Life has broad decision-making authority within the University. The Vice President of Campus Life will call upon other cabinet members, as needed, to help resolve quickly, issues raised by the community.
- Composition - In addition to University representatives, the CLC will be composed of representatives of the following existing community groups:
 - ANC3D
 - ANC3E
 - ANC3F
 - Embassy Park Neighbors Association
 - Ft. Gaines Citizens Association
 - Greenbriar Condominium
 - McLean Gardens
 - Neighbors for a Livable Community
 - Spring Valley – Wesley Heights Citizens Association
 - Sutton Place Condominiums
 - Tenley Campus Neighbors Association
 - Tenley Neighbors Association
 - Westover Place Townhouse Association
- NEW – Opportunity for Community Members to Call Meetings
 - Meetings may be called by any member of the CLC, at any time, but will be scheduled by the University a minimum of four times each year.
- NEW – Annual Town Hall Meeting Chaired by AU President
 - Once each year, the AU president will hold a Town Hall Meeting, open to all neighbors to discuss issues of interest to neighboring community members. This will give community members the opportunity to address their concerns directly with the president.
- NEW – Community Input to Meeting Agendas
 - In order to formulate meeting agendas, three weeks prior to each meeting, all community representatives will be contacted to determine the issues they would like to discuss. The University will research these issues and be prepared to address them at the meeting.
 - At each meeting, the University will be prepared to provide updates and reports pertaining to:
 - Construction management and mitigation of adverse impacts on adjacent properties;

- Traffic Demand Management programs and annual monitoring reports;
 - Off-campus parking enforcement;
 - Off-campus student behavior;
 - Sound management on the athletic fields; and
 - Cultural and athletic events and activities for neighbors to attend.
- NEW – Dispute Resolution
 - In the event of an intractable dispute in which the majority of community representatives and the University cannot reach agreement on a specific issue or set of issues, the University will commit to alternative dispute resolution and engage, at the University's expense, a third-party mediator. CLC community members will participate in the selection process of the mediator or mediation services, and the organization that is selected to provide these services must be agreed upon by a majority of the CLC members.

B. Revised Conditions Related to the Use of Jacobs Field

The University agrees to the following conditions in order to ensure that noise from the Jacobs Field is not objectionable to neighboring residents:

- **Amplified Sound Ban** – Amplified sound on the Jacobs Athletics Field will be banned until this situation is resolved, a new sound system is installed, and objectionable impacts of amplified sound eliminated (*per recommendation in the Feb. 7, 2012 submission of Robert Herzstein and in the Feb. 6, 2012 submission of ANC 3D*).
- **New Sound System Installed** – With assistance of expert sound engineers and in close collaboration with and personal involvement of Robert Herzstein of 4710 Woodway Lane, the University will install an alternative speaker/sound system that would distribute the sound more evenly at the ground level as opposed to the use of a traditional loud speaker system, and other measures the acoustics engineers recommend to remedy the problem and which honors city code and prevailing law (*per recommendation in the Feb. 7, 2012 submission of Robert Herzstein and in the June 2, 2011 report from the Office of Planning*). In the event of an intractable dispute between Mr. Herzstein and the University regarding the new sound system which renders the parties unable to reach agreement, the University will commit to alternative dispute resolution and engage, at the University's expense, a third-party mediator. Mr. Herzstein will be able to participate in the selection process of the mediator or mediation services to be provided.
- **Amplified Music** – Amplified music will be banned until a new sound system is installed, and objectionable impacts of amplified sound eliminated.
- **Scoreboard Air Horn** – The scoreboard air horn will not be used on Jacobs Field until a satisfactory method for using it is devised (*per recommendation in the Feb. 7, 2012*

submission of Robert Herzstein). Pursuant to playing rules/requirements of specific sports, a game management sound device (i.e., the sound that makes players/referees aware of substitutions, end of period, etc.) will be needed, but will operate within code/established sound regulations.

- **Use of Bullhorns and Cowbells by Spectators** – The use of bullhorns, cowbells, or any other similar device by spectators will be prohibited.
- **Sound Barrier/Sound Curtain** – If the above measures do not reduce the sound from Jacobs Field to a level satisfactory to the adjacent neighbor, the University shall take such other remedial measures along the Western boundary of the Jacobs Field – including sound curtains or other devices as suggested by the Office of Planning – as are effective in reducing the sound from the Field to a non-objectionable level and are agreeable to the adjacent neighbor (*per recommendation in the Feb. 7, 2012 submission of Robert Herzstein and the June 2, 2011 report from the Office of Planning*).
- **Number of Events** – After a new sound system is installed, amplified sound may be used only for intercollegiate games and special events to not exceed a total of 40 each year.

C. Student Enrollment

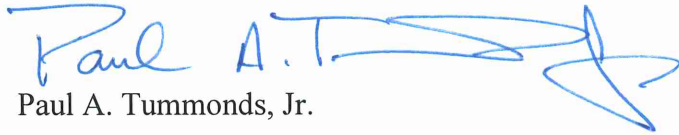
It is the Applicant's understanding that Commissioner May requested confirmation that the University and the Office of Planning are in agreement regarding the University's proposed enrollment cap. The University has committed to maintaining its enrollment cap of 13,600 students which will apply to any student – undergraduate, graduate or other – who enrolls in at least one class at any of the properties that are included in the Campus Plan. Within this overall cap, the University commits to an enrollment cap of 2,000 Washington College of Law students at the Tenley Campus. These proposed caps satisfy the Office of Planning's conditions regarding the number of students in the Campus Plan (See Condition Nos. 5 and 7 – OP Reports dated June 2, 2011 and June 22, 2011). As noted in the Applicant's January 31, 2012 submission to the Zoning Commission and the testimony of the OP representative at the February 16, 2012 public meeting, the Office of Planning is supportive of the Applicant's plan as to how it will provide housing to 67% of its full-time undergraduate students by the fall of 2016.

D. Conclusion

The Applicant believes that the information provided in this submission fully addresses the issues that were raised by the Zoning Commission at the February 16, 2012 Public Meeting. The Applicant looks forward to the Zoning Commission's decision on this application on March 8, 2012, so

that the Applicant can move forward with the construction of the student residence facilities proposed in this Campus Plan application.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Tummonds, Jr." with a stylized flourish at the end.

Paul A. Tummonds, Jr.

A handwritten signature in blue ink that reads "Cary R. Kadlecek" in a cursive style.

Cary R. Kadlecek

See attached Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2012, copies of the attached letter and enclosure were delivered via email to the following:

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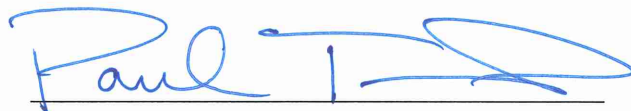
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Paul Tummonds