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Testimony of Barbara Kahlow
representing the West End Citizens Association
before the Board of Zoning Adjustment on BZA No. 16701
Appeal of Zoning Administrator 's Decisions on 1957 E Street, NW (Square 122, Lot 835)
May 1, 2001 Continuation (after April 10, 2001 Start)

I, Barbara Kahlow, am representing the West End Citizens Association (WECA) today. The WECA, founded in the 1890's and one of the oldest citizen associations in DC, is the principal community organization in the George Washington University (GWU) neighborhood. It is primarily interested in maintaining a residential neighborhood in Foggy Bottom-West End and in keeping GWU - especially its institutional uses - within its campus plan boundaries.

Our community - the WECA and the Foggy Bottom-West End Advisory Neighborhood Commission (ANC-2A) - is united today. Our request today is pretty straightforward. We believe that the zoning and other laws and codified rules, designed to protect the rights of all parties, should apply to GWU. Incredibly, GWU's "secret" plans for 1957 E Street, which is outside of the former and new campus plan boundaries, have never been presented to the Board of Zoning Adjustment (BZA) which had jurisdiction over campus plans, the Zoning Commission (ZC) which has jurisdiction over planned unit developments (PUDs), or ANC-2A.[1]

During the first day of the BZA's consideration of this case, the BZA asked the Zoning Administrator (ZA) to submit all permit applications and all permits issuances and GWU to submit a history of the site. WECA's *Exhibits H and I* provide this information. *Exhibit H* shows that six GWU permit applications (from 12/7/99 to 4/5/01) indicate 5 or no residential units (including GWU's building permit application - see *Exhibit D*). [*Exhibit I* shows DCRA's incomplete disclosure - only 4 of 6 relevant documents - to Ward 2 City Councilmember Jack Evans's 9/1/00 request for all permit applications and issuances and its incomplete disclosure - only 6 of 16 documents - in response to the WECA's 1/30/01 Freedom of Information Act (FOIA) request for this same information.]

Instead, GWU decided it could adopt - with change but without any review - a carefully-negotiated PUD that was approved to keep the Associated General Contractors (AGC) within DC and to provide 47-56 apartments for additional permanent DC taxpaying residents as a quid pro quo for excess building rights (see *Exhibits A, B, and C*, especially Findings #17a & #26 in *Exhibit A*). GWU also decided that, although its use plans differed substantially from the AGC's (e.g., undergraduate student dormitory rooms - and without balconies, as presented to the Commission on Fine Arts in 1999 - instead of long-term residential apartments with balconies - see GWU's 9/19/00 & 10/19/00 project descriptions in *Exhibit E*), it did not need to file a PUD modification application with the ZC.

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[1]GWU erroneously asserts in its 4/24/01 submission that "it is undisputed that the ANC was aware of the University's plans" and "It is uncontested that the University is building in accordance with the approved PUD plans" (p. 9). GWU's identification of issues in this appeal fails to recognize the key issue: the need for GWU to submit a PUD amendment case (p. 1).

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EXHIBIT NO.37

In addition, to protect the scarce parking in the neighborhood, the ZC required "at least one parking space designated for each residential unit" (Decision #7 in *Exhibit A*). The plans submitted to the ZA appear to include four students in each unit. This change undermines the Order's condition included to protect the existing residential community and would clearly have an adverse affect on scarce neighborhood parking. DC's environmental regulations require applicants to submit "traffic analyses" with their Environmental Impact Screening Forms (20 DCMR §7204.3). GWU did not do so. As a consequence, the ZA should not have issued a permit until GWU fully complied with DC's environmental regulations and until the Department of Public Works (DPW) considered not only the traffic but also the parking implications of GWU's application for a building permit. The record shows no DPW review or sign-off to date. (See below an additional discussion about incomplete compliance with the DC Environmental Policy Act.)

GWU further decided that, although its use plans included educational institutional uses - moving an on-campus school off-campus - it did not need to file a case with the BZA, which then had jurisdiction over campus plans.

Applicable Zoning Rules

DC's zoning rules governing PUDs are designed to protect against such secrecy. 11 DCMR §2400.1 begins by stating that, "The planned unit development (PUD) process is designed to encouraged (sic) high quality developments that **provide public benefits**" (emphasis added). 11 DCMR §2400.2 explains, "The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; Provided, that the project **offers a commendable number** or quality **of public benefits, and** that it **protects and advances the public** health, safety, **welfare** and convenience" (emphases added). 11 DCMR §2403.6 explains, "Public benefits are superior features of a proposed planned unit development that **benefit the surrounding neighborhood** or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title" (emphasis added).

Interestingly, it is unclear if there are any public benefits to GWU's plan since the AGC has moved to Virginia and GWU is not offering housing for additional permanent DC taxpaying residents. Before the hearing record closes, the WECA requests that the BZA ask the Office of Planning to opine if GWU's plan is in compliance with the PUD regulations and if a PUD amendment case is needed.

After a PUD is approved, "The Zoning Regulations Division of the Department of Consumer and Regulatory Affairs **shall not approve a permit application unless the plans conform in all respects to the plans approved** by the Zoning Commission" (11 DCMR §2409.2) (emphasis added). The bottom line is that, prior to issuance of a permit, the ZA is required to ensure that the plans conform in all respects to the approved plans. The zoning rules do not allow the ZA to wait until the building is erected to consider if there are any changes in use to those in the approved plans for the PUD.

Instead, without citing any provision in law or the codified rules, the ZA opined on December 27, 2000 that GWU's change in use did not need to be reviewed until the building was built ("the decision"). This ZA decision clearly makes a farce of the body of legal requirements governing review of land use in DC prior to permit issuance. We believe that a PUD modification application is clearly required.

Background

On September 25, 2000, after discussions with DC's Corporation Counsel, the WECA initiated the Foggy Bottom-West End community's objections to GWU's "secret" plans for 1957 E Street by filing motions with the Office of Zoning (OZ) requesting party status for the 1993 conditionally approved PUD, and requesting that the ZC declare this PUD null and void (ZC Case No. 93-5F/91-18P). On September 25th, the WECA also filed a motion with the OZ for a declaratory ruling of noncompliance with GWU's then current campus plan (BZA No. 14455). At its October 16th meeting, the ZC referred these motions to the ZA.

On November 17th, WECA President John C. ("Jack") Batham and I met with ZA Michael Johnson. He agreed with our three specific examples - Squares 43, 40 and 122 - of GWU's "lawlessness" and the need for GWU to stop its Square 122 construction until its plans are reviewed by the applicable zoning bodies; however, he advised us that the universities (including GWU) "have more power than he has." On November 20th, OZ sent WECA a letter stating that its September 25th letters had been forwarded to the ZA for action. On December 4th at a Foggy Bottom Association meeting, I asked Mayor Anthony Williams about DC's policies relating to GWU's proposed off-campus institutional use at 1957 E Street. He was surprised not to have heard about GWU's off-campus institutional plan in Foggy Bottom.

On December 5th, the WECA requested copies from the ZA of GWU's permit applications for 1957 E Street. On December 27th, after non-receipt of the requested permit applications, the WECA filed a FOIA request for all GWU permit applications for 1957 E Street. On January 30, 2001, the WECA finally received a fax including only three of GWU's December 1999-December 2000 permit applications and DC's three December 2000 permits for them (e.g., GWU's January 2000 raze permit application and DC's February 2000 raze permit were not included -- see *Exhibit I*). Curiously, GWU's December 7, 1999 building permit application (*Exhibit D*) shows a sign-off by zoning on November 17, 2000, the day of our meeting with the ZA, i.e., immediately after the ZA told us that GWU needs to stop its construction until its plans are reviewed by the applicable zoning bodies.

Finally, on January 2, 2001, the WECA received a faxed copy of a December 27, 2000 letter from ZA Michael Johnson to WECA President John C. Batham, captioned "Zoning Commission Case No. 93-5F/91-18P (1957 E Street, N.W.; Square 122, Lot 835)," and stating that, a "building permit **may** be issued" (emphasis added) and "It is premature for this Office to make any findings regarding the actual uses in the proposed buildings (sic)" (see p. 2, last paragraph in *Exhibit F*). The building permit was issued the next day (*Exhibit G*). On January 19th, ANC-2A appealed the ZA's decisions for 1957 E Street.

Adverse Impacts

GWU's proposed site use for institutional and dormitory uses would negatively affect WECA Members. In fact, GWU's expansion outside the old and new campus plan boundaries causes considerable concern to WECA Members about the continued quality of residential life in Foggy Bottom-West End. Additionally, 1957 E Street was twice specifically excluded by the DC City Council from the Central Employment Area (CEA) and thus is subject to the DC Environmental Policy Act (the second time is now codified in Sec. 199.1 of the Comprehensive Plan Amendment Act of 1999, DC Act 12-609). GWU purchased the subject property after the effective date of DC Act 12-609. On October 23, 2000, DCRA erroneously told GWU that the site is located within the CEA and, thus, is "exempt" from some of the requirements of the DC Environmental Policy Act (Noble to Honey letter in ZA's 4/25/01 submission).

To date, there has been incomplete compliance by GWU with the DC Environmental Policy Act (e.g., absence of submission of traffic analyses, as discussed above). GWU's recent (4/5/01) "Environmental Intake Form" answers no to "Will any mature trees be removed from the site?" (in ZA' 4/25/01 submission) since GWU already removed them. The record does not include any permit for such environmental damage. GWU's undated and unsigned Environmental Impact Screening Form (*Exhibit H* in GWU's 4/10 & *Exhibit J* in GWU's 4/24 submissions) admits that the project exceeds $1 million. The DC Environmental Policy Act defines "major action" as "any action that costs over $1 million and that **may** have a significant impact on the environment" (emphasis added). The WECA believes that this "major action" project requires preparation of an environmental impact statement which would identify the full range of adverse environmental effects on WECA Members. *Exhibit D* provides evidence that DC was supposed to have sign-off by the Environmental Policy Review of the Environmental Regulation Administration before it issued a building permit.

Besides adverse environmental effects, such as reduced on-street parking and increased traffic and removal of mature trees, WECA's Members could have property values negatively affected, substantial rent increases, etc. The bottom line is that WECA Members' interest will be significantly, distinctively, and uniquely affected.

Request

The WECA asks the BZA to: (1) overturn the ZA's decisions, including the permit issuances; (2) direct the Department of Consumer and Regulatory Affairs to immediately issue a stop work order; (3) require GWU to submit its PUD modification plans to the ZC for public review; and (4) direct GWU to fully comply with the DC Environmental Policy Act prior to submission of its PUD modification plans for review by the ZC.

Exhibits

A - 11/15/93 Zoning Commission Order No. 746
B - 3/11/96 Zoning Commission Order No. 746-A
C - 2/8/99 Zoning Commission Order No. 746-B
D - 12/7/99 GWU application for building permit

E - 9/19/00 GWU "By George!" article
F - 12/27/00 ZA Letter to WECA
G - 12/28/00 DC building permit for GWU
H - WECA's Partial History of 1957 E Street: 1991-2001
I - WECA's History of Disclosure of Applications & Permits for 1957 E Street: 12/4/98-4/5/01

Exhibit A

Government of the District of Columbia

ZONING COMMISSION

ZONING COMMISSION ORDER NO. 746
Case No. 93-5F/91-18P
(Final PUD & Map Amendment @ 19th & E Sts., N.W. - AGC)
November 15, 1993

Pursuant to notice, a public hearing of the Zoning Commission for the District of Columbia was held on July 26, 1993, to consider an application from the Associated General Contractors of America (AGC). The application requested second-stage (final) approval of a Planned Unit Development (PUD) and related Map Amendment, pursuant to the provisions of Chapter 24 and Section 102, respectively, of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning. The public hearing was conducted in accordance with the provisions of 11 DCMR Subsection 3022.

FINDINGS OF FACT:

1. The application which was filed on March 3, 1993, requested a second-stage (final) approval of a planned unit development (PUD) and a related change of zoning from SP-2 to C-3-C for Square 122, Lot 835.

2. By Z.C. Order No. 720, in Case No. 91-18P, dated July 13, 1992, the Zoning Commission granted first-stage (Preliminary) approval of a PUD and the related change of zoning from SP-2 to C-3-C for the PUD site. The Proposed PUD will have a gross floor area of 239,986 square feet, and floor area ratio (FAR) of 7.96, of which 174,563 square feet and a 5.79 FAR would be devoted to commercial uses and 65,423 square feet and 2.17 FAR devoted to residential uses. The building will have a height of 107 feet, a lot occupancy of 100 percent and provide below grade parking for about 200 cars.

3. The applicant, the AGC, proposes to construct a larger and more modern office facility, which can accommodate its headquarters' present and future needs and have sufficient rental space to enable the AGC remain in the District of Columbia. AGC also proposes to develop a 47-56 unit apartment component as part of the project.

4. The PUD site is zoned SP-2 and is located at 1957 E Street, N.W. It is on the north side of E Street between 19th and 20th Streets. The site is 30,159 square feet in area and rectangular in shape, with approximately 311 feet of linear frontage on E Street, N.W. and approximately 97 feet of linear frontage on both 19th and 20th Streets, N.W.

5. The western portion, approximately one-third of the PUD site is presently developed with a four-story building used as the AGC headquarters. The remainder of the site is used as a surface parking lot.

6. The PUD site is contiguous to Mitchell Hall, a nine-story George Washington University dormitory, to the northeast and a five-story public parking garage to the northwest in Square 122.

7. The area surrounding the subject site contains a wide variety of land uses. Major office development is located to the south, east and west. Immediately east, across 19th Street, N.W., is the General Services Administration ("GSA") office building which is 107 feet in height and occupies the entire square. The American Red Cross local headquarters building is situated west of the site across 20th Street, N.W. and is approximately 66 feet in height. To the south across E Street and a three-block-long Federal park, are the federal Office of Personnel Management and Department of Interior office buildings.

8. The SP-2 zone district permits matter of right, medium/high-density development, including all kinds of residential uses, with limited offices for non-profit organizations, trade associations and professionals permitted as a special exception requiring approval of the Board of Zoning Adjustment; a maximum height of 90 feet; a maximum floor area ratio ("FAR") of 6.0 for residential and 3.5 for other permitted uses; and a maximum lot occupancy of 80 percent for residential uses, 200 percent for other permitted uses.

9. The C-3-C zone district permits matter of right major business and employment centers of medium/high-density development, including office, retail, housing and mixed-uses; a maximum height of 90 feet; a maximum FAR of 6.5; and a maximum lot occupancy of 100 percent.

10. Under the PUD process of the Zoning Regulations, the Zoning Commission has the authority to consider this second-stage (final) PUD application. The Commission may also impose development conditions, guidelines and standards that may exceed or be less than the matter of right standards identified above for height, FAR, lot occupancy, parking and loading, or for yards and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.

11. The District of Columbia Generalized Land Use Element of the Comprehensive Plan for the National Capital includes the PUD site in the high-density, commercial land use category.

12. AGC proposes to construct the project in two phases on land which it owns in fee simple. The proposed mixed-use development includes approximately 174,563 square feet of commercial office space (5.79 FAR) and approximately 65,423 gross square feet of residential space (2.17 FAR). The proposed roof elevation of the 8th floor of the office component is 94 feet, measured from E Street and is aligned with the cornice of the GSA building. There is a 20-foot setback along the three street frontages and then the top floor rises to 107 feet in height. The total density of the project is 7.96 FAR. The building will occupy 100 percent of the lot and there will be 200 parking spaces in a parking garage below grade.

13. Loading and parking access to the office portion of the development will be from 19th Street, N.W. loading and parking access to the residential portion of the development will be from 20th Street, N.W. There will be two 12' x 30' and one 10' x 20' loading berths for the office portion of the building. There will be one 12' x 30' and one 10' x 20' loading berths for the residential portion of the building.

14. AGC, through its representative at the public hearing, indicated that it continues to remain in the District of Columbia where it has been located since 1918 and is anxious to achieve second-stage approval of the project so it can move forward with the development. Approval of the subject application would allow the retention of a major, national association; provide approximately 323 new, permanent jobs in the District of Columbia; and create approximately 437 construction jobs over a two-year period; and result in an increase of approximately $2.54 million annually in tax revenues to the District of Columbia. The application indicates that the proposed PUD results in the efficient and economical utilization of the site; provides attractive urban design and new residential housing units; and adequately assures the protection of the public health, safety, welfare and convenience. The project is consistent with the existing physical character and land use patterns in the area; will not adversely impact the various District services; and will result in a positive financial impact to the District of Columbia.

15. AGC's architect and urban planner, indicated at the public hearing that the second-stage application meets all of the standards set forth in the Zoning Commission's first-stage

Order (Zoning Commission Order No. 720). The architect/urban planner testified that the office component's eighth floor roof line will be at 94 feet in order to match the cornice line on the adjacent GSA building's facade. The building will have a maximum height of 107 feet, matching the 107-foot height of the GSA building. He indicated that the proposed project was in complete conformance with the high-density, commercial land use designation of the site on the Comprehensive Plan Generalized Land Use Map. He testified that the proposed uses are consistent with the surrounding land uses and the goals and objectives of the Comprehensive Plan and that the project will not have any adverse land use impact on the surrounding area.

16. The architect/urban planner testified that the setbacks have been increased to 20 feet along the street frontage perimeter of the building, above the 94-foot height elevation and that the penthouse has been lowered into the top floor so that only 8 feet of the mechanical penthouse is exposed to exterior view. He indicated that the height of the project has been carefully examined and redesigned so as to minimize any potential impact on the surrounding properties.

17. The architect/urban planner described the consultation process with the community and indicated that the community had significant input into the design detail and the landscaping plans. Through the testimony of the architect/urban planner, AGC requested certain flexibility in the following development features:

    a. Vary the number of residential units to allow for larger or smaller units, in response to market conditions, so long as there are no less than 47 residential units in the project with no reduction in the gross square footage devoted to residential use;

    b. Change the location and design of all interior components including partitions, structural slabs, doorways, hallways, columns, stairways, location of elevators and electrical/mechanical rooms, so long as the variations do not change the exterior envelope of the building including the penthouse;

    c. Make minor adjustments in the window detailing, including the flexibility to shift the location of entrance doors on the ground floor to accommodate tenant uses;

d. Make minor design changes in response to requirements and final approval of the Commission of Fine Arts;

e. Provide not more than 5,000 square feet of ancillary, retail-related space on the ground floor of the property;

f. Vary the type of planting materials based on the availability at the time completion so long as the plant sizes and species are comparable to those shown on the landscaping plan;

g. Change the location and types of parking spaces provided, increase the number of spaces provided and make other modifications to below-grade space to accommodate the needs of office tenants, residential tenants and handicapped persons, including the potential elimination of a level of commercial parking without reduction of the total number of required spaces.

18. AGC requested that the project be permitted to be developed in two-phases with the office component being developed in the first phase. AGC proposes to apply for a building permit for the residential component within one year of the issuance of the Certificate of Occupancy for the office component and that, upon receipt of the building permit, AGC must achieve a Certificate of Occupancy for the residential component within two and one-half years.

19. AGC's transportation consultant, testified that the traffic generated by the project can be accommodated on the existing street network and that all intersections would operate at acceptable levels of service. He indicated that he had studied the two additional intersections, as requested by the Department of Public Works and the Commission pursuant to the first-stage approval of the project, and found that neither of these intersections would be adversely affected by the proposed project. He concluded that the project would not create any adverse transportation impact on the District or the neighborhood, that the project satisfied a number of goals and policies of the District of Columbia and is consistent with the transportation element of the Comprehensive Plan.

20. The District of Columbia Office of Planning (OP), by report dated July 15, 1993 and by testimony at the public hearing, indicated that the applicant has met the conditions for the final approval of the second-stage PUD application, as specified by the Zoning Commission Order No. 720. The OP

also indicated that the applicant has made substantial effort to reduce the proposed project's height and perceived bulk and has designed a structure that would he appropriate for the area in which it would be located.

21. The OP added, that the project would be an asset to the surrounding neighborhood and to the city as a whole. Accordingly, the OP recommended approval of the second-stage PUD and the related map amendment, subject to the following conditions regarding the development of the residential component of the project.

    a. The project may be developed in two phases with the office component being developed in the first-phase;

    b. Within one year of issuance of the certificate of occupancy for the office component, the AGC must apply for a building permit for the residential component; and

    c. Upon receipt of a building permit, the AGC must receive a certificate of occupancy for the residential component within two and one-half years.

22. The OP's report also contained the applicant's proposals that the enforcement of the above conditions be handled by the appropriate civil infractions official of the District government. That, any violations of the final PUD order be prosecuted in accordance with Section 2407.5 of the Zoning Regulations and Section 1229.1(c) of the civil infractions law, which specified that failure to comply with a Zoning Commission order will result in substantial fines.

23. Advisory Neighborhood Commission ("ANC") 2A, by letter dated July 26, 1993 and by testimony at the public hearing, supported the application. ANC 2A expressed satisfaction that AGC has made bona fide efforts to work with the community and to accommodate the community's concerns within its project.

24. There were no other persons or parties in support of or in opposition to the proposal either entered into the record or appearing at the public hearing.

25. At the conclusion of the hearing, the Commission finds that the proposed PUD is consistent with the requirements set forth in 11 DCMR Section 2400.

26. The Commission finds that the proposed PUD will provide essential housing in the Downtown area and will act as a model for mixed-use development in this transition area between the high-density Central Employment Area and the residential Foggy Bottom neighborhood.

27. The Commission finds that the PUD project and map amendment from SP-2 to C-3-C are in conformance with the Land Use Element of the Comprehensive Plan which designates the site for high-density, commercial uses.

28. The Commission further finds that the proposed urban design approach of the project is consistent with the urban design element of the Comprehensive Plan and the tenets of the L'Enfant and McMillan Plans.

29. The Commission finds that the on-site parking spaces and loading facilities will adequately serve the commercial and residential components of the project. The Commission concurs with AGC's transportation expert that the proposed project will not have an adverse impact on the traffic network in the area.

30. The proposed action of the Zoning Commission to approve the application with conditions was referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Self-Government and Governmental Reorganization Act.

31. NCPC, by letter dated November 4, 1993, indicated that the proposed action of the Zoning Commission to approve the PUD and related map amendment with conditions would not adversely affect the Federal interest in the National Capital nor be inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. The Planned United Development process is appropriate means for controlling development of the site in a manner consistent with the best interests of the District of Columbia.

2. The development of this PUD carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned residential, commercial and mixed-use developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.

3. The development of the project is compatible with District-wide and neighborhood goals, plans and programs and is sensitive to environmental protection and energy conservation.

4. The approval of this application is not inconsistent with the Comprehensive Plan for the National Capital because it will produce needed housing, be a catalyst for redevelopment in a transition area, strengthen the distinguishing physical characteristics of the area, and increase employment opportunities.

5. The approval of the application is consistent with the purposes of the Zoning Act and the Zoning Map of the District of Columbia, which includes stabilizing land values and improving mixed-use areas.

6. The application can be approved with conditions which ensure that the development will not have an adverse affect on the surrounding community or the District. The project will enhance and promote the revitalization of the area.

7. The approval of this application will promote orderly development in conformity with the entirety of the District of Columbia Zone Plan as embodied in the Zoning Regulations and Map of the District of Columbia.

8. This application is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

9. The Zoning Commission has accorded ANC 2A the "great weight" consideration to which it is entitled.

DECISION

In consideration of the Findings of Fact and Conclusions of Law, the Zoning Commission for District of Columbia hereby orders approval of the second-stage PUD and an amendment to the Zoning Map from SP-2 to C-3-C, for Square 122, Lot 835 subject to the following guidelines, conditions and standards:

1. The planned unit development (PUD) shall be developed in accordance with the plans prepared by the architectural firm of Florance, Eichbaum, Esocoff and King, and marked Exhibit No. 5B of the record and as modified by the following guidelines, conditions and standards.

2. The PUD site shall be developed with mixed-use buildings, including residential and commercial uses with below-grade parking.

3. The floor area ratio (FAR) for the PUD project shall not exceed 7.96, of which not more than 5.79 FAR shall be devoted to commercial use and not less than 2.17 FAR shall be devoted to residential use.

4. The height of the PUD project shall not exceed one hundred and seven feet (107'), exclusive of the penthouses as shown on Exhibit No. 5B. That portion of the building which exceeds a height of ninety-four (94) feet shall be setback from the 19th, 20th and E Streets property lines at least 20 feet.

5. The mechanical penthouses shall be developed as shown on Exhibit No. 5B and shall not exceed eight feet in height above the parapet of the roof of the office component.

6. The PUD project shall be developed with 47 to 56 residential units.

7. There shall be a minimum of 200 on-site parking spaces with at least one parking space designated for each residential unit. Additional parking spaces may be permitted in public vaults.

8. Loading areas, driveways and walkways shall be located on the site as shown on Exhibit No. 5B of the record.

9. Landscaping shall be provided as shown on the landscape plan marked as Exhibit No. 5B of the record.

10. Antennas shall be permitted on the roof of the building subject to the applicable Zoning Regulations.

11. The entire PUD project may be developed in two phases; that is, the residential component being one phase and the office component being the other phase.

12. If the PUD project is developed in one phase or if the residential component is developed in the first phase, the requirements as contained in Condition Nos. 13 and 14 of this order, shall not apply.

13. If the office component is developed in the first phase, the applicant must apply for a building permit for the residential component within one year of the issuance of the certificate of occupancy for the office component. Upon receipt of the building permit for the residential component, the applicant must receive a certificate of occupancy for the residential component within 2 1/2 years of receipt of the building permit for the residential component.

14. The applicant shall promptly file with the Office of Zoning (OZ) a copy of the certificate of occupancy for the office component, a copy of the building permit application for the residential component, and a copy of the certificate of occupancy for the residential component. Each of the aforementioned copies shall include a cover letter that clearly indicates the date on which the certificates of occupancy were issued by the Department of Consumer and Regulatory Affairs (DCRA) as well as the date on which the building permit application for the residential component was made with DCRA.

15. The applicant shall have the flexibility on the final detailing of the proposed project to:

    a. Vary the number of residential units to allow for larger or smaller units, in response to market conditions, so long as there are not less than 47, nor more than 56, residential units at the site with no reduction in the gross square footage devoted to residential use;

    b. Change the location and design of all interior components including partitions, structural slabs, doorways, hallways, columns, stairways, location of elevators and electrical/mechanical rooms, so long as the variations do not change the exterior envelope of the building including the penthouse;

    c. Make minor adjustments in the window detailing, including the flexibility to shift the location of entrance doors on the ground floor to accommodate tenant uses;

    d. Make minor design changes in response to requirements and final approval of the Commission of Fine Arts;

    e. Provide not more than 5,000 square feet of ancillary, retail space on the ground floor of the project; and

    f. Change the location and types of parking spaces provided, increase the number of spaces provided and make other modifications to below-grade space to accommodate the needs of office tenants, residential tenants and handicapped persons, including the potential elimination of a level of commercial parking without reduction of the total number of required spaces.

16. No self-illuminated signs shall be permitted. Other illuminated signs lit indirectly from ground-mounted or building-affixed lighting shall be permitted. Any signs affixed to the

building must be at the first or second floor level, not larger than twenty-four inches (24") in height and subject to review and approval by the Commission of Fine Arts. Inscriptions in the stone or precast concrete materials of the facades may occur elsewhere and are subject to review and approval by the Commission of Fine Arts.

17. No building permit shall be issued for the PUD project until the applicant has recorded a covenant in the land records of the District of Columbia, between the owner and the District of Columbia, satisfactory to the Office of Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). The covenant shall bind the owner and all successors in title to construct on and use the property in accordance with the order and amendments thereto of the Zoning Commission.

18. The change of zoning from SP-2 to C-3-C for the PUD site shall be effective upon recordation of the PUD covenant as required by 11 DCMR 2407.

19. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the applicant has filed a certified copy of said covenant with the records of the Zoning Commission.

20. The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of the order. Within such time, the applicant must file for a building permit as specified in 11 DCMR 2407.1 and 2406.8. Construction shall start within three years of the effective date of the order.

21. Pursuant to D.C. Code Section 1-2531 (1987), Section 267 of D.C. Law 2-38, the Human Rights Act of 1977, the applicant is required to comply fully with the provisions of D.C. Law 2-38, as amended, codified as D.C. Code, Title 1, Chapter 25, (1987), and the order would be conditioned upon full compliance with those provisions. Nothing in the order shall be understood to require the Zoning Division of DCRA to approve permits if the applicant fails to comply with any provisions of D.C. Law 2-38, as amended.

Vote of the Zoning Commission taken at the public meeting on September 13, 1993: 5-0 (John G. Parsons, Jerrily R. Kress, William L. Ensign, William B. Johnson and Maybelle Taylor Bennett - to approve with conditions).

This order was adopted by the Zoning Commission at the public meeting on November 15, 1993 by a vote of 5-0: (Jerrily R. Kress, John G. Parsons, William L. Ensign, Maybelle Taylor Bennett and William B. Johnson, to adopt as corrected).

In accordance with the provisions of 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register; that is, on DEC 10 1993.

MAYBELLE TAYLOR BENNETT
Chairperson
Zoning Commission

MADELIENE H. ROBINSON
Director
Office of Zoning

zco746/VCE/LJP

District of Columbia Register

MAR 29 1996

ZONING COMMISSION ORDER NO. 746-A
Case No. 93-5F/91-18P
(PUD and Map @ 1957 E Street, N.W.
March 11, 1996

By Z.C. Order No. 746 dated November 15, 1993, the Zoning Commission granted approval of an application from the Associated General Contractors of America (AGC) for a second-stage planned unit development (PUD) and an amendment to the Zoning Map from SP-2 to C-3-C for Lot 835 in Square 122 located at 1957 E Street, N.W. pursuant to the provisions of Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning.

The PUD approval was for the construction of a mixed-use building, including residential and commercial uses with below grade parking for 200 cars. The PUD will be the site of the new AGC headquarters. The PUD project would have a maximum floor area ratio (FAR) of 7.96 of which not more than 5.79 FAR will be devoted to commercial use and not less than 2.77 FAR will be devoted to residential use.

2.17 (not 2.77)

Z.C. Order No. 746 became final and effective on December 10, 1993. The validity of that order was for two years; that was until December 10, 1995, provided application for a building permit was filed within that period of time, after which construction would have to start by December 10, 1996.

Pursuant to 11 DCMR 2406.10 of the Zoning Regulations, the Commission may extend the validity of the PUD approval for good cause shown upon a request made before the expiration of the approval.

By letter dated November 13, 1995, counsel on behalf of the AGC, filed a request to extend the validity of the previously approved PUD for a period of two years.

This letter indicated that the basis for an extension of the validity of the PUD is as follows:

> "Unfortunately, the real estate recession in the area and the unavailability of financing for the project without a substantial pre-leasing commitment from another office user (in addition to the AGC) makes it impossible for the applicant to proceed at the present time. The applicant

has retained a well regarded local commercial broker to seek such additional tenants for the project. Since the approval of the PUD, the AGC (through its brokers) has actively solicited both private and federal tenants for the portion of the new office building which will not be for the AGC's own use. The applicant will proceed as expeditiously as possible as soon as tenant commitments and financing can be secured."

By memorandum dated November 29, 1995, the District of Columbia Office of Zoning (OZ) referred this matter to the District of Columbia Office of Planning (OP) for an analysis of whether any amendments to the Zoning Map or Regulations, or to the Comprehensive Plan, since the Zoning Commission initially decided the case will affect the request.

By memorandum dated December 29, 1995, OP recommended that the applicant's request be granted and stated that no purpose would be served in this instance by denying the request. OP indicated the following:

"The zoning classification applicable to the site has not changed since the PUD was originally approved in November 1993. The Comprehensive Plan Amendments Act of 1994, effective October 6, 1994, changed the land use classification of the site from high-density commercial to medium-density commercial and high-density residential. The Comprehensive Plan Amendments Act is consistent with the Commission's previously approved mixed-use PUD for the site.

The applicant has stated that it has invested a great deal of time and money through a commercial broker to seek the additional tenant(s) necessary to secure financing. That search has been unsuccessful to date. In short, the present request for a time extension is the result of current adverse market conditions.

The Zoning Commission has the authority to approve PUD time extensions. In the Office of Planning's opinion, no purpose would appear to be served by denying the requested extension. Accordingly, the Office of Planning recommends that the Zoning Commission grant a two-year extension of Order No. 746, pursuant to Subsection 2406.10 of 11 DCMR."

On February 12, 1996, at its regular monthly meeting, the Zoning Commission considered the request of counsel for AGC and the OP report.

The Zoning Commission concurs with the OP and the applicant. The Commission also determined that an extension of time of the validity of this PUD is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia hereby **ORDERS** that the validity of Z.C. Order No. 746 be **EXTENDED** for a period of two years; that is until December 10, 1997. Prior to the expiration of that time, the applicant shall file for a building permit, as specified in 11 DCMR 2406.8. Construction shall start within one year; that is not later than December 10, 1998.

Vote of the Zoning Commission taken at the public meeting on February 12, 1996: 4-0 (Maybelle Taylor Bennett, John G. Parsons, Jerrily R. Kress and Herbert Franklin, to approve a two-year PUD extension).

This order was adopted by the Zoning Commission at its public meeting on March 11, 1996 by a vote of 4-0: (Jerrily R. Kress, John G. Parsons and Herbert M. Franklin, to adopt; Maybelle Taylor Bennett, to adopt by absentee vote; Howard Croft not present, not voting).

In accordance with the provisions of 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register; that is, on _____.

DISTRICT OF COLUMBIA REGISTER

MAR 19 1999

ZONING COMMISSION ORDER NO. 746-B
Case No. 93-5F/91-18P
(PUD and Map @ 1957 E Street, N.W.)
February 8,1999

By Z.C. Order No. 746, dated November 15, 1993, the Zoning Commission granted approval of an application from the Associated General Contractors of America (AGC) for a second-stage planned unit development (PUD) and an amendment to the Zoning Map from SP-2 to C-3-C for Lot 835 in Square 122 located at 1957 E Street, N.W. , pursuant to the provisions of Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning.

The PUD approval was for the construction of a mixed-use building, including residential and commercial uses with below grade parking for 200 cars. The PUD will be the site of the new AGC headquarters. The PUD project would have a maximum floor area ratio (FAR) of 7.96 of which not more than 5.79 FAR will be devoted to commercial use and not less than 2.17 FAR will be devoted to residential use.

Z.C. Order No. 746 became final and effective on December 10, 1993. The validity of that order was for two years; that was until December 10, 1995, provided an application for a building permit was filed within that period of time, after which construction would have to start by December 10, 1996.

By Z.C. Order No. 746-A, dated March 29, 1996, the Zoning Commission approved an extension of the validity period of the PUD for two years; that was until December 10, 1997, provided an application for a building permit was filed within that period of time, after which construction would have to start by December 10, 1998.

Pursuant to 11 DCMR 2406.10 of the Zoning Regulations, the Commission may extend the validity of the PUD approval for good cause shown upon a request made before the expiration of the approval.

By letter dated December 9, 1997, counsel on behalf of AGC, filed a request to extend the validity of the previously approved PUD for a period of two years.

This letter indicates that the basis for an extension of the validity of the PUD is as follows:

> "The recently concluded real estate recession has made developers and financiers more prudent. Large projects cannot be financed, and thus are not started, without a substantial portion of the project committed to long-term leases. This unavailability of financing for the project, without a substantial preleasing commitment from another office user (in addition to the AGC), makes it impossible for the AGC to proceed at the present time. The AGC is actively continuing discussions with potential tenants. Since the approval of the PUD, the AGC, independently and through its brokers, has actively solicited both private and federal tenants for the portion of the new office building which will not be for the AGC's own use. The AGC will proceed as expeditiously as possible to begin construction of the PUD as soon as tenant commitments and financing can be secured."

The District of Columbia Office of Zoning (OZ) referred this matter to the District of Columbia Office of Planning (OP) for an analysis of whether any amendments to the Zoning Map or Regulations, or to the Comprehensive Plan, since the Zoning Commission initially decided the case will affect the request.

By memorandum dated April 9, 1998, OP recommended that the applicant's request be granted and stated that no purpose would be served in this instance by denying the request. OP indicated the following:

> "The applicant has stated that the grounds for its previous request for an extension of time have not changed. It has invested a great deal of time and money through a second commercial broker and a construction manager to seek the additional tenant(s) necessary to secure refinancing, spending a total of approximately $45,000 in doing so. That search has been unsuccessful to date. In short, the present request for another time extension is the result of the continuing adverse office market conditions in the District.
>
> The Zoning Commission has the authority to approve PUD time extensions. In the Office of Planning's opinion, no apparent purpose would be served by denying the requested extension. Accordingly, the Office of Planning

recommends that the Zoning Commission grant a second two-year extension of Order No. 746, pursuant to Subsection 2406.10 of 11 DCMR."

On April 13, 1998, at its regular monthly meeting, the Zoning Commission considered the request of counsel for AGC and the OP report. The Zoning Commission concurs with OP and the applicant. The Commission also determined that an extension of time of the validity of this PUD is in the best interests of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia hereby ORDERS that the validity of Z.C. Order Nos. 746 and 746-A be EXTENDED for a period of two years; that is until December 10, 1999. Prior to the expiration of that time, the applicant shall file for a building permit, as specified in 11 DCMR 2406.8. Construction shall start within one year; that is not later than December 10, 2000.

Vote of the Zoning Commission taken at the public meeting on April 13, 1998: 3-0 (Maybelle Taylor Bennett, Jerrily R. Kress and John G. Parsons to approve a two-year PUD extension).

This order was adopted by the Zoning Commission at its public meeting on March 8, 1999, by a vote of 4-0: (John G. Parsons, Anthony J. Hood, Angel F. Clarens and Jerrily R. Kress, to adopt –Herbert M. Franklin abstained.)

In accordance with the provisions of 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register; that is, on _____.

PRE-FILE NUMBERS		ZONING DISTRICT	
P.A.D.C. No.:	O.G. No.:	GC	
H.P.A. No.:	S.L. No.: 00-052	Ward No.: 2	Receipt No.:

Exhibit D

Date: MAR 3 2000 Receipt No.:

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION - PERMIT PROCESSING DIVISION

BLRA-33 (Rev. 10/91)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

1029/1A

COMMISSION OF FINE ARTS

(PRINT IN INK OR TYPE. DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

CLEARANCE TO FILE
BY: DATE:

ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. Lot:	3. Square:	4. Application Date:
1957 E STREET NW		835	122	12-7-99

5. Owner of Building or Property:	6. Address: (include Zip)	7. Phone:
THE GEORGE WASHINGTON UNIVERSITY	2025 F St. NW Suite 1100 WASH DC 20052	202 Work: 994-4458 Home:

8. Agent for Owner: (if applicable)	9. Address: (include Zip)	10. Phone:
CARLOS ROJAS	1726 BRUNO St NW WASHINGTON DC 20010	202 Work: 234-7345 Home:

11. Type of Proposed Work (check all applicable boxes):

- ☑ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other (Specify):

12. Description of Proposed Work: To erect an 11 story MULTI USE BUILDING ACADEMIC, RESIDENTIAL & OFFICES

OK to file Harmon 12/7/99

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:
VACANT	1	0

16. Proposed Use(s) of Building or Property:	17. Prop. No. of Stories of Bldg.:	18. Prop. No. of Dwelling Units:
ACADEMIC Residential & OFFICES	11	47

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve disturbing the earth or razing a building?
5-2000	5-2002	☐ Pick-up Truck ☑ Dumpster ☐ Other (specify):	☑ Yes, answer q. 23 ☐ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☑ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25	See drwgs	See drwgs sq. ft.	See drwgs	See drwgs sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
Complete Section C if the proposed work is **razing a building.** (Page 2)
Complete Section D if the proposed work is a **retaining wall.** (Page 2)
Complete Section E if the proposed work is a **fence.** (Page 3)
Complete Section F if the proposed work is a **shed/garage.** (Page 3)
Complete Section G if the proposed work is an **awning.** (Page 3)
Complete Section H if the proposed work is a **sign.** (Page 3)

3-0307 wd-375

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Address: *(include Zip)*	31. Phone:
DAVID R.H. KING KCF/SHG	004186	1825 I ST., NW (SUITE 250) WASHINGTON DC 20006	202 842 2[illegible]
32. Engineer's Name:	33. Lic. No.:	34. Engineer's Address: *(include Zip)*	35. Phone:
36. Building Contractor's Name:	36A. Lic. No.:	37. Contractor's Address:	38. Phone:

39. Type of Construction:	40. Fire Suppression:	41. Booster Pump:	42. Total Lot Area:	43. Breakdown of Lot Area (= 100%)
☐ Masonry ☐ Steel ☐ Wood ☐ Other: ☒ Concrete	☒ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ None ☐ Other	☒ New ☐ Existing ☐ None	30,150 sq. ft.	a. Building: 100 % b. Paved Area: Ø % c. Greenery: Ø %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. Projection beyond building line?
sq. ft.	331,243 sq. ft.	☒ All ☐ Floors _____	☐ Yes, answer q. 48-52 ☒ No, SKIP q. 48-52

48. Number and type of projection:	49. Distance of projection:	50. Width of projection:	51. Width of building frontage:	52. Signature of Owner (projection only):
			ft	X J.R. Lyons Exec Dir Facil 10/25/00

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators Involved?	57. No. and Type of elev.:	58. Plans Certified by Engineer?
☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes, answer q. 57 ☐ No, SKIP q. 57	8 TRACTION ELEVATORS	☒ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:	60. Volume of New Bldg. or Addition:
(a) New/Add.: $22,000,000	cubic ft.
(b) Alt/Rep.: $ Ø	
Total: $22,000,000	

[redacted]

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: *(include Zip)*	63. Phone:

64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date:	67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Water Connection:
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length:	77. Width:	78. Height:	79. Volume:	80. Party Wall?
		ft.	ft.	ft.	cu. ft.	☐ Yes ☐ No

81. Asbestos in the Building?	82. Raze Contractor Signature:
☐ No ☐ Yes, Location _____	83. Owner's Signature:

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work:	85. Material:	86. Height:	87. Color:	88. Location
$		ft.		☐ Entirely on Owner's Land ☐ Parallel with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work / Home	
91. Address of Adjoining Owner:	92. Lot:	93. Square:

(E) FENCE (COMPLETE ITEMS 94 THRU 102)

The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height:	96. Color:	97. Location
	ft.		☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application.

98. Signature of Adjoining Owner:	99. Phone: Work Home	
100. Address of Adjoining Owner:	101. Lot:	102. Square:

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number:	104. Length:	105. Width:	106. Area:	107. Height:	108. Volume:	109. Estimated Cost of Work:
	ft.	ft.	sq. ft.	ft.	cu. ft.	$

110. Material of Roof:	111. Material of Sides:	112. Wall thickness::	113. Color:
		☐ External ( ) inches ☐ Party ( ) inches	

FOR OFFICE USE ONLY
FEE
DATE

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color:	116. Type:	117. Projections:	118. Height of lowest part of awning:
		☐ Folding ☐ Fixed	Beyond bldg. line _____ in. Beyond pt. of attachm. _____ in.	(a) _____ ft above sidewalk (b) _____ ft above parking (c) _____ ft above grade

119. Material of Frame:	120. Material of Covering:	121. Lettering on Awning?	122. Fixed posts?	123. Over sidewalk cafe?
		☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

FOR OFFICE USE ONLY
FEE
DATE

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number:	125. Electric Sign?	126. Type:	127. Power	128. Electrical Contractor:
	☐ Yes, answer q. 126-132 ☐ No, SKIP q. 126-132	☐ Incandes. ☐ Fluoresc. ☐ Neon	_____ VA	Lic. No.:

129. Address of Electrical Contractor (include Zip)	130. Signature of Licensed Electrician:	131. Phone:	132. License No.:

133. Height relative to building and ground:
(a) _____ ft _____ in above sidewalk
(b) _____ ft _____ in above roof
(c) _____ ft _____ in is bldg height
(d) _____ ft _____ in above projection or window
(e) _____ ft _____ in from roof to sign's bottom

134. Material of Sign:	135. Type of Sign:	136. Color:

137. Width:	138. Length:	139. Area of Sign:	140. Width of Business Frontage:
ft.	ft.	sq. ft.	ft.

141. C of O Number for Building:	142. Sign Contractor Lic. No.:	
143. Sign Contractor's Address:	144. Phone:	

FOR OFFICE USE ONLY
FEE
DATE

(I) APPLICANT'S SIGNATURE:

A. **OWNER:** I hereby certify that I am the owner of the property; that the application and plans are complete and correct to the best of my knowledge; and that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner: _____ Address: _____ Date: _____

B. **AGENT:** I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Agent: _____ Address: 1746 EWING ST NW Date: 12-7-93

(J) APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):

A. PERMIT CONTROL

- [x] 1. Fine Arts by: [illegible] Date: 20 MAR 2000
- [ ] 2. Historic by: _____ Date: _____
- [ ] 3. PADC by: _____ Date: _____
- [ ] 4. Cap. Gateway by: _____ Date: _____
- [ ] 5. W.H./ Obs. Precinct by: _____ Date: _____
- [ ] 6. Flood Control by: _____ Date: _____
- [ ] 7. WMATA by: _____ Date: _____
- [ ] 8. Condem. by: _____ Date: _____
- [ ] 9. RLA by: _____ Date: _____
- [ ] 10. Rental Accom. by: _____ Date: _____
- [ ] 11. Chinatown Distr. by _____ Date: _____
- [ ] 12. Utility Clearance by: _____ Date: _____
- [ ] 13. General Liability Ins. Policy Clearance by: _____ Date: _____

B. CLEARANCE TO FILE PLANS

- [ ] 1. Zoning by: _____ Date: _____
- [ ] 2. DPW — Permit and Records Division
  Access to Parking: [ ] Street [ ] Street [ ] Alley
  Cleared by: _____ Date: _____
- [ ] 3. DPW - Consumer Engineer
  Cleared by: _____ Date: _____
- [ ] 4. ERA - Erosion Control
  Cleared by: [illegible] Date: 12-9-99

Restrictions of the Permit:

SEE [illegible] PLUMBING AND MECHANICAL APPLICATIONS FOR REQUIRED.

C. PLANS AND APPLICATION APPROVAL

- [x] 1. Information Counter by: [illegible] Date: 12-7-
- [ ] 2. Information Center by _____ Date: _____
  - [ ] (a) ABC Board by _____ Date: _____
  - [ ] (b) Noise Control by: _____ Date: _____
  - [ ] (c) Industrial Safety by: _____ Date: _____
  - [ ] (d) Vector Control by: _____ Date: _____
  - [ ] (e) D.C. Animal by: _____ Date: _____
  - [ ] (f) Police Dept. by: [illegible] Date: 11/7/00
- [x] 3. Zoning by: [illegible] Date: _____
  Zoning Update by: _____ Date: _____
- [x] 4. DPW - Permit and Records Division/Deposit #CP 015 2526
  Sidewalk Deposit $ _____ Driveway Deposit $ _____
  by: [illegible] Date: 11-7-00
- [ ] 5. Water/Sewer Design Branch
  Consumer Eng. by: [illegible] Date: 12/7/00
- [x] 6. Environmental Regulation Administration
  - [ ] Environmental Policy Review
    Control No.: _____
    by: _____ Date: _____
  - [ ] Erosion Control by: [illegible] Date: 11-16-
  - [ ] Storm Water Mgmt. by: MM Date: 10-23-00
  - Plan No. S-00 203-(1023-00
- [x] 7. Mechanical Eng. Review by: [illegible] Date: 11/7/00
- [x] 8. Plumbing Eng. Review by: [illegible] Date: 11-7-00
- [x] 9. Electrical Eng. Review by: [illegible] Date: 11/16/00
- [ ] 10. Health Plan Review
  - [ ] (a) Food Plan Review by: _____ Date: _____
  - [ ] (b) Medical X-ray Plan Rev. by: _____ Date: _____
- [ ] 11. D.C. Fire Dept. (Fire Prevention Plan Review Section) by: [illegible] Date: [illegible]
- [x] 12. Elevator Plan Rev. by: [illegible] Date: 12-21-0
- [ ] 13. Plumbing Insp. Rev by: _____ Date: _____
- [ ] 14. Construction Insp. Branch (Field Check) by: _____ Date: _____
- [ ] 15. Historic Pres. Div. by: _____ Date: _____
- [x] 16. Structural Eng. by: [illegible] Date: 12/26/00
- [ ] 17. Permit and Certificate Issuance Counter By: _____ Date: _____
- [ ] 18. Q.C. By: _____ Date: _____

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY D.C. GOVERNMENT OFFICE OR OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639

D.C. ZONING

C of O Number _____ Date _____
Existing Use(s) _____

- [ ] New bldg.
- [ ] P.O.D.
- [ ] File in room 329

Job No.: | BZA Case No.: | PUD Order No.:

DPW — PUBLIC SPACE

Street Name: _____
Street Width: _____
Road Width: _____
Sidewalk Width: _____
Parking: _____
Restrictions: _____

2-0307-4 wd-375

Exhibit E

BY GEORGE!

Inside: Promotions and Tenure

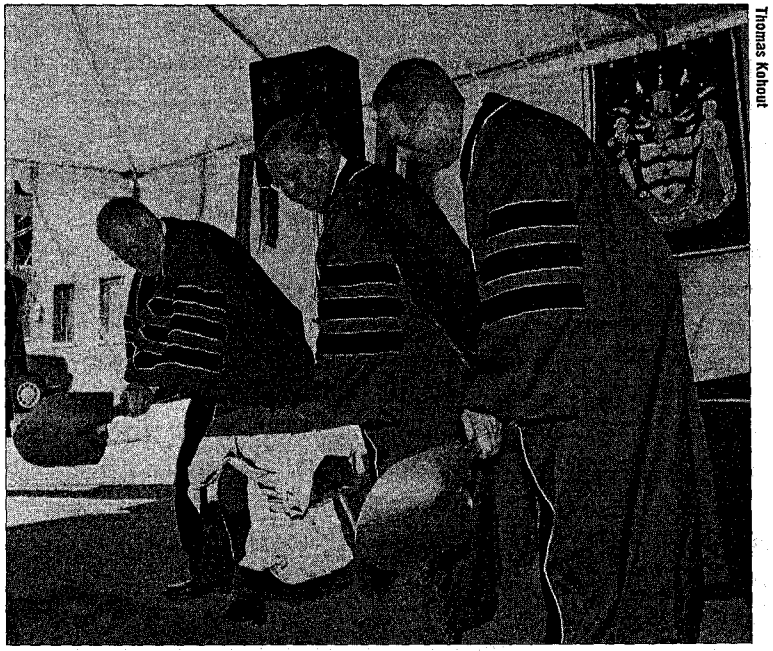
THE NEWSPAPER OF THE GEORGE WASHINGTON UNIVERSITY ~ SEPTEMBER 19, 2000 VOL. 13/NO.3

(1)

University Honors Costa Rican President During Groundbreaking for New Elliott School Building

BY RICHARD SHEEHE

The George Washington University held a Sept. 5 event that simultaneously presented Costa Rican President Miguel Angel Rodriguez with an honorary doctorate of laws and broke ground for a new building to house GW's Elliott School of International Affairs. The convocation for President Rodriguez and the ceremonial spadework for the new Elliott School home took place on E Street, NW between 19th and 20th streets, the future site of the building.



Thomas Kohout

President Trachtenberg, Costa Rican President Miguel Rodriguez, and Board of Trustees Chair Sheldon Cohen unearth artifacts at ceremony.

"This honorary degree for President Rodriguez is the continuation of a close relationship between Costa Rica and The George Washington University," says GW President Stephen Joel Trachtenberg. "Every year for more than a decade, students from GW have gone to Costa Rica to study abroad. We've also had MBA and tourism studies professors bring entire classes to that beautiful country. I myself visited Costa Rica last year. Two years ago, President Rodriguez came to our campus to receive the University's President's Medal. And I am delighted he is returning for this latest honor."

Miguel Angel Rodriguez was sworn in as president of Costa Rica in May 1998 after serving in that country's Legislative Assembly for several years

ESIA BUILDING continued on page 7

Biology Program Receives NSF Grant

National Science Foundation Awards GW $2.63 Million for Integrative Graduate Education and Research Training Grant

BY NICHOLINA FERRAMOSCA

The National Science Foundation has awarded The George Washington University's Human Evolutionary Biology Doctoral Program one of only 19 new Integrative Graduate Education and Research Traineeship (IGERT) grants in the nation. The $2.63 million grant supports the establishment of a multidisciplinary, multi-institutional, graduate training program of education and research on human evolutionary biology.

The IGERT program is designed to meet the challenges of providing scientists and engineers the technical, professional, and personal skills needed for the career demands of the future.

"I am delighted that the NSF and its advisers have recognized the high qual

KUDOS!

Awards

1, a graduate student in mistry, recently received l Society, Division of ring Chemistry Graduate ied Chemistry and society's 220th annual , Aug. 20–24, McLean, visor Professor of Chemistry presented with the award, a e, and a one-year member- ing the Industrial and Luncheon. It is the 12th s received during his time

edgements

gleton, associate cy, presented "The unt for AOL" to the inance Group at the com- quarters on Aug. 11. responsible for advertis- rands, including: America userve, AOL.com, Digital inner, WinAmp, and

h, assistant professor t and public policy and nded the Fifteenth f Experts on the United ublic Administration and e Department of

Orientations, Vol. 31, No. 7 (Sept. 2000); reviewed, "Inculturation versus Evangelization: Are Contemporary Values Causing us to Misinterpret the 16–18th Century Jesuit Missionaries?" in *Sino-Western Cultural Relations Journal*, Vol. XXII, 2000; and curated an exhibition for China Institute in America (New York City), running from Sept. 14 to Dec. 10: *The Chinese Painter as Poet*, an exhibition of Chinese painting and calligraphy in relation to poetry, including paintings with poems inscribed on them.

David DeGrazia, associate professor of philosophy, edited, along with Thomas A. Mappes, *Biomedical Ethics*, 5th ed. (New York: McGraw-Hill, 2001).

Roy Richard Grinker, associate professor of anthropology, international affairs, and human sciences, wrote *In the Arms of Africa: The Life of Colin M. Turnbull*, (St. Martins Press).

Dennis W. Johnson, associate professor of political management and associate dean, Graduate School of Political Management contributed two chapters in recently published books. "The Cyberspace Election of the Future," in Bruce I. Newman, ed., *Handbook of Political Marketing* (Sage, 1999) and "The Business of Political Consulting," in James A. Thurber and Candice Nelson, eds., *Campaign Warriors* (Brookings, 2000).

Peter Klarén, professor of history and international affairs, wrote *Peru: Society and*

ESIA BUILDING continued from page 1

and establishing himself as a prolific author of books and articles on economics, politics, and social philosophy. The government of President Rodriguez has identified the economy, job creation, health and housing for the needy, and education reform as top priorities. Born in 1940, he was educated in law and economics in both Costa Rica and at the University of California at Berkeley, and he taught economics at universities in Costa Rica and the United States. His early government service in Costa Rica included terms as minister of planning and minister of the presidency.

The new seven-story building that will house GW's Elliott School of International Affairs will extend the entire block between 19th and 20th streets, NW on the north side of E Street. The building will also contain residential units for students, additional classrooms, and facilities for executive education programs. Construction is scheduled to be completed by July 2002.

Elliott School Dean Harry Harding warmly welcomed the beginning of construction on the building, which will sit just two blocks from the Department of State and three blocks from the White House. "Our move to this new building is symbolic of the enormous strides the Elliott School has made over the past few years," he says. "The new building will provide us with twice as much space for yet more initiatives as we continue our quest to become a model school of international affairs for the new century."

CROSSFIRE continued from page 1

Center forced the production to be moved across the street to Lisner.

"We're really excited to be return-

Revitalizing an Urban Campus

In its quest for excellence, The George Washington University continues to improve and update its facilities to better serve its students, faculty, staff, neighboring community, and Washington, DC as a whole. The following is a sampling of renovation and construction efforts to help bring GW to the head of the class when it comes to higher education institutions.

Marvin Center Renovation

This major renovation for building code and ADA compliance will also provide enhancements to select areas and systems of the building. Construction of a "Great Hall" addition also includes a ballroom and additional bookstore sales area tucked within the current 21st Street entrance plaza. A gateway arch entrance is planned for Eye Street. Reconfiguration and renovation of ground floor retail areas, second, third, fourth and fifth floors are underway.

The Marvin Center houses student dining, food venues, a copy center, a 24-hour computer center, student radio station, travel agency, computer sales store, post office, convenience store, book store, student activities offices, conference center, recreation activities area, and the Dorothy Betts Marvin Theatre. The Marvin Center garage has 183 self-park spaces. Once implemented, valet parking will increase capacity by 125 spaces to total 308 spaces.

The architect for this project is SmithGroup Incorporated of Washington, DC. The construction manager is the Whiting-Turner Contracting Company of Bethesda, MD.

Elliott School

The 1957 E Street Building between 19th and 20th Streets will provide academic, residential, and parking facilities for the Elliott School of International Affairs. This building, comprising of eight levels of academic facilities, an undergraduate residence hall and three levels of parking providing 200 spaces, will house the Elliott School and Executive Education programs upon completion. The academic spaces vary for teaching in a multitude of venues including theater/auditorium spaces, seminar rooms, classrooms, offices, and conference rooms. The residential component consists of one, two, and three bedroom suites, common areas/recreation room, and a terrace for a total of 55 units or 201 beds.

The architect for the project is SmithGroup of Washington, DC. The construction manager is Gilbane Building Company of Laurel, MD.

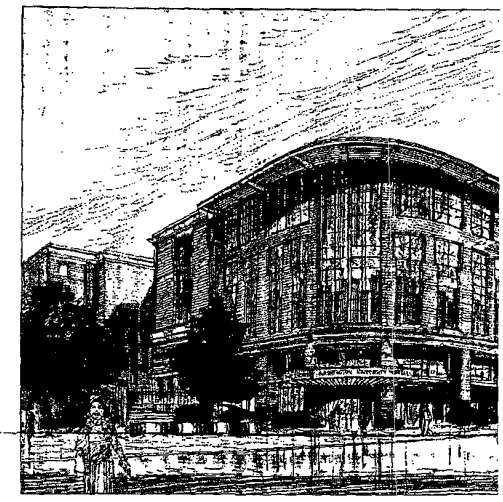
Health and Wellness Center

Located at the corner of 23rd and G Streets, the new 183,000 square foot Health and Wellness Center will house two gymnasia with two basketball courts each. All courts will also accommodate volleyball and badminton; plus two of the courts will accommodate indoor soccer and indoor hockey. Warm-up and cool-down areas will border the gyms. A three-lane jogging track will be suspended at the perimeter of one of the gymnasia. There will be a natatorium with a three-lane lap pool, which will also support aquaerobics activities. There will be a racquetball suite with four racquetball courts, two squash suites with three squash courts each. All suites will feature viewing areas. A fitness suite will include large free weight, fitness, wellness, and cardiovascular fitness areas complete with sound and video systems. A large sub-dividable multipurpose area will be used for aerobics, dance, martial arts, and other functions. Support areas will include locker rooms, family locker rooms, pro shop, equipment issue, lobby, juice bar, lounge, parking, and administrative areas. There is a courtyard on the north side of the building open to the public.

The architect is Ayers, Saint-Gross Architects of Washington, DC. The construction manager is the Whiting-Turner Contracting Company of Bethesda, MD.



Above is the Health and Wellness Center loc below is the replacement hospital projected



GW Law School

The GW Law School cu
Burns/Stockton/Lerner c
20th Street also utilizes
houses and various lease
School Addition projec
infill addition, will allov
the Burns/Stockton/Ler
Stuart/Lisner complex o
addition will contain fac
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floor additions will utili
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Exhibit F

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator



December 27, 2000

John C. Batham, President
West End Citizens Association
Post Office Box 58098
Washington, D.C. 20037-8098

Re: Zoning Commission Case No. 93-5F/91-18P (1957 E Street, N.W.; Square 122, Lot 835)

Dear Mr. Batham:

This letter is in response to your letters to the Office of Zoning, dated September 25, 2000, in which you allege certain violations have been or are to be committed by George Washington University ("GWU"), as a result of the proposed expansion to 1957 E Street, N.W., the site of an approved planned unit development ("PUD") that is just outside of the University's campus plan boundaries. Your letters were referred by the Zoning Commission to the Office of the Zoning Administrator to determine whether the activities you described constitute violations of the Zoning Regulations, which would require an enforcement action at this time or that would furnish grounds for denying GWU's request for a building permit.

In particular, you assert the following: 1.) That GWU has not presented its plans for the PUD site to ANC-2A or the Zoning Commission. 2.) That GWU intends to re-locate the Elliott School of International Affairs from the current on-campus site to the site referenced above. 3.) That GWU is not complying with its campus plan. 4.) That GWU intends not to provide the 47-56 new residential units required by the PUD order. After a review of the facts, applicable Zoning Regulations, staff's re-review of the building development plans submitted to BLRA, consultation with the Office of Corporation Counsel and review of relevant cases involving university campus plans, I have concluded that GWU is in compliance with the Zoning Regulations, Zoning Commission Order No. 746, building plans and the 1985-2000 George Washington University Campus Plan. Therefore, for the reasons outlined below, an enforcement action against GWU is not warranted at this time and the building permit may be issued.

First, there is no requirement that GWU present its building plans for the PUD site to ANC-2A, the Zoning Commission, or the Board of Zoning Adjustment ("BZA"). To develop the site in accordance with the zoning relief granted, GWU must comply with the PUD order and the covenant recorded in the Land Records pursuant to Z.C. Order No. 746, which reads in part, "The covenant shall bind the owner and all successors in title to construct on and use the property in accordance with the order and amendments thereto of the Zoning Commission." *Id.* Z.C. Order No. 746 at 11, ¶17. There is no language in the Zoning Regulations or the PUD order that requires GWU to submit its plans to the Zoning Commission or the community for additional review.

Second, review by the BZA is not required because the proposed building is not included in nor is it a part of GWU's current campus plan. I do not agree with your contention that such a review is required by D.C. Code §1-249(c). That section provides that "When a major new building proposed for a college or university campus, and included in its campus plan, is instead moved off campus, the college or university must submit the plans for the review and approval of the Board of Zoning Adjustment as a specific amendment to its campus plan, limited to review of the change affecting the specific site, before the college or university may substitute another major new building for that campus plan site." The entire citation may be found in the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984, D. C. Law 5-76, (D.C. Code §1-249(c)).

You have written that GWU plans to locate the Elliott School of International Affairs at 1957 E Street, N.W. Even if true, the Elliott School is an existing building and not a proposed major new building included in its campus plan. Moreover, this provision does not prohibit a university from moving a proposed new building off campus, but instead requires that no new building be substituted on campus without BZA approval. It is my opinion that the statute cannot be reasonably interpreted as making a university's establishment of a matter of right use, subject to BZA approval. That action would be tantamount to the Council's enactment of a zoning regulation, which is precluded by law and can only be initiated by the Zoning Commission, which has the legal authority to do so.

Third, you allege that GWU intends to remove the 47-56 new residential units required in the PUD order. It is premature for this Office to make any findings regarding the actual uses in the proposed buildings. The plans submitted with the application for a building permit reflect residential uses consisting of no less than 2.17 FAR as required by Z.C. Order No. 746. As a result, there is no basis for this Office to withhold a building permit on the grounds of non-compliance with the applicable zoning regulations. However, in the event that GWU's use of the PUD is inconsistent with this, or any other condition stated in the PUD order, the Office of the Zoning Administrator will take appropriate enforcement action.

In closing, it was a pleasure meeting with you and Ms. Kahlow and I appreciate you taking the time to bring this matter to our attention. Should you have any questions or need additional assistance from this office, please do not hesitate to contact me at 442-4576.

Respectfully,

Michael D. Johnson
Zoning Administrator of the
District of Columbia

Cc: Carlynn Fuller, Interim DCRA Director
Theresa Lewis, Deputy Director
Denzil Noble, Acting BLRA Administrator
Anthony Hood, Zoning Commission Chair
Sheila Cross Reid, BZA Chair
Charles Barber, GWU
Jerrily Kress, Director, Office of Zoning
Andy Altman, Director, Office of Planning
Alan H. Bergstein, OCC
Patricia N. Young, OCC

MDJ/PNY/mdj
Bza/1957est.bathamletterbzainterpretation122600

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B434036

Date 12/28/00 (Type) NEW CONST/NEW BLDG.

Address of work 1957 E ST. N.W.

Lot 835 Square 122

Permission is hereby granted to
THE GEORGE WASHINGTON UNIVERSITY (Owner)
who is authorized to perform the work described herein at the address above in strict accordance with the conditions stated on both sides of this permit.
Authorized subject to all terms and conditions of performance thereof.

TOTAL PERMIT FEE $72,875.00
FILING FEE $ 2,000.00
DATE
FEE PAYABLE $ 70,875.00

FOR INSPECTIONS CALL 727-7562

TO ERECT AN II STORY MULTI USE BUILDING ACADEMIC, RESIDENTIAL AND OFFICES, SEPARATE ELECTRICAL, PLBG AND MECH. INSTALLATION PERMITS ARE REQUIRED.

INSPECTION BRANCH 442-4641. 32301.

Builder
Width of lot ... dgs. Length Height No. of Bldgs.
Zone C-3-C To be occupied as No. of Stories
Height of terrace above grade Projections
Address of owner 2025 F ST. N.W.
Deposit Amount $
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

ACADEMIC RESIDENTIAL AND OFF

Chief, Permit Issuance Branch

C. ELKER
DIRECTOR

Permit Clerk

GOVERNMENT OF D.C. CASHIER'S OFFICE 12/28/00 10:55 By CASH 15

Exhibit H

Partial History of 1957 E Street: 1991-2001

- 1991 - AGC filed a PUD application
- 7/13/92 - ZC's 1st-stage approval of the 1991-filed AGC PUD (Case No. 91-18P, Order No. 720)
- 11/15/93 - ZC's 2nd-stage conditional approval of the PUD to keep the AGC in DC (Case No. 93-5F/91-18P, Order No. 746), effective 12/10/93, requiring a building permit application by 12/10/95
- 11/13/95 - AGC's 1st requested extension
- 3/11/96 - ZC's 1st extension, requiring a building permit application by 12/10/97 (Order No. 746-A)
- 12/9/97 - AGC's 2nd requested extension
- 12/4/98 - AGC applied for a permit to remove an underground storage tank
- 12/9/98 - DCRA issued a permit to remove an underground storage tank
- 12/31/98 - passage of the Comprehensive Plan Amendment Act of 1999, effective early 1999 - excluding 1957 E Street from the CEA
- 3/8/99 - ZC's 2nd extension, requiring a building permit application by 12/10/99 (Order No. 746-B)

on or about 6/23/99 - change in ownership from AGC to GWU, i.e., after the Comprehensive Plan change excluding this site from the CEA

- 12/7/99 - GWU's building permit application filed (#1a) - **with 5 residential units**
- 1/6/00 - GWU's raze permit application filed (#2a)
- 2/29/00 - DCRA issued a raze permit (#2b)
- 4/12/00 - ANC-2A unanimous resolution to the ZC - sent to the ZC on 4/18/00
- 4/16/00 - Kahlow's 1st letter to the BZA on the campus plan, including GW's lawlessness regarding 1957 E Street
- 7/20/00 - GWU applied for a sheet & shoring permit (#3a) - **with 0 residential units**
- 9/20/00 - ANC-2A's motions to the ZC & BZA - sent to them on 10/2/00
- 9/25/00 - WECA's motions to the ZC & BZA
- 10/19/00 - DCRA issued a stop work order
- 10/24/00 - DCRA issued a sheeting & shoring permit (#3b)
- 10/26/00 - GWU applied for a permit for projection beyond building line circuits areaway (#4a) - **with 0 residential units**
- 11/4/00 - GWU applied for a permit for a construction fence & 3 trailers on the sidewalk (#5a) - **with 0 residential units**
- 12/13/00 - DCRA issued a permit for a fence & 3 trailers (#5b) - **with SP2 zoning**
- 12/19/00 - GWU applied for a permit to work after hours (#6a) - **with 0 residential**
- 12/27/00 - ZA's administrative decision in response to the ANC-2A & WECA motions
- 12/28/00 - DCRA issued a building permit (#1b) - with C3C zoning
- 12/28/00 - DCRA issued a permit to work after hours (#6b) - **with SP2 zoning**
- 1/12/01 - GWU applied & DCRA issued temporary water meter permit (#7a&b)
- 1/19/01- ANC-2A's appeal of the ZA's 12/27/00 administrative decision & DC's 12/28/00 issuance of a building permit
- 1/24/01 - GWU applied & DCRA issued temporary electrical permit (#8a&b)
- 1/29/01 - DCRA issued a permit for projection beyond areaway (#4b) - with C3C zoning
- 2/25/01 - WECA's request for party status in the appeal (BZA No. 16701)
- 4/5/01 - GWU applied for a permit for foundation for a crane (#9a) - **with 0 residential**
- 4/5/01 - DCRA issued a permit for foundation for a crane (#9b) - **with R5D zoning**
- 4/10/01 - BZA began to hear appeal No. 16701

Exhibit I

History of Disclosure of Applications & Permits for 1957 E Street: 12/4/98 - 4/5/01

Date	Application/Permit	9/1/00 DCRA reply to Ward 2 Councilmember	1/30/01 DCRA reply to WECA's FOIA	4/10/01 ZA gave to the BZA	4/25/01 ZA gave to the BZA	4/10/01 D. Miller gave to the BZA	4/10/01 GWU gave to the BZA
12/4/98	AGC application to remove underground tank	yes		yes	no (since gave 4/10)		
12/9/98	DCRA permit for tank	yes		yes	no (since gave 4/10)		
12/7/99	GW application to construct building	**NO**	yes	**NO**	yes		yes
1/6/00	GW application for raze permit	yes	**NO**	yes	no (since gave 4/10)		
2/29/00	DCRA permit to raze	yes	**NO**	yes	no (since gave 4/10)		
7/20/00	GW application for sheeting & shoring permit	**NO**	**NO**	yes	no (since gave 4/10)		
10/24/00	DCRA permit for sheeting & shoring		**NO**	yes	yes		yes
10/26/01	GW application to project beyond areaway		**NO**	**NO**	yes		
11/4/00	GW application for fence & 3 trailers		yes	**NO**	yes		

Date	Application/Permit	9/1/00 DCRA reply to Ward 2 Councilmember	1/30/01 DCRA reply to WECA's FOIA	4/10/01 ZA gave to the BZA	4/25/01 ZA gave to the BZA	4/10/01 D. Miller gave to the BZA	4/10/01 GWU gave to the BZA
12/13/00	DCRA permit for fence & 3 trailers		yes	**NO**	yes	yes	
12/19/00	GW application for after hours		yes	**NO**	yes		
12/28/00	DCRA permit to construct building		yes	**NO**	yes	yes	
12/28/00	DCRA permit for after hours		yes	**NO**	yes	yes	
1/12/01	GW application & DCRA water permit		**both NO**	**both NO**	both yes		
1/24/01	GW application & DCRA electrical permit		**both NO**	**both NO**	both yes		
1/29/01	DCRA permit to project beyond areaway		**NO**	**NO**	yes	yes	
4/5/01	GW application & DCRA foundation permit			**both NO**	both yes		
TOTAL	**20 (10 applications & 10 permits)**	**only 4 of 6 provided**	**only 6 of 16 provided**	**6 of 20 provided**	**14 more provided**	**4 provided**	**2 provided**