

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING  
CASE NO. 01-13A  
MODIFICATION TO PUD-INTERNATIONAL MONETARY FUND

+ + + + +

THURSDAY  
January 6, 2005

+ + + + +

The Public Hearing of the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTONY J. HOOD	Vice Chairperson
KEVIN HILDEBRAND	Commissioner
GREGORY JEFFRIES	Commissioner
JOHN PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY	Secretary Commission
SHARON SCHELLIN	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

ELLEN MCCARTHY	Deputy Director
DAVID McGETTIGAN	Office of Planning

This transcript constitutes the minutes from the hearing held on January 6, 2005.

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P-R-O-C-E-E-D-I-N-G-S

6:34 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Thursday, January 6, 2004. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners Kevin Hildebrand, Greg Jeffries, and John Parsons.

The subject of this evening's hearing is Zoning Commission Case Number 01-13A. This is a request by the International Monetary Fund for approval of modifications to two conditions of Zoning Commission Order Number 960, which approved the plan unit development and related MAP amendment for property located at 1900 Pennsylvania Avenue N.W.

And I would just like to take this moment to remind everyone that the only thing we will be discussing this evening are the two conditions of the order and the proposed modification. We're not going to revisit the balance of the order and whether or not the change in those two conditions will alter the balance between the relief that was sought and the benefits and amenities that were proffered by the applicant.

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1 Notice of today's hearing was published in  
2 the D.C. Register on November 12, 2004, and copies of  
3 the hearing announcement are available to you. And  
4 they are in the wall bin near the door.

5 This hearing will be conducted in  
6 accordance with the provisions of 11 DCMR, Section  
7 3022, which are the rules of procedure for contested  
8 cases. The order of procedure will be as follows:  
9 preliminary matters, followed by the presentation of  
10 the applicant's case; report by the Office of  
11 Planning; reports of any other Government agencies;  
12 report by the Advisory Neighborhood Commission that's  
13 affected, in this case it's 2A; parties and persons in  
14 support; parties and persons in opposition.

15 The following time constraints will be  
16 maintained in this hearing. The applicant will have  
17 15 minutes. Parties will have 15 minutes.  
18 Organizations will have 5 minutes. Individuals will  
19 have 3 minutes.

20 The Commission intends to adhere to the  
21 time limits as strictly as possible in order to hear  
22 the case in a reasonable period of time. The  
23 Commission reserves the right to change the time  
24 limits for presentations if necessary, and notes that  
25 no time shall be seated.

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1 All persons appearing before the  
2 Commission are to fill out two witness cards. These  
3 cards are on the table near the door where you came  
4 in.

5 Upon coming forward to speak to the  
6 Commission, please give both cards to the reporter who  
7 is sitting to our right.

8 Please be advised that this proceeding is  
9 being recorded by the court reporter and is also being  
10 webcast live. Accordingly, we ask you to refrain from  
11 making any disruptive noises in the hearing room.

12 When presenting information to the  
13 Commission, please turn on and speak into the  
14 microphone, first stating your name and home address.  
15 When you are finished speaking, please turn your  
16 microphone off so that it's no longer picking up sound  
17 or background noise.

18 The decision of the Commission in this  
19 case must be based exclusively on the public record.  
20 To avoid any appearance to contrary, the Commission  
21 requests that persons present not engage the members  
22 of the Commission in conversation during a recess or  
23 at any other time.

24 Staff will be available throughout the  
25 hearing to discuss any procedural questions. And you

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1 can direct those to Ms. Schellin.

2 Please turn off all beepers and cell  
3 phones at this time so as not to disrupt the hearing.

4 At this time, we will consider any  
5 preliminary matters. Ms. Schellin, anything?

6 MS. SCHELLIN: Just to advise you that the  
7 Affidavit of Maintenance has been received and the  
8 property was maintained.

9 CHAIRPERSON MITTEN: Thank you. Any  
10 preliminary matters?

11 (No audible response.)

12 CHAIRPERSON MITTEN: Okay. All those  
13 planning on testifying here this evening, please rise  
14 now and take the oath. Ms. Schellin will administer  
15 the oath.

16 (Whereupon, the witnesses were sworn.)

17 (No audible response)

18 MS. SCHELLIN: Thank you.

19 CHAIRPERSON MITTEN: All right. I think  
20 we're ready to move to the presentation of the  
21 Applicant's case.

22 Oh, that's right. We do have a  
23 preliminary matter, party status. I'm sorry. Thanks.  
24 You can go ahead and sit down if you want. Thank you.

25 We have a request for party status from

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1 the West End Citizens Association. It's Exhibit No.  
2 11 in the record.

3 And is there any objection to granting the  
4 West End Citizens Association party status in this  
5 case? They have addressed all of the issues that are  
6 required to be addressed.

7 Okay. I don't have any objection. I  
8 would just remind West End Citizens that the concerns  
9 that are being advanced for the impacts that are  
10 likely in the letter are not relevant to the scope of  
11 this hearing. So, I just want to keep everyone on  
12 their toes about the narrowness of scope of the  
13 hearing this evening.

14 Mr. Quin, whenever you're ready.

15 MR. QUIN: Thank you, Madam Chairperson and  
16 members of the Commission. My name is Whayne Quin  
17 with Christy Shyker of Holland & Knight. We represent  
18 the IMF, the applicant in this case.

19 Good evening. As indicated in our  
20 pleadings, we are going to be very brief. Briefer  
21 than we had indicated in our brief, which was brief.

22 I've sort of confused myself already and  
23 I haven't even started.

24 This modification request is not at all  
25 complicated. And it relates to a very small part of

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1 the IMF's extensive multi-million Public Benefits and  
2 Amenity Package approved by this Commission, and set  
3 forth and described in the order at pages 32-34.

4 The modifications requested relate solely  
5 to one portion of one part of the \$1,000.000 off site  
6 amenities. Namely, the replacement of 48 benches with  
7 segmented benches, as previously approved by the  
8 National Park Service.

9 In brief, and to make it clear that it's  
10 beyond the control of the International Monetary Fund,  
11 an interagency task force comprised of the Commission  
12 of Fine Arts, the National Capitol Planning  
13 Commission, the National Park Service, and the State  
14 Historic Preservation Office has determined that the  
15 benches as designed, that were discussed before, are  
16 not acceptable.

17 So, in order to move forward, we've been  
18 discussing with the Park Service a substitute amenity.  
19 And that proposal, namely, is to fund with \$250,000 to  
20 things. One, the design of a new bench prototype  
21 since the old one can't be used. And two, to use the  
22 balance of the \$250,000 for repair and enhanced  
23 maintenance of three triangular parks in close  
24 vicinity of the IMF building.

25 The only other modification relates to the

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1 methodology and timing of the implementation of the  
2 funds that were to be left over for the beautification  
3 projects. And, due to the fact that -- and also,  
4 again beyond the control of the IMF, the finance --  
5 the actual amount could not be determined prior to  
6 resolving the bench situation, we are not going to be  
7 in a position to accomplish the beautification project  
8 prior to the Certificates of Occupancy being issued.

9 So, as recommended by the Department of  
10 Parks and Recreation, we request a substitute for the  
11 last sentence in paragraph 8E, that we grant the funds  
12 with an agreement to the Green Spaces for the District  
13 of Columbia, a non-profit entity, to assure that the  
14 beautification projects are built.

15 So, in summary, we have really two things.  
16 First, to substitute the design of a prototype bench  
17 and park maintenance and repair, for the installation  
18 of 48 segmented benches that were not permitted by the  
19 interagency task force. And secondly, to implement  
20 the very same goals of the Commission to implement the  
21 beautification projects that were otherwise provided.  
22 But to do it through a non-profit organization working  
23 with the Park Service. The actual -- I'm sorry, with  
24 the Department of Parks and Recreation.

25 So that really is the summary of what we

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1 are here about and we have -- we're just going to  
2 probably call two witnesses, unless there are  
3 questions, and move quickly.

4 The first witness is John Schlichting of  
5 CarrAmerica who will describe the project in a little  
6 bit more detail.

7 MR. SCHLICHTING: Good evening Madam Chair  
8 and members of the Commission. My name is John  
9 Schlichting. I am Senior Vice President and Director  
10 of Development for CarrAmerica Urban Development, Inc.

11 I am representing the International  
12 Monetary Fund this evening as the Development Manager  
13 of their Headquarters II building, known as HQ2,  
14 currently under construction at 1900 Pennsylvania  
15 Avenue; the subject of this hearing tonight.

16 As you know, this Commission approved the  
17 PUD for HQ2 on April 25, 2002, subject to many  
18 conditions. Several of which specified a number of  
19 community amenities.

20 The IMF is fully prepared to complete all  
21 of the offsite communities specified in the order.  
22 However, due to circumstances out of the IMF's  
23 control, we are here tonight to request approval for  
24 two modifications to one of these offsite amenities.

25 These requested modifications affect only

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1 condition No. 8, which describes the intent of the  
2 commitment from the IMF of \$1,000,000 for offsite  
3 community amenities.

4 Quite simply, the only reason we are here  
5 tonight is because the National Park Service is no  
6 longer able to accept the 48 park benches specified as  
7 Condition 8A to your order.

8 Vikki Keys, from the Park Service is here  
9 with us tonight to further explain the situation.

10 We became aware of our inability to  
11 complete this amenity in May of last year. That's  
12 2004. At that time, it quickly became our goal to  
13 come up with a substitute amenity that would meet the  
14 spirit and intent of the original order to retain the  
15 appropriate balance of amenities as contemplated by  
16 this Commission.

17 After numerous meetings with the National  
18 Park Service, the IMF and the Park Service agreed to  
19 propose a substitute amenity with the total value of  
20 \$250,000, consisting of funds to design a new bench  
21 prototype that would be acceptable to all of the  
22 dissenting parties to the old bench, which will be  
23 further discussed later by Vikki. And provide funds  
24 for enhanced maintenance in three of the same four  
25 parks. The World Bank actually maintains the fourth

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1 park. For a meaningful period of time.

2 We estimate that this amount of funding  
3 will provide enhanced maintenance in those three parks  
4 for six to nine years.

5 We have given you tonight a chart, which  
6 outlines the contents of Condition No. 8, in two  
7 columns. The chart looks like this with the colors.  
8 One column for the original order and one for the  
9 proposed modification. At the top of the chart, in  
10 blue, are the amenities that have already been  
11 accomplished.

12 There were three specifically prescribed  
13 items in Condition No. 8: \$100,000 to St. Mary's Court  
14 for medical assistance; \$50,000 to St. Mary's Court  
15 for transportation needs; \$100,000 to D.C. Central  
16 Kitchens. All of these contributions have been made.

17 The IMF has also made a contribution of  
18 \$98,220 to DDOT for the replacement of all the dead,  
19 missing, or diseased trees in ANC-2A. The allocation of  
20 the balance, which is \$651,780 is contingent on your  
21 decision on our request tonight.

22 With the tree replacement now quantified,  
23 and assuming the original estimate for the bench  
24 replacement at \$132,000 there would have been \$519,780  
25 remaining for other neighborhood beautification

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1 projects. With the proposed modification to \$250,000  
2 for the bench design and the enhanced park  
3 maintenance, the total is \$401,780 for these other  
4 projects.

5 The IMF and D.C. Parks and Recreation have  
6 identified seven projects in ANC-2A which will cost a  
7 total of approximately \$400,000 or the balance of the  
8 funds. Assuming the \$250,000 amenity is accepted.

9 These projects have been endorsed by DDOT  
10 and reviewed by ANC-2A. We have worked out an  
11 agreement which is not yet signed with Green Spaces  
12 for D.C. to accept these funds for these purposes.

13 Due to the uncertainty of the bench  
14 amenity, we have been unable to finalize this  
15 arrangement. Which is the reason for our request to  
16 alter the timing of completion of these projects.

17 Consequently, we do believe that this  
18 modification is well within the spirit and intent of  
19 your original order, and does not upset the overall  
20 balance of amenities.

21 Our schedule requires that we obtain the  
22 Certificate of Occupancy for HQ2 as early as late  
23 March of this year. So we respectfully request  
24 expedited approval of this request.

25 We thank you for your time and I would be

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1 happy to answer any questions that you have when it's  
2 appropriated.

3 CHAIRPERSON MITTEN: Thank you.

4 MS. KEYS: Good Evening Madam Chairperson  
5 and members of the Commission. My name is Vikki Keys.  
6 I'm the Superintendent of the National Mall and  
7 Memorial Parks. And I'm testifying on behalf of the  
8 National Park Service concerning the modification to  
9 the amenity package for the International Monetary  
10 Fund HQ2 project.

11 While the IMF was fully prepared to  
12 perform the amenity set forth in condition No.8A of  
13 Zoning Commission Order 960, revised, the National  
14 Park Service finds that it can no longer accept this  
15 amenity.

16 Subsequent to approval of the PUD, an  
17 interagency task force comprised of the organizations  
18 mentioned earlier, the Commission of Fine Arts, the  
19 National Capitol Planning Commission, the State  
20 Historic Preservation Office, and the National Park  
21 Service, determined the proposed bench design had a  
22 heavier appearance than and was too strong a departure  
23 from the original National Park Service bench design.

24 Based on these recommendations and as a  
25 result of meetings with the IMF, a replacement amenity

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1 has been identified consisting of funding for design  
2 of a new park bench prototype. This prototype would  
3 allow for improved accessibility and support. It would  
4 allow people using the benches to move from a sitting  
5 position to an upright position by introducing an  
6 additional arm to the design.

7 The modified amenity would also provide  
8 for improved condition of the three triangular parks  
9 known as Reservations 28, 29, and 31, which are  
10 immediately to the west and northeast of the IMF site  
11 along Pennsylvania Avenue Northwest. As well as  
12 provide for enhanced maintenance over a period of  
13 approximately six to nine years.

14 Designed improvements for these three  
15 triangular park areas include new ornamental trees,  
16 shrubs, street furniture, and sodding of turf areas.

17 This combined amenity, estimated at a  
18 total cost of \$250,000, would provide enhancements  
19 similar to the National Park Service Reservation 30,  
20 which is immediately east of the site.

21 In Reservation 30, the World Bank designed  
22 and implemented site improvements similar to what I  
23 just described for the other three. And the World  
24 Bank has an existing agreement with the National Park  
25 Service to augment maintenance of that park area.

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1           The National Park Service believes that  
2 this revised amenity will support the same goals  
3 identified for the original amenity, and will serve to  
4 further benefit the community through the improved  
5 appearance of these important public spaces along  
6 America's main street.

7           The National Park Service recognizes its  
8 role as a partner in the community and with a host of  
9 organized community groups such as the Golden Triangle  
10 and the Downtown D.C. Bid.

11           In sections of the city, neighborhood  
12 areas continue to rejuvenate. And those that are most  
13 successful include collaboration between neighborhoods  
14 and public spaces. Such as at Dupont Circle and  
15 Franklin Square areas.

16           Those successful partnerships augment and  
17 enhance National Park Service maintenance  
18 capabilities, which in turn benefit the entire  
19 community.

20           We look forward to your favorable action  
21 on this proposed modification and I stand ready to  
22 answer questions at the appropriate time.

23           CHAIRPERSON MITTEN: Thank you.

24           MR. QUIN: That completes our direct  
25 presentation.

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1 CHAIRPERSON MITTEN: Okay. Thank you. Any  
2 questions from the Commission?

3 MR. QUIN: Could we note for the record  
4 that we've done this in twelve minutes?

5 CHAIRPERSON MITTEN: Congratulations.  
6 You'll get a gold star this time.

7 MR. QUIN: Thanks.

8 CHAIRPERSON MITTEN: Any questions?  
9 Commissioner Hildebrand?

10 COMMISSIONER HILDEBRAND: Yes. I guess I  
11 would like to know, what is your estimated breakdown  
12 of the \$250,000? What portion of that is for the  
13 design of the bench? And what portion of that is for  
14 the maintenance of the park?

15 MR. SCHLICHTING: I can respond to that.  
16 We have estimated that the -- actually, the National  
17 Park Service has estimated that the design of the  
18 bench would be between \$10,000 and \$50,000, leaving a  
19 balance of between \$210,000 and \$240,000 for the  
20 enhanced park maintenance.

21 COMMISSIONER HILDEBRAND: Okay. I am  
22 curious to know why the figure is going up from  
23 \$132,000 to \$250,000. If you can do the design for  
24 \$50,000, why isn't just the difference between the  
25 \$50,000 and the \$132,000 being used for the park

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1 upgrades and the rest being left for the neighborhood  
2 beautification projects?

3 MR. SCHLICHTING: I -- I think I have a  
4 two-fold response to that question. The first  
5 response would be, by the time May 2004 rolled around,  
6 two years after your original ruling, the -- first of  
7 all, in our -- in the original order, the \$132,000 was  
8 an estimate based on 48 benches costing \$2,750 each to  
9 be installed.

10 By the time May of 2004 rolled around, it  
11 was identified in those four triangular parks that the  
12 -- that to match the amount of seating currently in  
13 the four parks, even though there were 48 existing  
14 benches, they were of different sizes. So, it really  
15 required -- to match the present amount of seating, it  
16 required 67 benches of the new prototype design.

17 And, by that time, the cost of those  
18 benches was estimated to be approximately \$3,500, as  
19 opposed to \$2,750.

20 All told the, the range that we were  
21 looking at for replacing all the benches in those four  
22 parks was, at that point, between \$200,000 and  
23 \$250,000. And that's when we determined that the  
24 \$250,000 would be an appropriate amount to enter into  
25 discussions with the National Park Service for a

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1 replacement amenity.

2 And the second response to that question  
3 is, in order to provide a meaningful amount of time,  
4 based on the \$25-30,000 annual cost of the enhanced  
5 maintenance and the range between \$210,000 and  
6 \$240,000, we determined that six to nine years was a  
7 meaningful amount of time.

8 I understand that could be interpreted one  
9 way or the other.

10 COMMISSIONER HILDEBRAND: Okay. But it's my  
11 understanding that, of the \$210,000 to \$240,000, none  
12 of that's going to be used to actually procure and  
13 install park benches in those parks. You're just  
14 doing a design for the park bench.

15 MR. SCHLICHTING: That's correct.

16 COMMISSIONER HILDEBRAND: And there's no  
17 guarantee that the resolution of that design will be  
18 accepted or approved at any given time. I mean, it  
19 could just be a design that never comes to fruition.

20 Is that correct?

21 MR. SCHLICHTING: That's probably a Parks  
22 Service question.

23 MS. KEYS: Certainly, we understand your  
24 concern. I think the National Park Service is very  
25 committed, as are other members of the task force, to

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1 find an appropriate design that provides for that  
2 augmentation or the additional arm, to allow for  
3 accessibility and additional support.

4 I think that it is very achievable. I  
5 think that the work of the task force has narrowed  
6 down the possibilities. So that we know the areas to  
7 focus on in this new bench design.

8 COMMISSIONER HILDEBRAND: I'm just thinking  
9 about \$50,000 to design a park bench. It seems like  
10 an incredible amount of money.

11 MS. KEYS: Well I think that --

12 COMMISSIONER HILDEBRAND: How many design  
13 iterations are you intending to go through?

14 MS. KEYS: I'm sorry to interrupt you, but  
15 I really believe that the cost -- what seems to be a  
16 fairly large amount of money, is in fabrication of the  
17 elements of the bench.

18 The bench has metal supports and so that's  
19 a casting process. And I think that once we get that  
20 portion of it in place and that additional arm figured  
21 out, then it's much less costly.

22 How many --

23 COMMISSIONER HILDEBRAND: It's not just the  
24 design then? You're also doing a prototype?

25 MS. KEYS: Correct.

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1                   COMMISSIONER HILDEBRAND: You're making a  
2                   prototype.

3                   MS. KEYS: Yes. It's a fabrication of a  
4                   prototype and a fabrication of the elements as you  
5                   move through the process.

6                   COMMISSIONER HILDEBRAND: Okay. The other  
7                   question I had for the Park Service is, you mentioned  
8                   that there is an existing arrangement with the World  
9                   Bank for another park. Is that part of their PUD  
10                  condition? Or is that a separate arrangement that the  
11                  World Bank has with the Park Service just as a good  
12                  will gesture on their part?

13                  MS. KEYS: I am fairly new in this  
14                  position, so I'm not positive. I don't believe it to  
15                  be a good will gesture, but if you can hold on a  
16                  moment.

17                  It's my understanding that it is a PUD.

18                  COMMISSIONER HILDEBRAND: Condition?

19                  MS. KEYS: Yes.

20                  COMMISSIONER HILDEBRAND: Thank you.

21                  CHAIRPERSON MITTEN: Just to clarify, it's  
22                  a different PUD. Not this one?

23                  COMMISSIONER HILDEBRAND: Yes. I was just  
24                  wondering if it was under the same kind of arrangement  
25                  though.

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1 CHAIRPERSON MITTEN: Okay. Anyone else?

2 VICE CHAIR HOOD: Madam Chair, I just  
3 wanted to ask, the submission that we had that said  
4 "condition only." The color of submittal we just  
5 received where we're talking about the enhanced  
6 maintenance in the three National Park Service parks,  
7 we're still talking about the three triangular parks,  
8 right?

9 MS. KEYS: Yes. That's correct.

10 VICE CHAIR HOOD: Which are located withing  
11 ANC-2A?

12 MS. KEYS: Yes.

13 VICE CHAIR HOOD: Okay. Thank you. Thank  
14 you, Madam Chair.

15 CHAIRPERSON MITTEN: Anyone else? Mr.  
16 Parsons?

17 COMMISSIONER PARSONS: Ms. Keys, this is  
18 not the first time this commission has issued an order  
19 for a PUD where enhanced maintenance augmenting your  
20 responsibilities has been a condition of the order of  
21 the case. Is that true?

22 MS. KEYS: That is true, Mr. Parsons.

23 COMMISSIONER PARSONS: Are you familiar  
24 with those?

25 MS. KEYS: Well, I certainly, off the top

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1 of my head, am not able to list. I know that there's  
2 a long history of probably 15 or more years where the  
3 National Park Service has received some benefit from  
4 PUDs.

5 And I'd be happy to provide something for  
6 the record, if that would be appropriate. I certainly  
7 can provide a list of those cases where we have been  
8 involved.

9 COMMISSIONER PARSONS: I think that would  
10 be helpful. Thank you.

11 MS. KEYS: You're welcome.

12 CHAIRPERSON MITTEN: Anyone else?

13 COMMISSIONER HILDEBRAND: I did have one  
14 follow-up question too. In the revised condition 8E,  
15 will you actually be -- you say you'll be making a  
16 payment to Green Spaces D.C.. Would this be a payment  
17 for \$401,000, which is the suggested minimum balance?

18 MR. SCHLICHTING: That is correct. That  
19 would be the balance of the funds after the \$250,000  
20 amenity.

21 COMMISSIONER HILDEBRAND: And that's the  
22 deposit you would make. You would make a deposit with  
23 them of the full amount?

24 MR. SCHLICHTING: That's correct.

25 COMMISSIONER HILDEBRAND: Thank you.

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1 CHAIRPERSON MITTEN: Okay. Anyone else?  
2 Ms. Miller, did you want to ask any cross examination  
3 questions on behalf of ANC-2A?

4 MS. MILLER: Not at this time.

5 CHAIRPERSON MITTEN: Okay. Thank you. Ms.  
6 Kahlow? Maybe you can go down at that end and then  
7 you'd have your own seat.

8 MS. KAHLOW: I'm Barbara Kahlow. I'm  
9 representing the West End Citizens' Association today.  
10 And I have questions for Ms. Keys, whom I haven't met  
11 before.

12 I had met with your predecessor, Mr.  
13 Goldstein. That's whose job you have?

14 MS. KEYS: Yes.

15 MS. KAHLOW: And I wanted to know why the  
16 National Park Service did not meet with community  
17 about these community identified amenities.  
18 Specifically the parties in this case; the ANC and the  
19 West End Citizens' Association.

20 MS. KEYS: Certainly, the National Park  
21 Service seeks to gain input from the community on a  
22 whole host of issues. And, in this particular  
23 instance, while I'm not personally familiar with the  
24 background behind the discussions that occurred prior  
25 to my assuming this position,

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1 I think that the involvement of the task  
2 force had some input from the public. Now whether the  
3 West End Citizens' Association was involved, I  
4 certainly couldn't speak to.

5 But I would be very happy to discuss the  
6 condition of the parks in that area with you at any  
7 point in time.

8 MS. KAHLOW: That's not -- that's not my  
9 question. My question is about benches. And does  
10 anyone else of the team know if, in fact, the task  
11 force did meet with anyone in the community, since the  
12 West End was not -- was not asked to participate? And  
13 I don't believe the ANC was. And there was no notice  
14 in the D.C. Register to which I subscribe.

15 I'm asking the two of you. Do either of  
16 you know? Does anyone on the team know?

17 MS. KEYS: I would imagine that the other  
18 two individuals would not have been involved in the  
19 task force. So I would be happy to look into that.  
20 And, since I don't have that personal information,  
21 I'll get back to you.

22 MS. KAHLOW: All right. Were you aware,  
23 from Mr. Goldstein's files of the extensive research  
24 done by the Foggy Bottom community about benches --  
25 segmented benches used throughout the United States

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1 and throughout Europe?

2 Do you have a copy of those files?

3 MS. KEYS: I can't speak specifically to  
4 what files you might be referring to but, yes.

5 MS. KAHLOW: Square 51.

6 MS. KEYS: Okay. Again, I'm not sure what  
7 specific information you're referring to, but yes I am  
8 familiar with research that has been done on segmented  
9 benches. And again, the work of the task force is  
10 what guided the change in the approach to the bench.  
11 Certainly not pulling away from having that kind of  
12 bench, but just the designed appearance of that  
13 needing to be modified.

14 MS. KAHLOW: I'm not expressing myself  
15 clearly, I assume. I asked if you were familiar with  
16 and had seen the Goldstein files in which our  
17 community provided copies of all the segmented benches  
18 used around the United States and in Europe, for which  
19 we had multiple meetings with Mr. Goldstein.

20 MS. KEYS: Again, I -- I --

21 CHAIRPERSON MITTEN: Just to clarify, the  
22 question is directed to you personally. Not to the  
23 task force. But are you aware of those files and that  
24 research.

25 Just a simple yes or no.

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1 MS. KEYS: No.

2 CHAIRPERSON MITTEN: Okay.

3 MS. KAHLOW: Since the research has been  
4 done, would NPS be willing to meet with the West End  
5 Citizens' Association and the ANC to reveal the  
6 research and to save a lot of money to do so?

7 MS. KEYS: I'd be happy to meet with, and  
8 so would the rest of the National Park Service, as  
9 appropriate. We'd be happy to meet with you.

10 MS. KAHLOW: Would, since I myself could,  
11 on a pro bono basis, do the research, are you open-  
12 minded to not having the \$250,000 to do research that  
13 has been done around the world? And to let the  
14 community do the research for you?

15 MS. KEYS: Well, again I think the portion  
16 of the amenity would be estimated at this point  
17 between \$10,000 and \$50,000 to do design and produce  
18 or fabricate a prototype.

19 Certainly any input would be valuable.  
20 And I think the task force, you know, will be an  
21 important part of that -- that approach. Because  
22 anything that the National Park Service would propose  
23 in the way of a design change would require the review  
24 and approval of the entities on the task force.

25 MS. KAHLOW: Well, can we become a member

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1 of the task force?

2 MS. KEYS: Certainly, I'll be happy to look  
3 into that.

4 MS. KAHLOW: Okay. Does the District of  
5 Columbia or the National Park Service plan to use  
6 segmented benches elsewhere? According to the various  
7 local newspapers, it says you're going to be using  
8 segmented benches in the Georgetown Park waterfront.  
9 Is that correct?

10 MS. KEYS: I can't speak to the Georgetown  
11 Waterfront Park planning. That's outside of my  
12 management area. But again, I'd be happy to get you  
13 an answer on that specific question.

14 I can tell you that, within the National  
15 Mall and Memorial Parks, we are very interested in  
16 this prototype design being applicable in a much  
17 broader area.

18 Again, that would be something that would  
19 be subject to discussion with the National Capitol  
20 Planning Commission and Fine Arts and State Historic  
21 Preservation Office staff.

22 But -- but that's my intent, certainly, is  
23 that once we come up with a design that can be  
24 approved, that will provide for that kind of support  
25 and accessibility, that it will be used more than in

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1 just the three triangles that we are talking about  
2 tonight.

3 MS. KAHLOW: What my question was, more  
4 precisely, was what will be done in residential  
5 neighborhoods? Because the IMF is located abutting a  
6 residential neighborhood.

7 Clearly the accessibility is important in  
8 non-residential neighborhoods. And that's why  
9 segmented benches. We're interested in residential.

10 My understanding is the Park Service is  
11 doing segmented benches in all residential. I know  
12 Mr. Parsons could answer the question, if you're  
13 unable to. And that's what I would like. An answer  
14 from the Park Service why an area near -- abutting a  
15 residential area would not be having segmented benches  
16 like the rest of the city.

17 MS. KEYS: The National Mall and Memorial  
18 Parks is an area that does have -- is part of the ANC-  
19 2A area. We have the three triangles that we were  
20 just discussing within the National Mall and Memorial  
21 Parks.

22 Again, the prototype design would be used  
23 in those three triangular areas as well as other areas  
24 within the National Mall and Memorial Parks.

25 I'd be happy to -- to research with other

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1 National Park Service managers who may be involved in  
2 Georgetown Waterfront or -- or other National Park  
3 Service areas that abut residential -- or include  
4 residential areas regarding their views on using this  
5 prototype design.

6 MS. KAHLOW: Thank you. I'll be discussing  
7 this -- thank you very much.

8 CHAIRPERSON MITTEN: Thank you. All right.  
9 Thank you all very much.

10 Now we'll turn to Mr. McGettigan, briefly  
11 from the Office of Planning.

12 MR. McGETTIGAN: Thank you, Madam Chair and  
13 members of the Commission. Happy New Year.

14 CHAIRPERSON MITTEN: Same to you. Thank  
15 you.

16 MR. McGETTIGAN: For the record, my name is  
17 David McGettigan from the Office of Planning. The  
18 Office of Planning has evaluated this proposal and  
19 feels that it's minor; that the enhanced maintenance  
20 program will have environmental benefits that will go  
21 beyond just beautifying the parks, but also have  
22 environmental aspects of it that will improve this  
23 amenity and its impact on the immediate neighborhood.  
24 And we support this modification.

25 CHAIRPERSON MITTEN: Thank you very much.

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1 Any questions for Mr. McGettigan? Any questions? Mr.  
2 Quin, any questions for Mr. McGettigan? Where did Ms.  
3 Miller go? Well, she's going to miss her chance  
4 there. Ms. Kahlow, any questions? Okay, any  
5 questions for Mr. McGettigan? Thank you. Okay,  
6 great.

7 Moving right along, I don't think we have  
8 any other Government reports. So Mr. Price, are you  
9 going to make the presentation for ANC-2A?

10 Okay. Come on down. Were you here to get  
11 sworn in to testify? Could we just do that quickly  
12 now? Ms. Schellin will. There she is.

13 MS. SCHELLIN: Please raise your right  
14 hand. Do you solemnly swear and affirm that the  
15 testimony you will give this evening will be the  
16 truth, the whole truth, and nothing but the truth?

17 MR. PRICE: I do.

18 MS. SCHELLIN: You may be seated.

19 MR. PRICE: Now I'm sorry I'm late. Am I  
20 limited in my comments to what I can speak to?

21 CHAIRPERSON MITTEN: First you're going to  
22 tell us who you are for the record.

23 MR. PRICE: Okay. Thank you. My name is  
24 Richard Price and I'm here representing ANC-2A, Foggy  
25 Bottom West End, ANC. And I am a Commissioner for

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1 ANC-2A02.

2 CHAIRPERSON MITTEN: Okay. At this point,  
3 what we are asking for is the official position of  
4 ANC-2A. That's this time slot.

5 MR. PRICE: We're opposed to this change.

6 CHAIRPERSON MITTEN: Okay. Would you care  
7 to tell us why?

8 MR. PRICE: Can I speak to other matters  
9 first? About this amenity package?

10 CHAIRPERSON MITTEN: Meaning what? If it  
11 represents the position of the ANC.

12 MR. PRICE: All right, fine. I went  
13 through the final Zoning Commission order on this  
14 project and reviewed the total of all the amenities  
15 provided by this project to the community.

16 It's our understanding at ANC-2A that the  
17 amenities provided by a PUD project are to be provided  
18 to the residents of the community affected by the PUD.  
19 And, if I could just briefly review some of these  
20 numbers for you.

21 CHAIRPERSON MITTEN: Before you do that,  
22 you may end up just going ahead but we're trying to  
23 focus on the change that's being proposed and not sort  
24 of the global amenity package.

25 MR. PRICE: I understand. And one of the

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1 points I need to make about this change is related to  
2 this --

3 CHAIRPERSON MITTEN: Okay.

4 MR. PRICE: -- overarching point about the  
5 total amenity package.

6 CHAIRPERSON MITTEN: Okay.

7 MR. PRICE: So, according to the final  
8 Zoning Commission order, \$1,200,000 of benefits  
9 amenities were offered to the community through the  
10 superior architecture of this building. Another --  
11 which amounts to 26 percent of the total. Another  
12 \$613,000 was offered for superior landscaping,  
13 superior pavers. \$272,000 for a restaurant. \$341,000  
14 for retail, exhibit, or cultural space. A  
15 contribution of \$1,000,000, of which the subject we're  
16 talking about now is apportioned; \$1,000,000 in  
17 benefits to the community, which amounts to 21 percent  
18 of the total; another \$1,000,000 in a contribution to  
19 the Housing Production Trust Fund; and, \$240,000 for  
20 use of a public meeting space.

21 Now the overarching point of my reviewing  
22 these is that very few of these amenities are actually  
23 being offered to the residents of ANC-2A. If any of  
24 you have driven by the new IMF Headquarters 2  
25 building, it's nearing completion. You will see a

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1 building that looks virtually just like the  
2 International Square Building. And, in my estimation,  
3 the International Square Building qualifies as one of  
4 Washington's worst new modern structures.

5 CHAIRPERSON MITTEN: You're wandering  
6 pretty broadly. I want you to really focus in now,  
7 please.

8 MR. PRICE: Okay. I will. I will now in  
9 a second. So, this is no amenity to us. Superior  
10 pavers is no amenity. It seems to me that, with a  
11 promise of superior architecture, someone has -- the  
12 IMF has to be held accountable to providing superior  
13 architecture.

14 As our expert testimony offered in 2001,  
15 the District, by allowing the IMF to develop this site  
16 is forgoing \$5,000,000 in real estate taxes a year,  
17 with the extra --

18 CHAIRPERSON MITTEN: All that's water over  
19 the dam. Okay?

20 MR. PRICE: Yes. With their extra FAR.

21 CHAIRPERSON MITTEN: So just focus in now.

22 MR. PRICE: So we will focus now on our  
23 position on the change for the parks.

24 Our position is the parks do not offer any  
25 amenity to the community. Above all, the improvement

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1 to the parks through redesigned benches or upkeep is  
2 an amenity to the people who work at the IMF and the  
3 other people in the area who work in that area.

4 Second, this amenity represents a subsidy  
5 to the Federal government. If the U.S. Park Service  
6 is not able to maintain its parks, it should turn over  
7 the land, as we've heard our elected officials say, to  
8 the District government. And then we could consider  
9 this as an amenity to District residents.

10 And third, and last, the problem with the  
11 parks is not their condition. The problem with the  
12 parks are homeless residents of the District of  
13 Columbia who happen also to be residents of Foggy  
14 Bottom.

15 So I return to my original point that out  
16 of this total package, residents of ANC-2A have seen  
17 very little in actual amenities being provided to us.

18 What is our solution? We've passed a  
19 resolution upon consideration of this change at our  
20 ANC meeting that would instead turn over the money for  
21 design of benches and upkeep of the parks to the  
22 Downtown Cluster of Congregations, which has a proven  
23 track record of helping homeless people, in this case  
24 homeless residents of Foggy Bottom West End, to find  
25 a place to live; to find jobs; to get in touch with

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1 the services they need.

2 They have an active program of case  
3 managers who go out into the community, working with  
4 homeless people to get them the services they need to  
5 get them off the streets.

6 So, in sum, the problem is not with the  
7 condition of the parks. The problem is the homeless.  
8 Segmented benches is a superficial stop-gap solution  
9 to a bigger problem.

10 CHAIRPERSON MITTEN: Okay. Thank you. I  
11 don't think we have your ANC resolution in the record.  
12 So does anybody have it? I don't have it. So we'd  
13 like you to submit it so we can give it great weight  
14 if it meets the requirements.

15 MR. PRICE: We'll get that to you. All  
16 right.

17 CHAIRPERSON MITTEN: Have you made the  
18 proposal to the applicant regarding the contribution  
19 to the Downtown Cluster?

20 MR. PRICE: Yes. Well, they presented at  
21 our meeting their concept for the change in this  
22 amenity and we passed this resolution I just spoke to  
23 unanimously in favor of our resolution. And they  
24 chose to put forth, bring to you, their -- the  
25 original proposal they brought to us.

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1 CHAIRPERSON MITTEN: Okay.

2 MR. PRICE: So they have rejected it. They  
3 did hear it.

4 CHAIRPERSON MITTEN: Okay. Anyone else  
5 have questions for Mr. Price? Mr. Parsons.

6 COMMISSIONER PARSONS: Mr. Price, I guess  
7 I need to have you expand a little bit on the fact  
8 that your community does not use these parks. What do  
9 you mean by that? I mean the people who live in the  
10 community never go -- venture out onto Pennsylvania  
11 Avenue to experience and use these three or four  
12 parks?

13 That's what I understood you to say. That  
14 the only ones using it were the homeless and the  
15 office workers.

16 MR. PRICE: And the office workers. The  
17 parks are there primarily for the benefit of office  
18 workers. We had people in the community tell us, at  
19 most, the closest they come to actually using the  
20 parks in walking through the parks.

21 And, because homeless consider the parks  
22 their home in the evening, a lot of people who might  
23 otherwise spend some time in the summer sitting in the  
24 park, don't do so because the presence of the homeless  
25 intimidates some people.

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1                   COMMISSIONER PARSONS: All right. Now,  
2 your proposal, I guess, is for the Downtown Cluster of  
3 Congregations to take over the maintenance of these  
4 parks.

5                   MR. PRICE: No it is not.

6                   COMMISSIONER PARSONS: To take over what?

7                   MR. PRICE: It is for them to expand their  
8 case manager/social worker program to be able to hire  
9 additional -- an additional case manager or more to  
10 reach out to the homeless in these parks to actually  
11 work with them to determine what their service needs  
12 are; to direct them to agencies that can provide their  
13 service; help them find housing; help them qualify for  
14 benefits they're not getting.

15                   A lot of homeless people living in our  
16 parks are eligible for SSI or Medicaid and don't get  
17 any benefits from those programs because they don't  
18 have an official address.

19                   COMMISSIONER PARSONS: So, is there any  
20 prohibition for these organizations to go into the  
21 parks today? I mean, it isn't because --

22                   MR. PRICE: The reality is the Downtown  
23 Cluster of Congregations has a budget now. The budget  
24 is supplied through private grants as well as downtown  
25 churches. Which allows them to provide services at a

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1 certain level that does not allow them, at the present  
2 time, to go beyond their existing service area.

3 COMMISSIONER PARSONS: So, do you have a  
4 cost estimate as to what it would cost to fund one of  
5 these positions? Or do you just want the whole  
6 amount?

7 MR. PRICE: Yes, it would be -- we suggest  
8 -- once again, there is not a problem with the  
9 landscaping of the parks. The benches are fine. The  
10 problem is homeless people don't have another place to  
11 live or go. And they will continue living in the  
12 park.

13 COMMISSIONER PARSONS: I see.

14 MR. PRICE: And to that point, a number of  
15 years ago now, the Ritz Carlton Residences Project  
16 provided an amenity to provide segmented benches in  
17 Washington Circle Park. And I walked through  
18 Washington Circle Park many times to go to my health  
19 club as I'm coming home on the subway from work. And  
20 homeless people don't care whether the benches are  
21 segmented or not. They'll sleep on the grass or  
22 they'll sit. They'll sleep along side the bench,  
23 using the bench as sort of a way to organize their  
24 possessions.

25 COMMISSIONER PARSONS: Okay. Thank you.

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1 CHAIRPERSON MITTEN: Mr. Jeffries.

2 COMMISSIONER JEFFRIES: Yes. Mr. Price,  
3 I'm trying to get a sense if in fact these monies, and  
4 you're looking at the full \$250,000?

5 MR. PRICE: That is correct.

6 COMMISSIONER JEFFRIES: And the homeless  
7 situation is somehow eased. Is there a way in which  
8 this park could be used more than just sort of a pass  
9 through. I mean, is there a desire by the residents  
10 of 2A to perhaps, you know, use this park in a  
11 different manner than just sort of walking through it?  
12 All three parks?

13 MR. PRICE: Let's see. Occasionally I'm  
14 downtown and I would like to have lunch there. For  
15 instance, I like going to Breadline for lunch  
16 occasionally. I don't work downtown. But, when I'm  
17 downtown, I like to stop in Breadline and I would, you  
18 know, have lunch in the park. And I do now.

19 COMMISSIONER JEFFRIES: So, there's --

20 MR. PRICE: There's nothing wrong with the  
21 parks.

22 COMMISSIONER JEFFRIES: Okay. So there's  
23 nothing wrong with the parks physically. I mean the  
24 physical layout --

25 MR. PRICE: Yes, exactly.

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1                   COMMISSIONER JEFFRIES:    -- and  
2 configuration is fine.  It's just the problem with the  
3 homeless.  And if the homeless go away, then you think  
4 that residents of 2A would start to use this park more  
5 regularly?

6                   MR. PRICE: I think -- I think there would  
7 be a greater likelihood they would.

8                   COMMISSIONER JEFFRIES: Okay.  Thank you.

9                   CHAIRPERSON MITTEN: Anyone else?  Okay,  
10 Mr. Quin, any questions?  Do you want to ask a  
11 question?

12                   VICE CHAIR HOOD: Yes.  I was just thinking  
13 back and I think this was partially answered to my  
14 satisfaction earlier.  But you mentioned that the  
15 applicant -- Mr. Price, you mentioned that this has  
16 already been discussed with the applicant.  How soon  
17 in the process was it when we first dealt with this in  
18 what 2001 or 2002, was that when it was mentioned?  Or  
19 was it mentioned --

20                   MR. PRICE: Yes, in 2001 ANC-2A opposed  
21 this amenity.  This was an amenity offered by the West  
22 End Citizens Association.  As far as I can tell, three  
23 people active in that association as presumably a  
24 viable amenity.  And the IMF chose to offer it as part  
25 of their package, despite our opposition.

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1 VICE CHAIR HOOD: Let me ask you this, and  
2 this is really not our purview. I'm just curious  
3 because I want to make sure that -- how you mentioned  
4 when you mentioned the homeless. Because  
5 unfortunately I believe I never know when I may be out  
6 there. But let me ask you this. It's not that you're  
7 trying to move the homeless. You're trying to get  
8 them some help. Is that correct?

9 MR. PRICE: That's exactly right.

10 VICE CHAIR HOOD: That's fine. Thank you.

11 MR. PRICE: You know, we recognize homeless  
12 people in these parks to be residents of Foggy Bottom  
13 West End. We are not ashamed of them. This is the  
14 reality of their lives.

15 VICE CHAIR HOOD: Thank you for making your  
16 position clear.

17 MR. PRICE: They happen to have to live in  
18 a park in Foggy Bottom.

19 VICE CHAIR HOOD: Thank you for that  
20 because I had a lot of other things that I was, that  
21 I could fill in. But, thank you.

22 CHAIRPERSON MITTEN: Thank you. Ms.  
23 Kahlow, any questions? Okay. Thank you, Mr. Price.  
24 It's good to see you.

25 All right, anyone who'd like to testify in

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1 support? All right, then we're ready for the party in  
2 opposition. The West End Citizens' Association.

3 MS. KAHLOW: I'm Barbara Kahlow. I have a  
4 two page statement and Ms. Maddux has a two page  
5 statement. I have many attachments, so that's why it  
6 looks formidable, but it's really not.

7 COMMISSIONER JEFFRIES: Thank you.

8 MS. KAHLOW: As I said earlier, I'm  
9 representing the West End Citizens' Association.  
10 During the Headquarters 1 PUD, both Ms. Maddux and I  
11 testified for different organizations.

12 At that time, she was in ANC and I was  
13 with Foggy Bottom Association, opposed to that package  
14 and those amenities. And we testified previously  
15 about this one as well; the two abutting squares.

16 I don't need to refresh your memory about  
17 the West End. You can read that paragraph.

18 Even the IMF is aware of the problems that  
19 the two IMF Headquarter buildings' presence has raised  
20 in our neighborhood. And we have solutions for that.

21 In an October 4, 2004, Washington Post  
22 article, entitled D.C. as Host of IMF World Bank Talks  
23 Raises Questions, the IMF's Managing Director  
24 concluded, "Right now, I cannot give you the answer if  
25 Washington will continue host the annual meetings.",

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1 addition that there were certainly some problems with  
2 security and convenience.

3 So we're going to talk about solutions for  
4 that.

5 My testimony will cover three areas: one  
6 the statutory requirement; two, process requirement  
7 problems; and three, benches.

8 Ms. Maddux will cover the alternative  
9 amenities that we think would benefit the South of  
10 Pennsylvania Avenue immediately impacted community.

11 The statutory requirement. After the IMF  
12 Headquarters 1 experience, our community sought a  
13 legislation to insure that future PUDs result in just  
14 compensation for the immediately impacted community.

15 Thanks to Ward II City Counsel Member Jack  
16 Evans, the community received needed protection in the  
17 comp plan amendments of `94 and it was again in the  
18 comp plan amendments of `99. They include an addenda  
19 requirement.

20 "A substantial part of the amenities  
21 provided in proposed PUDs shall accrue to the  
22 community in which the PUD would have an impact. This  
23 applies to all Ward II PUDs only."

24 And that is what Mr. Price was talking  
25 about. That we should have some amenities that help

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1 us as a community.

2 Both Headquarters 1 and Headquarters 2 are  
3 located in Foggy Bottom, which is South of  
4 Pennsylvania Avenue. The IMF identified substitute  
5 different special neighborhood projects in Exhibit B  
6 in their proposal. A modification, are not in Foggy  
7 Bottom. Instead, they're in the West End, north of  
8 Pennsylvania Avenue.

9 In fact, the changes for the Francis Pool  
10 soccer and baseball fields in the pocket park at 21st  
11 and New Hampshire are the north point of the West End,  
12 abutting Dupont Circle, which is not our directly  
13 impacted community.

14 Process problems. Two. There are at  
15 least two. First the Zoning Commission order requires  
16 consultation with the West End Citizens' Association  
17 and the ANC. It states, "Other neighborhood  
18 beautification projects with the advice of ANC-2A and  
19 West End Citizens' Association."

20 Contrary to the requirements of the order,  
21 the IMF did not contact us for advice to identify  
22 alternative substantive amenities until after its  
23 September 30th filing. Had they done so, we would  
24 have told them about this -- about the segmented  
25 benches that are elsewhere in the city. We would have

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1 told them about the research. We would have met with  
2 the Park Service as we did in the other PUDs. And we  
3 actually would have had an entirely different proposal  
4 here today.

5 CarrAmerica contacted us after we did a  
6 filing in opposition to the proposed modifications.  
7 And we said we'd be delighted to meet with you. We  
8 have lots of ideas. First, delay consideration by the  
9 Zoning Commission until we've had our conversation.

10 They said, "No way."

11 Ms. Maddux is going to identify today a  
12 series of alternative amenities that would benefit  
13 those of us. We're confident that additional  
14 alternatives could be identified if the Commission --  
15 your Commission would delay its consideration and  
16 require the IMF to consult with the affected  
17 neighborhood parties, and then modify its application  
18 accordingly.

19 The second problem. Commission's  
20 advertisements for today's hearing incompletely  
21 identified the proposed modifications for today's  
22 discussion. In fact, the advertisement neglected to  
23 mention the entire list of the alternative identified  
24 neighborhood projects in Exhibit B, in the IMF  
25 application.

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1           The advertisement limited consideration to  
2 the benches and the timing of the neighborhood  
3 beautification projects.

4           I alerted the Office of Zoning to that.  
5 I have a string of e-mails, including from Ms.  
6 Schellin saying to me that today's scope would include  
7 all of the IMF's modification application including  
8 the Exhibit B. Which, we're discussing how  
9 inappropriate those are and how -- a whole different  
10 list we would propose.

11           So, I've questions. The Commission should  
12 not re-advertise the modifications for full public  
13 debate in consideration.

14           Benches. I don't need to repeat this. We  
15 conducted extensive research and we think that the  
16 Commission and this project would benefit from the  
17 results of our research.

18           If segmented benches are good enough for  
19 residential neighborhoods like Georgetown, why not  
20 Foggy Bottom too?

21           Thank you for consideration of my  
22 testimony.

23           CHAIRPERSON MITTEN: Thank you. Ms.  
24 Maddux, go ahead.

25           MS. MADDUX: Hi. Good evening. It's the

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1 first time I've see you all in a long time. I've  
2 almost forgotten what the process is.

3 I'll speak to particularly the part about  
4 Green Space for D.C., since you laid out the  
5 parameters. My witness statement probably is a little  
6 bit broader and I apologize for that. But I didn't  
7 realize until I heard the testimony.

8 I think you'll notice that -- I should  
9 begin -- identify myself. I'm Sara Maddux. I'm a  
10 resident at 522 21st Street, appearing on behalf of  
11 the West End Citizens' Association.

12 We had a board meeting in December that  
13 authorized participation in this hearing, specifically  
14 for tonight.

15 I would like to say "Welcome to Fortress  
16 Foggy Bottom", because when the IMF and the World Bank  
17 have their meetings, they close down our neighborhood.  
18 We are a directly impacted neighborhood.

19 And, if you'd be kind enough to scan the  
20 next two paragraphs of my statement, I go on to the  
21 fact that they wiffled off our concern when we met  
22 with them originally about a terrorism threat and they  
23 told us that they would have their planter boxes and  
24 their strong walls.

25 But what happens is this goes to impact on

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1 our neighborhood.

2 CHAIRPERSON MITTEN: I need you to skip  
3 over the part about security because it is not  
4 relevant.

5 MS. MADDUX: Okay. Okay.

6 CHAIRPERSON MITTEN: It's not relevant to  
7 this proceeding.

8 MS. MADDUX: For what ever reason they're  
9 doing it, they close our neighborhood. So it has an  
10 impact on our neighborhood by the jersey barriers, the  
11 streets that are closed, the impact on our having a  
12 normal everyday life.

13 Therefore, I specifically would like to  
14 have the amenities related to our neighborhood, since  
15 we are directly impacted by the IMF. And these --  
16 whatever Green Space D.C. is going to do, I think that  
17 these things should be for our immediate neighborhood  
18 which would be from 17th Street to 23rd Street, and  
19 from Pennsylvania Avenue to Constitution Avenue,  
20 because that consists of our immediate neighborhood.

21 I understand some of the other lists are  
22 closer to Dupont Circle. They are never impacted as  
23 severely as we are during these events, for whatever  
24 the reasons, are impacted.

25 They mention replacing some trees. The

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1 trees have indeed not been replaced that they've held  
2 out to be replaced.

3 There are more parks than just the three  
4 pocked parks that also come under a combination of the  
5 National Park Service and the District of Columbia,  
6 which need cleaning up and care.

7 The benches. More people than the  
8 homeless sit on the benches. I'm one of the people  
9 who happens to see the tourists wandering through our  
10 neighborhood from the Mall going towards the Metro,  
11 because frequently they ask me for directions. And  
12 especially if they have children, they get tired.  
13 They need a place to sit. The benches serve a whole  
14 variety of community; those who visit and those who  
15 live there.

16 There has been the program with D.C.  
17 Central Kitchen. Again, they have a very effective  
18 outreach program, not only to take care of the  
19 homeless on a daily basis, but they have long term  
20 training programs which have been nationally noted for  
21 moving the homeless out of being homeless into viable  
22 employment.

23 If the IMF is going to continue to disrupt  
24 our neighborhood, we would appreciate some role that  
25 they would assist us when they close our neighborhood

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1 down.

2 For instance, I had to drive my mother to  
3 the doctor during a time when the neighborhood was  
4 closed. It was pouring down rain and we were not  
5 allowed to drive home again. The choice was to take  
6 a hotel room.

7 So, if the IMF is going have that kind of  
8 an impact on our neighborhood, we need a process where  
9 we can continue to live in the neighborhood when  
10 they're using our neighborhood.

11 I would be glad to answer any questions.  
12 I'm trying to stay to the topic as was outlined in the  
13 beginning and so, what specifically what D.C. Space  
14 would do and also the benches.

15 But I believe the benches serve more than  
16 just a few homeless people and the segmented benches  
17 are very helpful for people to sit on. And they can  
18 rise up.

19 Granted, elderly people need a lift  
20 assistance with an arm, when they are rising from a  
21 sitting position, but I do believe there are enough  
22 bench models that could be very helpful to be used in  
23 the neighborhood.

24 Thank you very much.

25 CHAIRPERSON MITTEN: Thank you.

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1 MS. KAHLOW: I wanted to add one sentence  
2 if we have enough time to say that it was in Ms.  
3 Maddux's testimony.

4 The system that she's talking about during  
5 the meetings that could assist with situations like  
6 her mother could include escort service and  
7 identification credentials for residents and IMF  
8 provided security for residential buildings.

9 Those are the kinds of things that I think  
10 are appropriate and we think would benefit our  
11 community. Thank you.

12 CHAIRPERSON MITTEN: Thank you. I just want  
13 to clarify something that you took issue with, which  
14 is, you seem to think that we're vetting the special  
15 neighborhood projects. And we're not. That's not a  
16 proposed change to the order.

17 And so, we have basically given that  
18 responsibility over. In the order, it's specifically  
19 to the Department of Public Works. But it seems like  
20 the departments that have been engaged have been Parks  
21 and Recreation and DDOT.

22 So, we are not reviewing those this  
23 evening. I just wanted to clarify that.

24 MS. KAHLOW: What I was trying to say was  
25 the process that you kindly had identified that for

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1 amenities, they needed to talk to us if there were any  
2 changes. That's in the order.

3 CHAIRPERSON MITTEN: And that's not at  
4 issue. That's not at issue.

5 MS. KAHLOW: And that was part of this.  
6 And the benches are part of this. Had they talked to  
7 us, we don't need to spent \$250,000 designing a bench.  
8 There are benches used all throughout the world that  
9 they could use. This is not rocket science. That's  
10 a waste of \$250,000. The rest of the money --

11 CHAIRPERSON MITTEN: Okay. I don't need  
12 you to editorialize. I get the point.

13 MS. KAHLOW: No, but I'm saying, that was  
14 the point. The process.

15 CHAIRPERSON MITTEN: Thank you. Okay. Any  
16 questions for these ladies? Mr. Parsons.

17 COMMISSIONER PARSONS: Ms. Maddux, it has  
18 been a while, hasn't it?

19 MS. MADDUX: I think we can compare grey  
20 hair.

21 COMMISSIONER PARSONS: Yes, I think you're  
22 right. We both started without any.

23 MS. MADDUX: Yes.

24 COMMISSIONER PARSONS: You know, it is an  
25 intriguing idea to look at other parks in the

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1 community. Because it's been the practice of this  
2 Commission, when we do a PUD like this, we try to have  
3 a direct nexus.

4 And if there's a park or -- it doesn't  
5 have to be under the Park Service jurisdiction,  
6 wherever we go, we try to make it in proximity. Not  
7 to enhance the PUD itself, but so people won't say  
8 we're going somewhere else other than the immediate  
9 affected community.

10 Which may be more important in a  
11 residential context than here on a major city  
12 commercial street.

13 So you've recommended in your testimony  
14 that we take a look at -- I guess the Park Service  
15 take a look at the park on E Street in front of the  
16 Department of Interior. That would be on the north  
17 side?

18 MS. MADDUX: Yes sir, the one with the  
19 pretty flowering trees in the spring time.

20 COMMISSIONER PARSONS: And the triangle on  
21 21st and Virginia. So, at least you are urging us to  
22 look at other parks in the ANC or the immediate area,  
23 but you don't feel this is too far away from the  
24 project?

25 MS. MADDUX: No. The park in front of the

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1 Department of Interior is two blocks away from the  
2 IMF. The one at 21st and Virginia avenue is about  
3 three blocks. So it is. And you can see the effect  
4 because, when the IMF has an event, the people who are  
5 in those other parks, the pocket parks you're talking  
6 about move down to the parks that I just mentioned.

7 COMMISSIONER PARSONS: All right. Thank  
8 you.

9 MS. MADDUX: Yes.

10 CHAIRPERSON MITTEN: Anyone else? Anyone  
11 else? Mr. Quin.

12 MR. QUIN: This is closing right? I don't  
13 have any questions.

14 CHAIRPERSON MITTEN: No. I was just asking  
15 if you had any questions.

16 MR. QUIN: No. I have no questions.

17 CHAIRPERSON MITTEN: Just sit tight because  
18 I'm sure this won't --

19 MR. QUIN: I'm ready to go. I'm sorry.

20 CHAIRPERSON MITTEN: Yes, well that's fine.  
21 Good for you. Ms. Miller or Mr. Price, did you have  
22 any questions? Okay. See. We're all done now.  
23 Thank you.

24 MR. SCHLICHTING: I have three brief  
25 points. One, just for the record, I think you'll find

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1 that the park, I think it's Reservation 30, in front  
2 of World Bank is there, not by any PUD. Because World  
3 Bank did not come in for PUDs. But that's neither here  
4 nor there.

5           Secondly, just to quickly respond to Ms.  
6 Maddux on the security. Obviously safety and security  
7 is a continuing issue with all agencies like the  
8 International Monetary Fund. And if there are ways  
9 that come up that can change the requirements that you  
10 have in the order obviously we are bound by, and if  
11 it's of benefits to the neighbors, or whatever the  
12 changes are, we would have to come back to you and the  
13 ANC.

14           And lastly, we would like if at all  
15 possible, your earliest possible decision on this  
16 request.

17           CHAIRPERSON MITTEN: Okay. I did have a  
18 follow-up question for whoever can answer it on the  
19 applicant's side. Which is, in developing the -- it's  
20 on page 7 of the statement, the pre-hearing statement,  
21 where it talks about how the projects have been  
22 developed for spending the balance of the neighborhood  
23 beautification dollars.

24           The requirement of the order is that those  
25 projects would be endorsed by the Department of Public

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1 Works with the advice of ANC-2A and West End Citizens'  
2 Association.

3 What, if anything has the IMF development  
4 team done about engaging the community in selecting  
5 those projects?

6 MR. SCHLICHTING: I actually have a time  
7 line on that. Yes. On July 13, 2004, we sent  
8 correspondence to the ANC regarding other  
9 beautification projects. And that was the seven  
10 projects that I mentioned in my prior testimony.

11 On July 21st, we made a presentation to  
12 the ANC on those other beautification projects. The  
13 ANC did review those projects and made some  
14 suggestions, some of which we were able accommodate  
15 and some we weren't. But we were in communication with  
16 the ANC on that.

17 On October 14th, admittedly two months  
18 later, we sent a letter to WECA regarding the other  
19 beautification projects. That's WECA, West End  
20 Citizens' Association, listing those seven projects  
21 and asking for their advice.

22 That same day, or actually I believe it  
23 was the same day, I received a call from Mr. Jack  
24 Batham who is the President of West End Citizens'  
25 Association, who told me that they would not meet with

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1 us to discuss those beautification projects unless we  
2 withdrew our application to this particular  
3 modification to the Zoning Commission.

4 After consulting the IMF, I told Mr.  
5 Batham that the IMF was not interested in withdrawing  
6 that application, but we would still like to meet with  
7 the West End Citizens' Association. And we still have  
8 not finalized those other beautification projects. So  
9 there's still an opportunity for comment and  
10 discussion.

11 On November 29th, I called Ms. Kahlow and  
12 asked her once again, you know, could we meet prior to  
13 the Zoning Commission hearing and again she indicated  
14 that it was their position that they would not meet  
15 with us unless we withdrew our application.

16 CHAIRPERSON MITTEN: Okay. Thanks. That's  
17 helpful. We do have a couple things that we've asked  
18 to come into the record so, I think we can get them  
19 fairly quickly.

20 One thing that we asked for is a list of  
21 cases where the Park Service has received money from  
22 an applicant for enhanced park maintenance as a PUD  
23 amenity.

24 MR. QUIN: I think we can file that for the  
25 record or I can review them now. I can actually give

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1 you copies.

2 CHAIRPERSON MITTEN: Oh, you have the list?

3 MR. QUIN: I have list.

4 CHAIRPERSON MITTEN: Oh, okay. Why don't  
5 you just submit it.

6 MR. QUIN: Can I maybe just submit the  
7 copies of the orders of amenities?

8 CHAIRPERSON MITTEN: That's okay.

9 MR. QUIN: Thank you. They go all the way  
10 from the Ritz Carleton through a number of PUDs.

11 CHAIRPERSON MITTEN: Okay. That's great.

12 MR. QUIN: Ms. Robinson has asked to just  
13 say one thing for the record with regard to the  
14 International Monetary Fund security.

15 CHAIRPERSON MITTEN: Okay. To be honest  
16 with you. I don't want to not give you a chance to  
17 speak, but I don't find it relevant to what we're  
18 talking about.

19 MR. QUIN: I understand.

20 CHAIRPERSON MITTEN: If anyone feels  
21 differently, we can hear her. Okay. Thanks for  
22 offering, but no thanks.

23 It'll just confuse us more from the narrow  
24 issues at hand.

25 And then, the other thing was we just

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1 wanted to give a couple of days for ANC-2A to submit  
2 their report. And we have a meeting next week, so we  
3 can put this on the agenda for the meeting next week.

4 MR. QUIN: Thank you.

5 CHAIRPERSON MITTEN: Okay. So, can the ANC  
6 get that submitted by tomorrow? Okay. That's great.

7 So the date of our meeting next week is  
8 the 13th?

9 MS. SCHELLIN: That's correct.

10 CHAIRPERSON MITTEN: Okay. Thursday, the  
11 13th then, we'll have this on the agenda. Thank you  
12 all for coming down this evening and we're adjourned.

13 (Whereupon, the hearing was adjourned at  
14 7:43 p.m.)

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