

Community Liaison Committee Meeting
Tuesday, December 2, 2014
American University – Katzen Arts Center – Room 154
6 p.m.

Introduction

The meeting of the Community Liaison Committee (CLC) was opened by AU Vice President of Campus Life Gail Hanson, who convenes and leads the meetings for American University. She opened the meeting at 6 p.m. by welcoming representatives of neighborhood organizations and local Advisory Neighborhood Commissions (ANCs).

Attendees introduced themselves and stated their affiliations.

Fall 2014 Enrollment Report

Linda Argo, AU's Assistant Vice President for External Relations & Auxiliary Services, reported enrollment and housing numbers for fall 2014. This information can be viewed at <http://www.american.edu/communityrelations/clc/upload/Fall-2014-Enrollment-Housing-Report.pdf>.

She stated that this information is reported annually to the CLC as a condition of AU's zoning order. She added that many did not like the format of last year's report, so the information this year is presented in a simpler and more straightforward way.

Gail Hanson asked the group if this new format was more helpful, to which the group replied yes.

Nan Wells, of Advisory Neighborhood Commission 3D, asked if this information would be posted on the CLC website.

Linda Argo replied that all of the meeting's information would be posted on December 3.

Construction Update

Washington College of Law

David Dower, AU's Assistant Vice President for Planning and Project Management, updated the CLC on progress at the Washington College of Law at Tenley. His presentation can be viewed at <http://www.american.edu/communityrelations/clc/upload/Capital-Projects-Update.pdf>.

He stated that the structures have been "topped out" and that insulation has been added to much of the exterior of the buildings. Next steps include exterior façade work, interior fit-out, and renovation of Capital Hall. Work on the exterior façade will continue through May or June 2015, with the interior fit-out work lasting through August.

The project will be complete in September 2015, with classes to be held at the location beginning in January 2016.

Betsy White, a neighbor, said that she is a part of the Osher Lifelong Learning Institute at American University (OLLI) and inquired about future uses of the law school at 4801 Massachusetts Avenue, NW. She advised that OLLI was told they would receive space at this location once the law school moves to Tenley.

David Dower replied that planning will continue in early 2015 to determine the future tenants of this space with OLLI as major player in these discussions.

East Campus

David Dower said that construction has commenced at East Campus with sediment control in place and excavation under way. The dewatering system also has been installed, although no groundwater has been encountered to date.

He advised that trucks have been solely using the New Mexico Avenue entrance, but that there will come a time when it will be necessary also to use the Nebraska Avenue entrance. He reported that issues with trucking early in the project have been resolved but continue to be monitored.

Looking ahead, excavation will continue through January, weather permitting, and dewatering will continue until the building's foundations are in place.

Beverly Sklover, a neighbor, asked where the water will go during the dewatering process.

David Dower replied that any water that is encountered will go into the sanitary system and that AU is working with the District Department of the Environment on a treatment plan that also would permit discharge into the sewer system.

He continued by advising that the installation of geopiers will begin in December and last through March, weather permitting. There also will be two tower cranes on site – one to be installed in mid-February and the other in mid-March. Neither crane will swing over Westover Place.

Nan Wells asked how deep the excavation currently is.

David Dower responded that it depends on which part of the site you are talking about as the topography is not flat. He stated that along Westover, excavation is down to approximately 23 feet.

Nan Wells asked where the ground water is situated on the site.

David Dower replied that during original testing, water was encountered at depths as shallow as ten feet and as deep as twenty-one feet. He again stated that no ground water has been encountered so far during excavation.

Gail Hanson said that Tom Smith and Jeffrey Kraskin had sent questions about the appeal to the Board of Zoning Adjustment related to plans for a two-level underground garage on East Campus. As part of the East Campus discussion, she asked Linda Argo to address those questions.

Linda Argo said that the project's original plans called for a one-level underground garage, but that when they went to further engineering, it was discovered that the required 150 underground parking spaces would not fit on a single level, and plans were drawn for a two-level garage – the second level being essentially a mezzanine to accommodate the required number of parking spaces.

AU then went to the Zoning Administrator at the Department of Consumer and Regulatory Affairs and reviewed the garage plans and parking requirement. The Zoning Administrator signed off on the plans and approved the project's foundation to grade permit. ANC 3D and the Spring Valley/Wesley Heights Citizens Association appealed the issuance of the permit to the Board of Zoning Adjustment (BZA).

She continued that it is typical for the permit holder to intervene in a case when a party files an appeal of a decision made by the Zoning Administrator. She added that AU still believes that the Zoning Administrator's action was appropriate and within the bounds of his authority. The BZA heard the appeal on November 18, and indicated that it was not comfortable with the process by which the Zoning Administrator approved the request and scheduled a decision for December 16.

Following the BZA hearing, AU applied for a minor modification with the Zoning Commission, for the additional garage level. This request was filed on November 20, and the case will be heard by the Zoning Commission on December 8.

Nan Wells stated that the concern is that adding an additional level to the garage would impact the planned bus turnaround.

Linda Argo replied that as part of the request for a minor modification AU proposed a new condition that would prohibit charter buses on the East Campus. If the minor modification is approved, this would become a new condition of the zoning order.

Nan Wells asked if there are other modifications to the plan for which the community should be given an opportunity to respond.

Linda Argo responded that minimal changes to the plan were shared at the May 15 East Campus community meeting. AU considers the changes to be *de minimis* and well within the authority of the Zoning Administrator to approve. For example, a slight change in Gross Floor Area is due to the fact that the original submission did not include building overhangs and breezeways. Regarding concern that some building heights have been lowered, the drawings submitted to the Zoning Commission show approximate heights, but the heights of the buffer buildings have actually been raised. She said that the building heights are consistent with the approved plans. AU does not believe that these minimal adjustments require Zoning Commission approval.

Penny Pagano, of Advisory Neighborhood Commission 3D, asked if the required 150 underground parking spaces could be built without going to the second level, to which Linda Argo replied no.

Penny Pagano replied that if AU can't build a second level for the garage, this could create a potential problem with neighborhood parking. She added that the filing of ANC 3D in opposition to the additional level does not represent the opinion of all Commissioners.

David Fehrmann, of Westover Place Homeowners Association, asked if the plan for service vehicles to use the underground garage has changed at all.

Linda Argo responded that this has not changed and that they will be required to use the underground garage.

Student Conduct

Michelle Espinosa, AU Associate Dean of Students, updated the CLC on the most recent data related to student conduct referrals for student behavior off campus.

She reported that there were fewer issues with single-family homes this quarter, with three being reported as problematic. There was an increase in complaints at apartment buildings due in part to a change in protocol at the Avalon. Previously, the Avalon management would not share information with AU and they are now doing so. Ten students from the Avalon went through the student conduct process this quarter. She added that AU is pleased that the Avalon now provides this information which helps the university to follow up on complaints.

Regarding a complaint about a single-family home currently occupied by the AU track team at 47th and Tilden Streets, NW, she reported that the students residing there met with the student conduct office regarding the complaint about a recent party. No additional complaints have been made regarding this address since that time.

Andrew Huff, AU's Director of Community Relations, added that he followed up directly with the neighbor who filed the complaint to ensure that he was aware of the complaint resolution.

Michelle Espinosa continued that there were no complaints regarding Greek affiliated houses this quarter, likely due to specific outreach to fraternities and sororities regarding living off campus.

Nan Wells asked how AU handles reports of sexual harassment and rape.

Michelle Espinosa replied that AU facilitates communication with the Metropolitan Police Department and assists survivors throughout the process, if they choose to file criminal charges. AU investigates all reports where there is sufficient information to do so. Whether or not criminal charges are brought, victims may bring charges under the Conduct Code and seek interim measures, such as barring of contact orders and changes in housing assignments and class schedules.

Nan Wells asked if these incidents are included in AU's Cleary reporting.

Michelle Espinosa replied yes, if the incident takes place on or adjacent to the AU campus. She added that Cleary reporting is based on location.

Dan Nichols, AU's Executive Director of Risk, Safety, and Transportation Programs, stated that off campus addresses are not included in Cleary reporting.

Chuck Elkins, a neighbor, asked if this type of event would appear in the AU crime log.

Dan Nichols responded that it would, depending on whether the victim wanted the incident reported. Some victims of sexual assault do not wish to file official police complaints. He reiterated that if the incident occurred on campus, it would be a Cleary reportable crime.

Chuck Elkins asked whether a sexual assault that took place at an off campus address would appear in the AU crime log.

Dan Nichols responded that this would not be included in the AU crime log, but would appear in the Metropolitan Police Department log, unless the victim chose not to file a complaint.

Beverly Sklover asked whether AU Public Safety would take a report if someone came to AU Public Safety to report a sexual assault that occurred off campus.

Dan Nichols replied that AU would take a report that the complainant had come to AU Public Safety, but that the Metropolitan Police Department would handle the investigation and reporting of the crime.

Beverly Sklover asked how the public would know about an incident of sexual assault if it occurred off campus and it went through the AU conduct process.

Dan Nichols responded that the public does not have access to student conduct case information. See addendum for additional information on this matter.

Gail Hanson noted the time and asked attendees which agenda items were most important for discussion and which could either be carried over to the next CLC meeting or addressed via other methods.

An AU neighbor stated that the university does a beautiful job landscaping the campus and asked if she could be guaranteed that the trees along Massachusetts Avenue east bound by the East Campus site will be preserved.

David Dower replied that there is no plan to do anything with these trees and that they are most likely on public space and under the control of the District. He added that AU transplanted twenty-two trees from the East Campus site into the buffer between the campus and Westover Place.

Harry Thayer, a neighbor, advised that the pedestrian crosswalk on Massachusetts Avenue east bound beside the East Campus site is very dark, and it is difficult to see pedestrians.

Phil Morse, AU's Executive Director of University Police and Emergency Management, stated that there is ongoing pedestrian education for AU students, with targeted campaigns at specific locations, student orientations, and outreach to apartment buildings. He added that recently targeted outreach efforts were carried out at apartment buildings along Massachusetts Avenue, including the Berkshire and Avalon.

John Wheeler, of Ward 3 Vision, stated driver education also needed to be stressed and that he was impressed with how drivers seem to be more aware of pedestrians as of late.

Dennis Paul, of Neighbors for a Livable Community and the Spring Valley/Wesley Heights Citizens Association, said that this location is very dark and that pedestrians often expect vehicles will stop when they are in the crosswalk. He added that additional lighting at this location would be of benefit.

Bill Krebs, of the Spring Valley/Wesley Heights Citizens Association, said that no one should expect any major changes to Ward Circle in light of the options which the District Department of Transportation is currently considering.

Gail Hanson again stated that any issues that were not addressed at the meeting would be responded to in writing or at the next meeting of the CLC. See addendum below.

Attendees then moved to Room 201 for the annual Town Hall meeting with AU President Neil Kerwin, which was followed by the neighborhood holiday reception.

The next meeting of the Community Liaison Committee will take place on Monday, March 2, 2015.

ADDENDUM: Following is information on the items that we did not have time to address at the December 2, 2014 CLC Quarterly Meeting. If you have follow-up questions, you may contact the staff member listed with the information item via the CLC-List or by direct e-mail.

1. *AU Community Liaison Committee Meeting Ground Rules.* The ground rules reflect the changes recommended by CLC members at our previous meeting. We will consider them adopted, unless there is additional input. [Gail Hanson, gsher@american.edu]
2. *AU Tobacco & Smoke Free Campus - Check-in.* A listserv communication informed CLC members that smoking poles were removed from the periphery of campus. In some cases, urns filled with sand have replaced them. Recent rounds have documented no appreciable change in litter. This item was to ascertain community members' observations. [Andrew Huff, ahuff@american.edu]
3. *Reconsideration of CLC Operating Document, V. Meetings, * Additional meetings may be called by any member of the CLC.* The revised text modified the role of the chair and again proposed minimal conditions and alternatives for giving timely attention to CLC business. Further comments are invited before the March Quarterly meeting. [Gail Hanson, gsher@american.edu]
4. *Parking in the Neighborhood - Enforcement Protocols for Main Campus and WCL & Status of Neighbor Request for a Vehicle Inventory* (submitted by Tom Smith). Currently, the general enforcement areas for the Good Neighbor parking program (main campus and WCL) meet along 48th Street. The main campus and WCL share information and also enforce in each other's area of responsibility. We anticipate that in 2015, AU Public Safety will assume enforcement responsibility for the areas currently covered by WCL through a single, unified parking enforcement program in the neighborhood. The current parking management software does not allow for capturing vehicle information for faculty, staff, and students. There is currently a request for bids for such software and it is expected that the new parking management system will allow this information to be entered into a database. [Dan Nichols, dnichols@american.edu]
5. *Truck Loading @ Katzen Arts Center* (submitted by Tom Smith) - two complaints have been made regarding vehicles parked illegally in front of the Katzen Arts Center. Katzen is currently in transition between operations managers and this matter has been discussed with the new staff member. Specific language has been added to rental contracts, and staff will continue to monitor. [Andrew Huff, ahuff@american.edu]
7. *Summary of On Campus Crime Reports* (submitted by Tom Smith) - daily crime logs and annual crime reports are available on the AU Public Safety website at <http://www.american.edu/finance/publicsafety/>. AU exceeds Cleary Act reporting requirements by including off campus sexual assaults that occur in private residences in their daily crime log.

However, due to privacy laws, there is no specificity provided other than the date and time and general area where the incident occurred. [Dan Nichols, dnichols@american.edu]

8. *Activities on Jacobs Field & the Field at 45th & Massachusetts Avenue* (submitted by Tom Smith). CLC members who would like to receive activity rosters for these locations each semester, please inform Andrew Huff at ahuff@american.edu.

9. *CLC Agendas* (submitted by Jeffrey Kraskin) - A request for more meeting time devoted to open discussion, which we will incorporate, beginning with the March Quarterly Meeting. [Gail Hanson, gsher@american.edu]

Attendees

Community:

Chuck Elkins, Neighbor

David Fehrmann, Westover Place Homeowners Association

Larry Joseph, Westover Place Homeowners Association

Bill Krebs, Spring Valley/Wesley Heights Citizens Association

Maria Kress, Westover Place Homeowners Association

Bob Morris, Westover Place Homeowners Association

Penny Pagano, Advisory Neighborhood Commission 3D

Dennis Paul, Neighbors for a Livable Community; Spring Valley/Wesley Heights Citizens Association

Roshini Ponnampurama, Fort Gaines Citizens Association

Beverly Sklover, Neighbor

Spence Spencer, Advisory Neighborhood Commission 3D (Commissioner-elect)

Harry Thayer, Neighbor

John Timmer, Embassy Park

Jane Waldmann, Tenleytown Historical Society

Nan Wells, Advisory Neighborhood Commission 3D

John Wheeler, Ward 3 Vision

Val Wheeler, Ward 3 Vision

Betsy White, Neighbor

American University Staff:

Linda Argo, Assistant Vice President for External Relations & Auxiliary Services

David Dower, Assistant Vice President for Planning and Project Management

Michelle Espinosa, Associate Dean of Students

Gail Hanson, Vice President of Campus Life

Andrew Huff, Director of Community Relations

Pat Kelshian, Assistant Vice President for Risk Management and Safety Services

Hisham Khalid, Office of the General Counsel

Phil Morse, Executive Director of University Police and Emergency Management

Dan Nichols, Executive Director of Risk, Safety, and Transportation Programs

David Taylor, Chief of Staff to the President

American University Students: Sophia Wirth, Student Government President

