

July 14, 2011

VIA HAND DELIVERY

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

Re: ZC Case No. 11-07 – AU 2011-2020 Campus Plan – Responses to Cross Examination Questions about East Campus and use of Athletics Fields during June 23rd Hearing

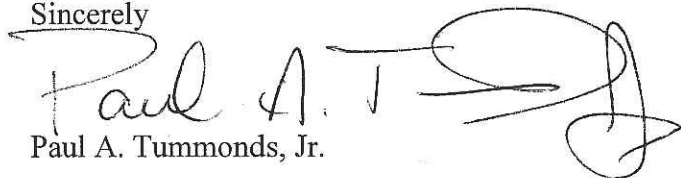
Dear Members of the Commission:

During cross examination of AU's witnesses at the June 23rd hearing, several parties requested that the Applicant provide more information about East Campus (conditions, building dimensions, and lighting plan) and the use of the athletics fields. The Applicant agreed to provide the requested information after the hearing.

The enclosed two documents provide the requested information. The first document explains AU's use of the athletics fields and the measures AU has undertaken to mitigate noise impacts. The second document is AU's list of proposed conditions relating to the development and use of East Campus. This document includes a proposed lighting plan for East Campus and a site plan illustrating the dimensions of Buildings 4 and 6 on East Campus.

If you or your staff have any additional questions, please feel free to contact me

Sincerely


Paul A. Tummonds, Jr.

Enclosures
DCDOCS\7057153.1

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2011, copies of the attached letter and enclosure were delivered in person or via U.S. mail to the following:

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D.C. Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024

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ANC 3E
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Washington, DC 20016

Anna Chamberlain
District Department of Transportation
55 M Street SE, Suite 500
Washington, DC 20003

ANC 3F
4401-A Connecticut Ave, NW Box 244
Washington, DC 20008-2322

Tenley Campus Neighbors Association
c/o Allison I. Fultz
Kaplan Kirsch & Rockwell, LLP
1001 Connecticut Avenue, NW, Suite 800
Washington, DC 20036

Neighbors for a Livable Community
c/o Laurie B. Horvitz, Esq.
Law Office of Laurie B. Horvitz, LLC
4520 East West Highway
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Bethesda, MD 20814

Spring Valley-Wesley Heights Citizens
Association
c/o Michael Mazzuchi
4430 Macomb Street NW
Washington, DC 20016

Robert Herzstein
4710 Woodway Lane NW
Washington, DC 20016

Tenley Neighbors Association
c/o Judy Chesser
3901 Alton Place NW
Washington, DC 20016

Westover Place Homes Corporation
c/o David Fehrmann
4296 Massachusetts Avenue NW
Washington, DC 20016



Paul Tummonds

INFORMATION CONCERNING USE OF THE ATHLETICS FIELDS

AU's athletics fields, Jacobs and Reeves Fields, are located on the western side of campus and are the primary playing fields for AU's field hockey, lacrosse, men's soccer and women's soccer teams. These four teams also use these fields for practice. There are no lights on these fields, so use is limited to daylight hours. Jacobs Field is the practice and playing field for women's field hockey and women's lacrosse, but the university has used it for intercollegiate sports, intramural sports, club sports, and recreational activity for decades. Jacobs also has a baseball/softball infield and backstop and some volleyball courts. Reeves Field is the primary playing field for women's soccer and men's soccer. Reeves also contains an oval track used for track and cross country competitions and for recreational running and jogging (which is available to members of the surrounding neighborhood). Tennis courts are adjacent to Reeves Field.

The athletics fields are rarely used for anything other than athletics activities (intercollegiate, intramural, club, or recreational), as AU has shied away from using the fields for anything other than sports. Therefore, outdoor gatherings, celebratory events, performances, and similar activities are typically hosted on the amphitheatre or the main quad.

Amplified sound on the fields is quite limited and is used intermittently. Amplified sound is used on the fields primarily for intercollegiate competition, but limited exception "special events" may use amplified sound. Practices for athletics never use amplified sound. The number of events on the fields using amplified sound averages 35 to 40 events or games annually, and the duration of amplified sound during an event is quite limited. For example, during a regular season field hockey or lacrosse match, the total time for amplified sound is 60 minutes for music and 10 minutes for announcements. Athletics Department staff monitor the amplified sound levels at games. The staff take readings (at the fence line, which is 25-50 feet inside AU's western property line) during pre-game activities, during the first half, and during the second half. They will make all reasonable efforts to reduce the sound when the volumes exceed 60 decibels. When readings do exceed 60 decibels, it is typically because of a spike in noise from spectator cheers or from some brief event during the game; rarely does noise exceed 60 decibels for a prolonged period of time. Records of sound recordings at athletics events with amplified sound at Jacobs Field for the year spanning June 2010 to May 2011 are attached to this document. AU began this sound monitoring process on its own initiative during the last Campus Plan. AU will agree to a formal condition detailing this process in the 2011 Campus Plan.

Over the past 20+ years AU has implemented a number of measures to mitigate impacts from use of the athletics fields on neighboring properties. For example, AU installed one way/key access gates to allow neighbors to enter university grounds (but not allow AU students or staff to use this gate); removed the roadway encircling the fields along the property line; removed campus parking in the area along the property line; invested approximately \$250,000 in landscaping to form a significant green screen; installed a decorative fence ranging from 25-50 feet from the western property line on AU property; placed restrictions on non-athletic "special events"; and restricted athletic use of the fields to daylight hours.

Enclosure

William I Jacobs Recreational Complex

Decibel Readings

June 2010 – May 2011

Friday, August 27th - American University vs. University of Richmond Field Hockey at 11:00am

Pre-Game – 64 (adjusted)

First Half – 61

Halftime- 62

Second Half – 63 (unamplified)

Friday, August 27th – Davidson College vs. Bryant University Field Hockey at 2:00pm

Pre-Game – 62

First Half – 59

Second Half – 61

Saturday, August 28th – Georgetown University vs. Bryant University Field Hockey at 11:00am

Pre-Game – 65 (adjusted)

First Half – 60

Second Half – 62 (unamplified)

Saturday, August 28th – Davidson College vs. St. Francis (PA) University at 2:00pm

Pre-Game – 63 (adjusted)

First Half – 58

Second Half – 61

Sunday, August 29th – Georgetown University vs. St. Francis (PA) University at 11:00am

Pre-Game – 63 (adjusted)

First Half – 61

Second Half – 59

Sunday, August 29th – American University vs. Old Dominion University at 2:00pm

Pre-Game – 64 (adjusted)

First Half – 63 (adjusted)

Halftime - 60

Second Half – 62 (unamplified)

Saturday, September 4th – Georgetown University vs. LaSalle University at 1:00pm

Pre-Game – 62

First Half – 59

First Half – 65 (as a goal was scored; adjusted)

Second Half – 60

Sunday, September 5th – Georgetown University vs. Temple University at 1:00pm

Pre-Game – 62 (adjusted)

First Half – 64 (unamplified)

Second Half - 60

Second Half - 59

Saturday, September 11th – Georgetown University vs. Lehigh University Field Hockey at 1:00pm

Pre-Game (during introductions) – 65 (adjusted)

First Half – 61

Halftime -59

Second Half – 61

Second Half – 61

Saturday, September 18^h – American University vs. University of Massachusetts at 12:00noon

Pre-Game – 62

First Half – 57

Halftime – 62

Second Half – 60

Sunday, September 19th –American University vs. James Madison University at 2:00pm

Pre-Game – 63 (adjusted)

First Half – 58

Second Half – 59

Saturday, September 25th – Women's Lacrosse Fall Tournament

No Amplified Sound

Friday, October 1st – Georgetown University vs. Rutgers University at 3:00pm

Pre-Game – 63 (adjusted)

First Half – 55

Second Half – 61

Sunday, October 3rd – Georgetown University vs. Richmond University at 12:00noon

Pre-Game – 64 (adjusted)

First Half – 58

Second Half – 60

Saturday, October 9th – American University vs. College of the Holy Cross Field Hockey at 11:00am

Pre-Game – 65 (music adjusted)

First Half – 59

Second Half – 62

Sunday, October 10th - American University vs. Duke University Field Hockey at 1:00pm

Pre-Game – 65 (music adjusted)

First Half – 63 (after a goal, volume adjusted)

First Half – 61

Second Half – 62

Saturday, October 16th – Georgetown University vs. Syracuse University Field Hockey at 1:00 pm

Pre-Game – 62-63 (adjusted due to music)

First Half – 57-59

Half Time – 60

Second Half – 59

Sunday, October 17th – Georgetown University vs. Towson University Field Hockey at 1:00 pm

Pre-Game – 64-65 (adjusted due to music)

First Half – 57-59

Half Time – 60-61 (with water cannons)

Second Half – 59-61

Saturday, October 23rd – American University vs. Bucknell University Field Hockey at 12:00noon

Pre-Game – 62 (no music playing)

National Anthem – 67 (adjusted)

No additional readings taken due to staffing

Saturday, October 30th – American University vs. Lafayette College Field Hockey at 11:00am

Cannot find readings

Saturday, October 30th – Georgetown University vs. Providence College Field Hockey at 1:30pm

Cannot find readings

Friday, November 5th – Patriot League Field Hockey Tournament at 11:30am and 1:45pm

Unable to take readings due to staffing

Saturday, November 6th – Patriot League Field Hockey Tournament at 1:30pm

Pre-Game – 62

First Half – 58

Second Half – 57

Second Half – 59

Tuesday, November 9th – NCAA Field Hockey Play-In Game at 1:00pm

Unable to take readings due to staffing

Sunday, February 20th – Women's Lacrosse vs. Ohio State at 12:00 noon

Pre-Game – 64 (adjusted)

First Half – 61

Second Half – 65 (unamplified)

Wednesday, February 23rd – Women's Lacrosse vs. George Washington University at 3:00 pm

Pre-Game – 62-64 (adjusted)

First Half – 57

Saturday, February 26th – Women's Lacrosse vs. UMBC at 1:00 pm

Pre-Game at 12:10 pm – 58

Pre-Game at 12:45 pm – 63 (adjusted)

Wednesday, March 9th – Women's Lacrosse vs. Virginia Tech at 3:00pm

Pre-Game – 68 (adjusted)

First Half – 63 (unamplified)

Saturday, March 12th – Women's Lacrosse vs. College of the Holy Cross at 12:00noon

Pre-Game – 67 (adjusted)

First Half – 59

Half-Time – 63 (adjusted)

Saturday, March 26th – Women's Lacrosse vs. Bucknell University at 1:00pm

Pre-Game – 64 (adjusted)

First Half – 72 (band playing; unamplified)

Wednesday, April 13th – Women's Lacrosse vs. Navy at 4:00pm

Pre-Game – 62

First Half – 66 (unamplified)

Second Half – 64 (unamplified)

Tuesday, April 19th – Women's Lacrosse vs. Liberty at 4:00 pm

Pre-Game – 63 (adjusted)

First Half – 64 (unamplified)

PROPOSED CONDITIONS RELATED TO THE DEVELOPMENT AND USE OF THE EAST CAMPUS

USE AND OPERATION OF RESIDENTIAL BUILDINGS

AU's residence halls are dynamic communities that promote student learning and development in a safe and affirming atmosphere. Each residence hall community is designed to promote student success. Studies show that students living in residence halls perform better academically and participate more fully in campus life. Each floor of a residence hall has at least one Resident Assistant (RA), an upperclass student that is trained to engage residents in social and educational programs, provide support in mediating conflicts, and help with students' transition to college and other student issues. Additionally, each building has a Resident Director a live-in, full-time, Masters Degree-level professional that supervises the undergraduate resident staff, manages student discipline in the hall, advises the hall government and leads in planning learning opportunities for the entire building. The Resident Director is supported by an Assistant Resident Director. All halls are locked at all times. Residents swipe their student identification cards for access and in all large halls, also present their identification cards to Desk Receptionists that are on duty 24 hours a day, seven days a week. Residents are responsible for their guests and must accompany them at all times during their guests' visits.

Resident Assistants monitor the residence halls in the evenings and on weekends in an "on duty" rotation. The RAs complete rounds (a complete walk of all floors and common areas within the hall) in the evenings. Monday-Friday they conduct two rounds a night, one starting at 9:00pm and the second starting at 11:00pm. On the weekends they complete three rounds a night; starting at 9:00pm, 11:00pm, and 1:00am. RAs carry a duty log on their rounds and complete reports if they respond to student conduct incidents or facilities related problems. They also submit incident reports to the student conduct system. In addition to conducting rounds, the RA on duty is on call to respond to incidents throughout their shift and may involve the Resident Director on duty and Public Safety as necessary. Public Safety conducts regular rounds of the campus grounds, including the areas immediately surrounding the residence halls; officers check-in with the residence hall Desk Receptionists on their rounds to see if anything in the hall requires their attention. If an RA sees an incident occurring outside of the residence halls, Public Safety is contacted immediately for response.

The residential communities proposed for the East Campus will be similarly staffed and subject to the same residence hall regulations that currently govern AU's residential communities. The Residence Hall Regulations specifically **prohibit** the following conduct:

1. To engage in any disorderly conduct or to interfere with the rights of other students in their academic pursuits. This specifically and especially pertains to other residents' rights to an environment conducive to study and to sleep.
2. To engage in sports activity within the residence halls.

3. To engage in sports activity or to create excessive noise within 50 feet of any residence hall.
4. To shout or to otherwise create disturbances from any residence hall window.
5. To create excessive noise by any means. This will include playing loudspeakers through room windows at any time and noise audible outside a student room or in public areas, especially, but not limited to after 11 p.m. Sunday through Thursday, or past 1 a.m. on weekends. These times are considered quiet hours.
6. To drop or throw any object or any liquid from windows.
7. To enter or exit the residence hall through a window when no emergency is present.
8. To enter restricted areas including, but not limited to, building roofs.
9. To keep dangerous materials, including but not limited to, firearms, air or CO2-powered weapons, fireworks, and dangerous weapons.
10. To use, or possess any illegal drug (including medical marijuana) or drug paraphernalia in the residence halls.
11. To sell, manufacture, or distribute any illegal drug (including medical marijuana) or drug paraphernalia in the residence halls.
12. To knowingly and voluntarily be in the presence of any illegal drug (including medical marijuana) or drug paraphernalia in the residence halls.
13. To violate university policies pertaining to the use or possession of alcohol in the residence halls.
14. To violate university policies pertaining to the sale, manufacture, or distribution of alcohol in the residence halls.
15. To knowingly and voluntarily be in the presence of alcohol in the residence halls.
16. To refuse to follow a directive from a housing staff member when acting in the performance of his or her duties.

CONSTRUCTION MANAGEMENT PLAN

This section outlines the actions and steps that American University ("AU") will undertake to mitigate any adverse impact on adjacent properties resulting from construction activity related to the development of the East Campus (the "Property").

Pre and Post Construction Surveys of Adjacent Westover Place Properties

AU will request access to the adjacent Westover Place properties in order to conduct surveys before the commencement and after completion of the construction work on the Property. The surveys are intended to provide AU and the adjacent property owners a reference point from which to determine the effect, if any, that construction work on the Property had on the adjacent Westover Place properties. The surveys will be performed at AU's sole cost and expense. Each survey report shall be provided to AU and to the appropriate adjacent property owner. If AU is not permitted access to the property of an adjacent property owner, AU is not required to perform the above-noted surveys for that particular property.

Responsibility for Damage to Adjacent Properties

AU agrees to repair, at its own expense and as promptly as reasonably possible, any damage to the properties of the adjacent property owner, and any improvements thereon, caused by and resulting from the construction work conducted on the Property.

Hours of Construction and Pre-Construction Community Meeting

AU will agree to limit construction hours to Monday – Friday 7:30 AM to 4:00 PM. However interior work not creating an impact on adjacent properties may take place outside of these hours. In addition, AU will hold a pre-construction community meeting to coordinate planned construction activities on the Property at least 90 days before construction activity starts. AU will schedule the meeting at a time that helps foster maximum community participation. Attendees of that meeting will include representatives of AU's general contractor and AU's on-site construction representative (discussed in detail below).

Site Management

AU will erect and maintain construction fencing and barricades in order to screen and secure the site during the construction process. All excavated materials will be removed from the Property via existing driveways on New Mexico Avenue and Nebraska Avenue. Similarly, all construction-related deliveries to the Property will occur from existing driveways on New Mexico Avenue or Nebraska Avenue. AU does not anticipate the need for any street closures as the result of the construction activity on the Property. Sidewalk closures may be needed to maintain a safe environment and such closures will be communicated in advance to the community. Parking spaces for all construction workers and deliveries will be provided on the Property. No construction-related parking will be permitted on nearby residential streets.

AU will remove rubbish and construction debris continuously during the construction period during the normal construction workday. In addition, AU will monitor and police the construction site daily or more often as required to ensure cleanliness. AU will also undertake a program of pest control to ensure that no increase in pest activity occurs during the construction period. All excavation or back fill trucks will be covered before proceeding from the Property onto District streets. Dust and debris will be removed from the Property on an as needed basis.

Applicant's On-Site Construction Representative

AU shall designate a representative to be the key contact during the period of construction on the Property. At any time construction activity is occurring on the Property, the AU representative or his/her designee shall be available on-site or by telephone to receive communications from the adjacent property owners. In addition, a name and telephone number of a person designated by AU to contact in case of emergency during hours in which no construction activity is occurring shall be readily available to the adjacent property owners. The AU representative and his/her designee will be able to answer questions and receive comments about the site activities and address any concerns the adjacent property owners might have throughout the construction process.

SOUND AMPLIFICATION POLICY

Any event which proposes to use sound amplification equipment on the East Campus will be required to abide by the university's Sound Amplification Policy. Highlights of the Sound Amplification Policy applicable to the East Campus will include:

1. Sound emanating from university buildings, residence halls, and outside facilities must not interfere with regular functioning of the university or the welfare of residential neighbors. The Department of Public Safety will respond to sound level complaints. If an unacceptable sound level persists, Public Safety will terminate the offending activity and may refer the case to Student Conduct and Conflict Resolution Services.
2. Amplification of sound during the university's normal working hours (i.e. class hours, university-scheduled study days, final exam periods, special testing sessions, special university events, or during the hours of worship at Kay Spiritual Life Center) or sound amplification affecting the greater campus community (i.e. amplified events outdoors) is prohibited.
3. During hours not specified above, sound amplification for a university-sponsored event affecting the greater campus community will be permitted under the following conditions:
 - A. All student-sponsored, outdoor events using amplification will be coordinated by the Office of Student Activities. The Student Activities staff will exercise professional judgment in determining the suitability of proposed entertainment for an outdoor campus site.
 - B. Events employing amplified sound will conclude no later than 10:00 p.m.
 - C. Amplification must be provided by the Student Union Board, unless an exception is granted and arrangements are coordinated through the Office of Student Activities.

- D. During the event, a Student Activities staff member will measure the sound level at the campus boundary with the adjacent Westover Place property.

LIGHTING PLAN FOR THE EAST CAMPUS

As shown on the attached Site Lighting Plan, no light from the buildings, walkways or parking lot on the East Campus will project onto neighboring properties at night. The proposed buildings will not have exterior lights, except as required by applicable building codes. In addition, no lights are proposed in the landscaped buffer area adjacent to the Westover Place townhomes. The walkways throughout the East Campus and the surface parking lot will be lit with lamps that reflect light downwards.

USE OF ACADEMIC AND ADMINISTRATIVE BUILDINGS 4 & 6

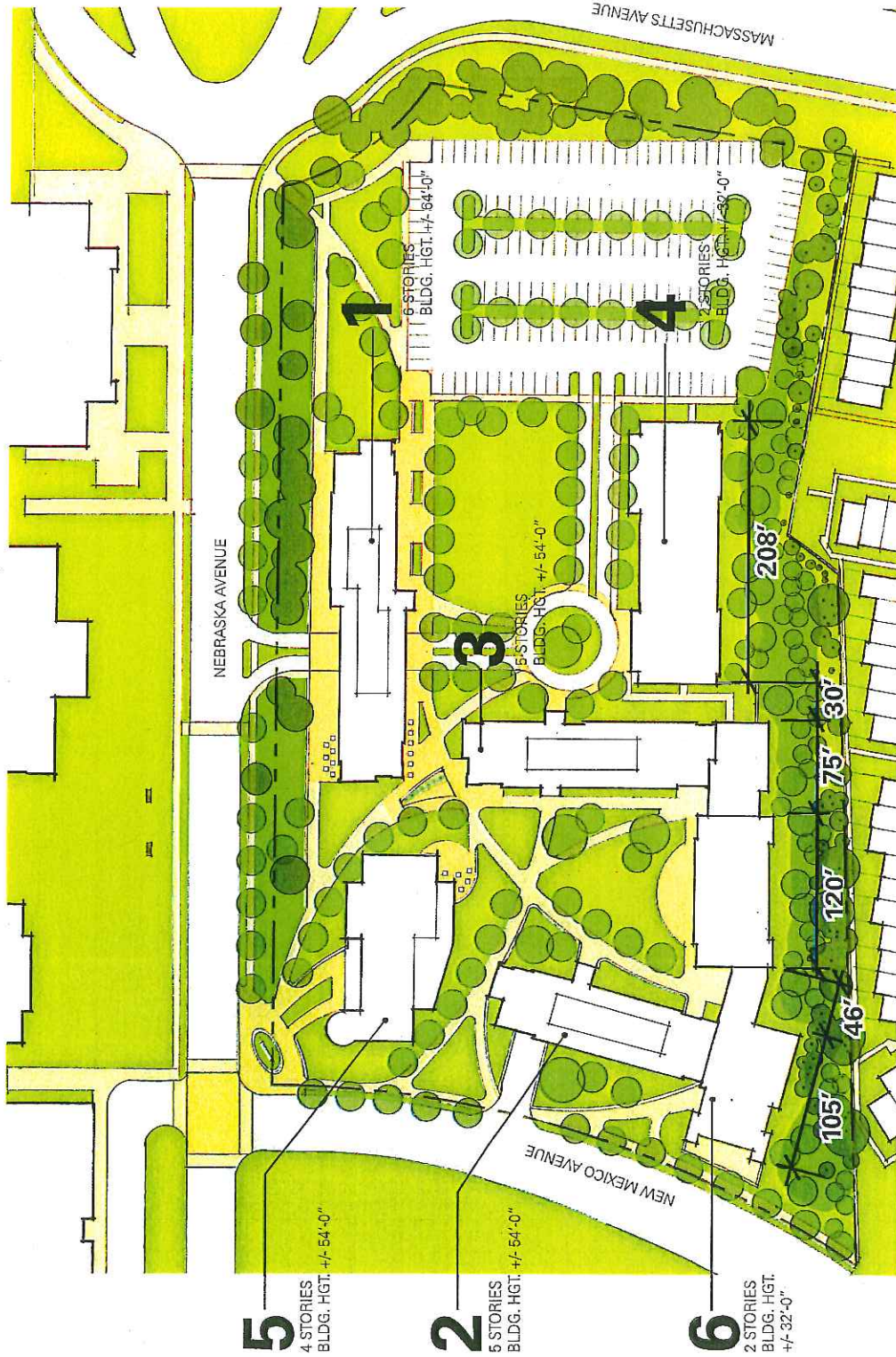
AU and its design team have reviewed the proposed interior configuration of the uses in Building Nos. 4 and 6. The uses in these buildings are now envisioned to include a small fitness center of approximately 2,000 square feet (approximately 5% of the total area), which is intended to solely serve the residents of the East Campus. Office space is expected to utilize approximately 57% of the interior space and will be the predominant use along the back of the buildings, which face the Westover Place properties. All lights in these offices will be on sensors and will turn off when no one is in the office. The remaining 38% of the interior space will be utilized for classroom and meeting room spaces. The attached site plan depicts the dimensions of these buildings.

Attachments



AMERICAN UNIVERSITY EAST CAMPUS DEVELOPMENT
SITE LIGHTING PLAN

07.14.2011
LITTLE
DIVERSIFIED ARCHITECTURAL CONSULTING



AMERICAN UNIVERSITY EAST CAMPUS DEVELOPMENT
SITE PLAN

