West End Citizens Association
Washington, D.C.

Boundaries: 15th Street on the East • Potomac Park on the South
Rock Creek and the Potomac on the West • N Street on the North

November 14, 2004

Ms. Jerrily R. Kress
Director
Office of Zoning
441-4th Street, N.W. - Suite 210
Washington, DC 20001

Re: Request for Continuing Party Status in ZC Case No. 01-13A, IMF HQ2 (Modification to PUD - International Monetary Fund)

Dear Ms. Kress:

This letter is to request **continuing** "party" status for the West End Citizens Association (WECA) in the Zoning Commission (ZC) case involving **non-minor** modifications to the approved amenities package for the consolidated planned unit development (PUD) and map amendment for the International Monetary Fund's (IMF) Headquarters 2 (HQ2) building (Zoning Commission Case No. 01-13A, Modification to PUD - International Monetary Fund). On September 30, 2004, **without** prior consultation with WECA, as required by the Commission's Order No. 960 (Revised), the IMF proposed major modifications to the approved amenities package. The ZC's Notice for the January 6, 2005 hearing in this case **erroneously** indicated only some (i.e., not all) of the proposed amenity package modifications requested by the IMF.

The WECA, founded in 1910 and one of the oldest citizen associations in DC, is the principal community organization in the IMF/World Bank neighborhood. It is primarily interested in maintaining a residential neighborhood in Foggy Bottom-West End and in keeping institutional uses outside of the residential area.

On November 15, 2001, the ZC granted "party" status to the WECA for a nearby PUD in Square 122 (Case No. 01-17M/ 93-5F/91-18P, 1957 E Street, N.W. - Modification of an Approved PUD and related Map Amendment, Square 122, Lot 29). Similarly, on April 10th, the Board of Zoning Adjustment granted "party" status to the WECA for its companion case for Square 122. The BZA's July 12th Decision and Order 16701 stated, "The Board granted WECA party status ... due to WECA's long-standing interest in maintaining and improving the quality of residential life in the immediate GW neighborhood" (pp. 1-2). On January 7, 2002, the ZC followed suit by granting "party" status to the WECA for the IMF HQ2 PUD case (ZC Case No. 01-13C, IMF HQ2 (Consolidated PUD & Map Amendment, Square 119, Lot 26)).

The ZC's public hearing notice for the modification case, mailed to the parties on November 8, 2004 (but not yet published) required organizations desiring party status to request such in accordance with 11 DCMR §3022.3. Accordingly, here is the requested information for the WECA:

ZONING COMMISSION
District of Columbia
Case 01-13A
Exhibit 11

ZONING COMMISSION
District of Columbia
CASE NO.01-13A
EXHIBIT NO.11

(a) The person's name, address, and daytime telephone number - West End Citizens Association, P.O. Box 58098, Washington, DC 20037-8098; however, all documents in this case should be addressed to the WECA, c/o Mrs. Barbara F. Kahlow, 800-25th Street #704, Washington, DC 20037, daytime telephone number (202) 226-3058.

(b) A request to appear and participate as a party - this letter constitutes the WECA's request for continuing party status.

(c) Whether the person will appear as a proponent or opponent of the application - the WECA will appear as an opponent of the IMF's requested modifications to the approved amenities package.

(d) Whether the person will appear through legal counsel and, if so, the name and address of the legal counsel - presently, the WECA will not appear through legal counsel but it reserves the right to retain legal counsel.

(e) A list of witnesses who will testify on the person's behalf - expected witnesses include some or all of the following: WECA Member Barbara Kahlow, who was Vice President of the Foggy Bottom Association during the HQ1 PUD application and ZC hearing period; WECA Secretary Sara Maddux, who was Chairman of the Foggy Bottom and West End Advisory Neighborhood Commission (ANC-2A) during the HQ1 PUD application and ZC hearing period; and, WECA President Jack Batham.

(f) A summary of the testimony of each witness - Mrs. Kahlow will identify the errors in the incomplete Zoning Commission Notice for the January 6, 2005 hearing, discuss the WECA's October 10, 2004 and October 17th letters in response to the IMF's filing. In addition to suggesting alternative replacement amenities, both Mrs. Kahlow and Ms. Maddux will discuss objections to the proposed change in amenities, focusing on the fact that the proposed replacement amenities are largely located North of Pennsylvania Avenue (in the West End) even though the approved amenities, building site, and directly impacted community are all South of Pennsylvania Avenue (in Foggy Bottom).

(g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts - the WECA is not intending to offer any expert witnesses; however, Mrs. Kahlow was previously accepted by the ZC in another PUD case as an expert in the regulatory process. Her resume is already in the IMF PUD case file.

(h) The total amount of time being requested to present their case - the WECA should be able to present its views in the 15-minute time limit for oral presentations by organizational parties in opposition, as indicated in the ZC's public hearing notice.

(i) A written statement setting forth why the person should be granted party status, including reference to the following -

(1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission - the WECA includes Members from 15th Street on the East, Potomac Park on the South, Rock Creek and the Potomac on the West, and N Street on the North, i.e., WECA Members own or occupy many directly-affected properties in close proximity to the site.

(2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee - WECA Members include many owners and tenants with a legal interest in the subject property.

(3) The distance between the person's property and the property that is the subject of the application before the Commission - the subject property lies within the WECA's boundaries.

(4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied - the second headquarters building for the IMF will negatively affect WECA Members, with a variety of economic and social impacts. For example, there will be increased safety risks to Foggy Bottom residents in their homes, especially during the IMF's quarterly and annual meetings, as pedestrians, and as drivers in the immediate vicinity. Recently, there have been numerous acknowledgements of this fact.

(5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public - the WECA Members' interest will be significantly, distinctively, and uniquely affected since the WECA represents the residents in the immediate IMF neighborhood (see paragraphs (1) - (3) above). Subsection 3022.3 requires the Commission to grant party status if the person "has clearly demonstrated that the person's interests would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public." The WECA continues to clearly meet this test.

Thank you for your consideration of this request.

Sincerely,

John C. Batham
President