Statement of Sara Maddux
before the Board of Zoning Adjustment
concerning Zoning Order No. 746
and the Appeal of the Zoning Administrator's Decisions
on 1957 E Street N.W. (Square 122, Lot 935)

May 1, 2001

I am Sara Maddux. I live at 522 21st Street N.W. and have lived there since 1970. During the period of time that the Associated General Contractors organization was developing its building plans in 1992 and 1993, I was an elected Advisory Neighborhood Commissioner for ANC-2A-06 and served also a term as chair of ANC-2A. I served as a member of the group which worked closely with the AGC and its planning team to achieve cooperation and agreement for the Planned Unit Development (PUD) as specifically described in Zoning Order No. 746.

The AGC pursued the PUD process in order to keep its headquarters building within the District of Columbia. This was of course in keeping with the city planning goals. In order to do this, the AGC needed more space that would be provided by a PUD to do three things:

(1) build a condominium regime structure in order **to sell** the units to pay for the other portions of the building;
(2) accommodate the needs of its headquarters organization; and
(3) have a portion of the office building for lease to generate income to support its building and to provide retail space to meet the needs of the residents and commercial tenants.

The residents of the neighborhood especially supported the portion which included the condominium units. This would contribute to a residential base which would generate property taxes and income taxes for the District of Columbia. Secondly, the 47-54 residential units were to be designed as 'homes' including the balconies and in-house parking spaces which are typical of an upscale, urban, residential building. The PUD was expected to produce real estate condominium units as noted by Section 15 (a) "…in response to market conditions…" in terms of the number of residential units. This was further supported by the letter filed by Mr. Feola during the last request for extension of the PUD found in the Zoning Commission files – This project will bring $3 million in revenues to the tax coffers of the District of Columbia. Student dormitories are not the same kind of housing, do not contribute to the stability of neighborhood, and as tax-exempt property do not contribute to the tax coffers.

The retail space which the AGC was planning for the ground floor would fill a need in the Foggy Bottom/West End neighborhood which was rapidly loosing the small stores on Pennsylvania Avenue to large, institutional buildings which provide no retail support to the area.

BZA
Case No. 16701
Exhibit No. 35

Board of Zoning Adjustment
District of Columbia
CASE NO.16701
EXHIBIT NO.35

Number 26 of the Findings of Fact states: "The Commission finds that the proposed PUD will provide essential housing in the Downtown area and will act as a model for mix-used development in this transition area between the high-density Central Employment Area and the residential Foggy Bottom area." This was reinforced by the Decision portion Statement No. 2 "The PUD site shall be developed with mixed-use buildings, including residential and commercial uses with below-grade parking." Institutional use as announced by George Washington University does not meet this.

The neighborhood and the AGC as applicant worked very hard to come to this beautiful development. The neighborhood through ANC-2A supported the AGC.

There have been no public presentations by George Washington University during which there have been opportunities to review plans and **to measure against the approved elements of the PUD**. In fact, the lack of public presentation has only created suspicion leading to certainty of the lack of compliance with the elements of the PUD as bits and pieces describing the actions of GWU have dribbled out through news announcements from GWU. The inability of the Zoning Administrator to provide the bases of the issuances of permits raises questions. Therefore, it is now time to require a review of the project to test the correlation between the design and development by the AGC and the architectural firm of Florance, Eichbaum, Esocoff and King and the current GWU documents in accordance with the clauses of the PUD in Order No. 746.

The District of Columbia, and particularly Foggy Bottom/West End, needs mixed use development with long-term, permanent, residential opportunities enhanced by small retail businesses. We lost the AGC to a site in Virginia but replacement by an institution with a transient population is not the answer and certainly not the foundation of Zoning Commission Order No. 746.

A thorough reading of Zoning Commission Order No. 746 will bring to light the kind and details of the approved PUD. GWU as an institution is not carrying that out. I ask that you overturn the Zoning Administrator's decisions concerning the site at 1957 E Street N.W. and require that all work be stopped. Additionally, require that George Washington University provide a complete and full set of plans for a public hearing. What is currently on-going is not what many people worked so hard for as a benefit to the neighborhood and the District of Columbia. A PUD is like a contract – benefits given by the District of Columbia for benefits received. The PUD contract should be followed and enforced. It is time for honesty and openness for those who are benefiting from the regulations and laws of the District of Columbia.

Thank you and I will be pleased to answer any questions.

Attachment: Decision Portion of Zoning Commission Order No. 746