Attachment B4

FAX TRANSMISSION

2555 Pennsylvania Avenue, N.W. #404
Washington, DC 20037
Office: (202) 226-3058, Fax: (202) 225-2441

To:	Zoning Administrator Bob Kelly	**Date:**	August 22, 2002
Fax #:	442-4871 (d: 442-9554)	**Pages:**	14, including this cover sheet.
From:	Barbara F. Kahlow, for the West End Citizens Association		
Subject:	Zoning Order for GWU's 1957 E Street, NW		

D.C. OFFICE OF ZONING
2002 SEP 23 AM 9:47

COMMENTS:

Thanks for returning my call this morning & for agreeing with us that GWU needs to write a check to the Foundation, i.e., that it's Rube Goldberg-type escrow account (for which you are not the Escrow Agent) is out of compliance with the Order.

As I indicated in our earlier conversation, I will let you know when we receive a check made out to the Foundation.

Thank you!

BZA
Case No. 16950
Exhibit No. 2

Board of Zoning Adjustment
District of Columbia
CASE NO.16950
EXHIBIT NO.2

Attachment B5

Kahlow, Barbara

From: Kahlow, Barbara
Sent: Monday, August 26, 2002 11:08 AM
To: 'bob.kelly@dc.gov'
Cc: 'alan.bergstein@dc.gov'
Subject: RE: Certificate of Occupancy for GWU's 1957 E Street, NW

Bob - thanks for confirming on Thurs. 8/22/02 that DC had NOT yet issued a CofO for 1957 E Street due to GWU's noncompliance with certain terms in the Zoning Order, as the WECA outlined in a Tues. 8/20/02 letter to you. As of this AM, the Foundation has still not received a check.

Astonishingly, GWU opened the building for occupancy WITHOUT a CofO. Here's an electronic link to an article in The GW Hatchet, student newspaper, which I just received: http://gwhatchet.com/news/262702.html (the full text is also provided below). The article says that students began to move in on Sat. 8/17/02 (i.e., a day after issuance of the Zoning Order)!!! Will you please issue a citation, fine, etc. AT ONCE & fax me a copy (f: 225-2441)? What other remedies do you recommend to address GWU's illegal occupancy?

Students move into 1957 E St.
By Julie Gordon

Featuring views of national monuments, the State Department and the Capitol, GW's newest residence hall opened to students Aug. 17 after a two-year legal struggle that made some residents nervous about whether they would be able to move in this August.

While the 1957 E St. residence hall will open on time for fall semester, the academic and retail portions of the Elliott School of International Affairs complex are scheduled to be completed by mid-October.

Construction workers were installing the railing outside, cleaning rooms and painting the lobby of the residence hall portion last week as the first of 193 residents began into move into the $72 million building.

The 330,000 square-foot complex, which takes up half the block behind Thurston and Mitchell Halls, will include the residence hall, eight levels of academic facilities, a three-level, 200-space underground parking garage and more than 3,300 feet of retail space. University General Counsel Charles Barber said GW is still selecting the businesses that will occupy the space.

While connected under the same roof, the academic, residential and retail portions of the building are accessed separately and are not connected by internal hallways.

The 11-floor residence hall is mostly made up of quads with a quint and single on every floor. The 10th floor is configured, differently allowing for a six-person room with what has been called the best view on campus. Residents of room 1005 have a view of the mall from behind the Capitol to the Lincoln Memorial.

The quads have two bathrooms, two bedrooms, a living room and a kitchen in a "similar configuration to New Hall apartments," Director of Housing Andy Sonn said. However, rooms include full-size washers and dryers rather than a communal laundry room.

The rooms and hallways of 1957 E Street also have a more residential, softer feel compared to what New Hall residents call the "mental institution" and "cold" design of the H Street building.

ESIA residents said they had trepidations about choosing a building under construction in the lottery but are happy they will be able to move in on time.

"I had my doubts, but I knew that GW would take care of us no matter what," junior David Waterman said. "I had some reservations but as time went on and I got updates from friends, I became more confident I wouldn't be living in a hotel."

However, Waterman said he does expect some problems with the new building.

"I anticipate maybe they had to cut some corners to get it done in time," he said.

Director of Staff Technology Communications Alexa Kim said Ethernet is "definitely in the building" and residents should have no problems getting online. Each room will contain one Ethernet and phone connection per resident.

Additionally, a rooftop lounge will open at a pending future date once construction of the entire building is completed. The landscaping is also incomplete, and various trees and shrubs will be planted during the semester.

Associate Director of Property Management Services Courtney Flaherty said there will be food venues in the building, but

Attachment B6

Kahlow, Barbara

From: Kahlow, Barbara
Sent: Thursday, August 29, 2002 9:28 AM
To: 'Kelly, Bob (DCRA)'
Cc: 'alan.bergstein@dc.gov'
Subject: RE: FOIA for documents relating to GWU's 1957 E Street, NW

Thanks for the "correction." However, due to GWU's noncompliance later on the date of issuance of the CofO by DCRA, the CofO is currently invalid & should be revoked, as it would promptly be in any other jurisdiction in the country.

-----Original Message-----
From: Kelly, Bob (DCRA) [mailto:Bob.Kelly@dc.gov]
Sent: Thursday, August 29, 2002 9:04 AM
To: Kahlow, Barbara
Subject: RE: FOIA for documents relating to GWU's 1957 E Street, NW

One correction, the Certificate of Occupancy was not issued in error the ZC order states that the payment will be made to.....on the date of the C of O.
Bob Kelly

-----Original Message-----
From: Kahlow, Barbara [mailto:Barbara.Kahlow@mail.house.gov]
Sent: Wednesday, August 28, 2002 5:31 PM
To: bob.kelly@dc.gov
Cc: alan.bergstein@dc.gov
Subject: FOIA for documents relating to GWU's 1957 E Street, NW

Bob - thanks for your return call this afternoon informing me that: (1) you sent GWU/Charles Barber an e-mail today about GWU's noncompliance with certain terms of the Zoning Order for 1957 E Street, & (2) DCRA will finally issue GWU a citation tomorrow for this noncompliance. In our earlier conversation this afternoon, you informed me that, unbeknownst to you, one of your subordinates erroneously issued a Certificate of Occupancy (CofO) to GWU for 1957 E Street on 8/16/02 (i.e., contrary to your telephone representations to me on 8/22/02, 8/26/02 & 8/27/02 that DCRA had NOT yet issued a CofO).

Since your Counsel inexplicably would not allow you to provide me with a copy of your e-mail today to Charles Barber, under the Freedom of Information Act (FOIA), on behalf of the West End Citizens Association, please provide me (f: 225-2441 or home address: 2555 Penn. Ave., NW #404, DC 20037) with a copy of all correspondence (including e-mails) between DC (DCRA, Corporation Counsel, etc.) & GWU (including its outside counsel) about 1957 E Street as well as all related documents (including a copy of the 8/16/02 CofO & any citation issued tomorrow). Please be sure to include today's e-mail to Charles Barber & the e-mail you sent informing GWU that you would not agree to serve as an escrow agent under GWU's Rube-Goldberg proposal. Time is of the essence to us.

Thank you. - Barbara

-----Original Message-----
From: Kahlow, Barbara
Sent: Monday, August 26, 2002 11:08 AM
To: 'bob.kelly@dc.gov'
Cc: 'alan.bergstein@dc.gov'
Subject: RE: Certificate of Occupancy for GWU's 1957 E Street, NW

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