

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

CABLE ADDRESS: WILAN
TELECOPIER: 202-457-7814

WRITER'S DIRECT DIAL:

ATTORNEYS AT LAW

1666 K STREET, N. W.

SUITE 1100

WASHINGTON, D. C. 20006-2866

(202) 457-7800

3 BETHESDA METRO CENTER
BETHESDA, MARYLAND 20814-5329
11820 RANDOM HILLS ROAD
SUITE 600
FAIRFAX, VIRGINIA 22030-8042

December 3, 1991

BY HAND

Maybelle T. Bennett, Chair
D.C. Zoning Commission
District Building, Room 11
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: IMF Phase III PUD
Z.C. Case No. 91-7M

Dear Ms. Bennett:

At the end of the hearing of the above-referenced case on November 14, 1991, the Zoning Commission closed the record except for specific items designated by the Commission. Pursuant to the Zoning Commission's action, this letter constitutes the Applicant's (1) summary rebuttal, (2) closing statement and (3) additional suggestions and offers to meet some of the issues raised by those in opposition.

I. Summary Rebuttal

A. Visitors' Center.

As part of the approval of Phase II, the IMF agreed to provide a Visitors' Center designed for public access to some of the documents, exhibits and films otherwise available only to IMF staff.

Contrary to the statements by some persons in opposition, the Visitors' Center serves the community in a very significant manner, as well as serving the IMF and its visitors. As the submitted Calendar of Events demonstrates, the programs at the Center are extremely varied and offer to the community a valuable resource of entertainment and information. Notice to the community and the variety of programs can be improved from the standpoint of the

ZONING COMMISSION

CASE No. 91-7M

EXHIBIT No. 118

ZONING COMMISSION

District of Columbia

COASB NO. 91-917

EXHIBIT NO. 203

12/4/91

WILKES, ARTIS, HEDRICK & LANE
CHARTERED

Maybelle T. Bennett, Chair
December 3, 1991
Page 2

neighborhood. In this regard, please see the suggested steps offered by the IMF under part III below.

In addition to the letters received in the record, attached as Exhibit A are two other letters which indicate the scope of services and exhibits at the Visitors' Center.

B. Public Space Improvement.

The public space improvement plan previously described by IMF witnesses has been modified to accord to the Department of Public Works suggestions regarding the elimination of certain bollards. A plat of this adjustment was submitted to the Commission by letter dated November 12, 1991. A thorough review of the landscape plan shows that the nature of the actual improvements are interactive and usable by the community and general public. The nature of these improvements as well as the operation and maintenance are now part of the public record.

C. Landscape/Lighting.

By letter dated November 12, 1991, the Applicant filed with the Zoning Commission a Lighting Analysis which added a substantial level of detail to the Lighting Plan originally submitted. The analysis concluded that the light levels would be adequate to provide safety at the surrounding sidewalks.

The Office of Planning recommended that the IMF meet with representatives of the World Bank and others to create a coordinated landscape plan for the 19th Street corridor. As represented at the public hearing, the IMF has been in contact with the World Bank about coordination of landscape plans.

D. Floor Area Per Employee.

The estimated floor area/employee ratio figure of the IMF building as described in the hearings is a figure based on gross floor area calculations. Areas such as building core and mechanical space are included. Also included are the large conference rooms, translation and communication facilities, atria and other common spaces which are part of what makes the IMF a unique user of the building.

WILKES, ARTIS, HEDRICK & LANE
CHARTERED

Maybelle T. Bennett, Chair
December 3, 1991
Page 3

The comparison number given for GSA leases is a net figure, thus excluding building core, and other common spaces.

E. Interim Open Space Of Phase II.

One of the issues raised by several witnesses in opposition to the IMF PUD was a concern about the elimination of the improved open area at the northeast corner of the square. The Applicant invites the Commission members to carefully inspect the photographs submitted of the existing area. The existing improved open area serves as the major and sole access for the public to the Visitors' Center which is now located below grade. A large portion of the open area required by Phase II approval is devoted to granite barriers and retaining walls as well as nonusable, from a pedestrian standpoint, space. As indicated at the public hearings, the original PUD approval calling for the overall planning concept for development did not provide for such space upon implementation of Phase III.

This open area was clearly to be utilized on an interim basis pending the ultimate design and approval of Phase III. Otherwise, Condition No. 15, of the Phase II Order, which directs the IMF to come back to the Zoning Commission if and when the Church property is acquired, would not make sense.^{1/}

A comparison of the improved existing open area with the proposed landscaped space on all four sides of the proposed IMF facility shows that there is at least 10 times the area under the proposal that would be available for pedestrian use than under the existing situation.

II.
Closing Statement

In short, the Phase III PUD is the completion of a development plan conceived and approved in 1969-1970 by the Zoning Commission, the BZA and the National Capital Planning

^{1/} We note that the Office of Planning recommended that the IMF gain a right of first refusal from Western Presbyterian Church for Lot 826. This further indicates that the open access area was viewed as an interim measure. (See Z.C. Order No. 310 at p. 6).

WILKES, ARTIS, HEDRICK & LANE
CHARTERED

Maybelle T. Bennett, Chair
December 3, 1991
Page 4

Commission. The height and building envelope were determined generally in the course of this earlier approval. When Phase II was approved in 1980, the essential height and envelope were reaffirmed, with the exception of the Church property, which the IMF was not then able to acquire. The decision of the Zoning Commission was clear; when the IMF gained control of the Church property, it was to return to the Zoning Commission for approval of its final phase.

The testimony of those in opposition makes it clear that the feeding program is the primary issue of contention in this case. It is also clear that the feeding program is solely within the control of the Church. The Church has demonstrated its willingness to meet reasonable demands concerning the program at the new site. The Church and its programs have never been a part of this application, and should not now be a consideration in granting approval to the plan.

III.
Proffers By The IMF To
Address Issues Of Opposition

A. Western Presbyterian Church Feeding Program.

As established at the public hearing by virtually all witnesses, both for and against the PUD, the feeding program of the Western Presbyterian Church is not part of the amenity package of the PUD nor is it within the control of the IMF. Nevertheless, it is the understanding of IMF that the Reverend John Wimberly, Pastor of the Western Presbyterian Church, will be submitting a letter outlining operational constraints and protective measures that he is implementing as part of the program.

B. Visitors' Center Outreach.

The IMF recognizes that while the programs have been utilized by the community as well as visitors to the Fund, notice to the neighborhood of the various programs can be improved. In response, the IMF agrees to the following:

1. IMF commits to furnishing the ANC and Foggy Bottom Association, as part of its mailing list, notices of events and the calendar for all programs at the Center.

WILKES, ARTIS, HEDRICK & LANE
CHARTERED

Maybelle T. Bennett, Chair
December 3, 1991
Page 5

2. IMF commits to making the auditorium available to the ANC and Foggy Bottom Association for their meetings on a prescheduled basis.
3. In view of the desire to increase the local orientation of programs and events, the Director of the Visitors' Center or his designee, will meet with the Advisory Neighborhood Commission on a quarterly basis to discuss program planning. With meaningful input from the community, a dialogue should develop to produce programs, exhibits and events that the community can and will enjoy.

C. Additional Public Space Improvement.

In response to the concerns expressed about the public space improvements and the area at the northeast corner of the square, the IMF hereby commits to expanding its program to include a landscape plan for the north side of H Street between 19th and 20th Street, N.W., and on the west side of 19th Street between H Street and Pennsylvania Avenue. An application on behalf of the IMF has been filed with the Department of Public Works for the establishment of additional tree boxes and trees. A copy of the Public Space permit is attached as Exhibit B. Presently, the space has undernourished trees, and it is believed that the proposed additional commitment will add balance to the street and a more pleasant open space area for the community.

D. Summary Of Amenities.

In addition to the above, the Applicant submits the attached Summary of Amenities previously discussed and offered by the Fund (Exhibit C).

The Applicant looks forward to receiving comments from the community on these suggestions and commitments and will

WILKES, ARTIS, HEDRICK & LANE
CHARTERED

Maybelle T. Bennett, Chair
December 3, 1991
Page 6

continue to be open to discussions of items that fall within the scope of these hearings.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE,
CHARTERED

By Whayne S. Quin
Whayne S. Quin

Edward L. Donohue
Edward L. Donohue

cc: ANC 2A (By Hand)
Foggy Bottom Association (By Hand)
Citizens for a Responsive ANC (By Hand)
Western Presbyterian Church (By Hand)
Office of Planning (By Hand)

cc: Mr. Donohue
Mr. Kaiser

DAVID A CLARKE
ATTORNEY AT LAW
3320 - 17TH STREET, N. W.
WASHINGTON, D. C. 20010
(202) 234-7019

November 15, 1991

Mr. Yves Gisse
Director
International Monetary Fund Visitors' Center
700 Nineteenth Street, N. W.
Washington, D. C.

Dear Mr. Gisse:

I write this letter to thank you and the International Monetary Fund for the contributions which you have made to this city with the Visitors' Center.

Over the years, especially while I was the Chairman of the City Council, I had many occasions to visit the Visitors' Center, to see exhibits of the art and culture from many countries, and to interrelate with persons from the countries producing the art, persons from the International Monetary Fund, and persons from my city.

You know of my own longstanding vision of Washington, D. C. becoming a world-class capital. We are a governmental capital. We are a military capital. But we are only becoming a financial and a cultural capital. In my view, the later two dimensions will grow, and they will grow together. They have grown in such a manner in other cities, and they will grow here in like fashion.

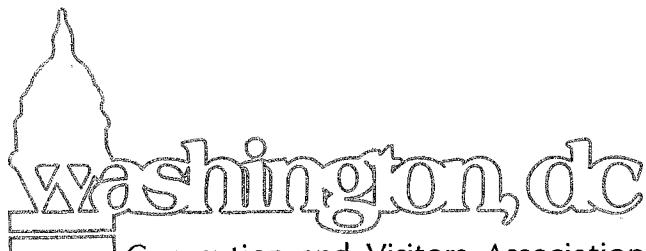
The International Monetary Fund adds to growth of our city as a financial center and, through your Visitors' Center, as a cultural center. Your have gone one step further, however, for which I am particularly grateful. You have recognized that Washington, D. C. is not only the administrators, legislators, and diplomats who come here for definite terms and then leave; it is also a community of people who live here, who have diverse interests and wide ranges of sensitivities. You have made the Center, its exhibits, and its seminars available to Washingtonians at no cost to them. You even personally put together an exhibit "Washington D. C./200 Years Anniversary Through Architecture" in honor of the city's bicentennial. That exhibit reflected the human spirit of the city through the people who have lived here over two centuries.

Mr. Yves Gisse
November 15, 1991
Page Two

It has been a pleasure to enjoy the Visitors' Center over the years with my neighbors. It is my fond hope that the International Monetary Fund Visitors' Center, under your able leadership, will continue to make its tremendous contribution to our city.

Sincerely


David A. Clarke



Convention and Visitors Association

1212 New York Avenue NW, Washington, DC 20005 ★ 202/789-7000
Fax: 202/789-7037

November 14, 1991

Ms. Maybelle T. Bennett, Chair
D.C. Zoning Commission
District Building, Room 11
1350 Pennsylvania Ave., NW
Washington, DC 20004

Re: International Monetary Fund
Zoning Commission Case No. 91-7M

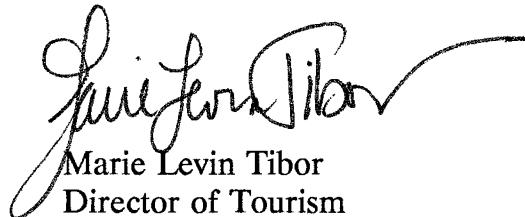
Dear Ms. Bennett:

I understand that the Zoning Commission is considering the application of the International Monetary Fund (IMF) for approval of its Phase III plans. As part of these plans, the IMF Visitors' Center will be greatly expanded and will be located at sidewalk level, increasing its visibility.

The IMF Visitors' Center is a member of the Washington, DC Convention and Visitors Association, a nonprofit organization which supports the tourism and convention business in the District. As a member, the IMF Visitors' Center is mentioned in our calendar of events, which is published quarterly and reaches upwards of 20,000 people. The Visitors' Center is also mentioned in our brochure, which is distributed throughout the country and around the world.

We support the energetic efforts of the IMF Visitors' Center. By increasing its space and visibility, the new Center should be in a position to capture a greater share of the tourist and visitor population, for the betterment of the District as a place to visit.

Sincerely,


Marie Levin Tibor
Director of Tourism

APPLICATION FOR PUBLIC SPACE PERMITS
(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS)

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 18

2. Address of Premise for which Public Space Work is Proposed: 19th & H Streets, N.W.		3. Lot: 26	4. Square: 119	5. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal	6. Previous Permit Number If Renewal:
7. Owner of the Premise: The George Washington University		8. Owner's Address: 2121 Eye Street, N.W. Washington, D.C.			9. Phone: 994-1000
10. Authorized Agent (if applicable): Edward L. Donohue		11. Firm's Name: Wilkes, Artis, Hedrick & Lane	12. Address: 1666 K Street, N.W. #1100, Wash., DC 20006		13. Phone: 202-457-7800

14. Check all proposed work; indicate the specific street of work and the names of boundary streets; and specify the length and width of the work area.

Check	Proposed Work	Located on the following Street (or Alley)	Between (Street Name)	And (Street Name)	Length of Work (ft)	Width of Work (ft)
	A. Temporary Use for: 1. Crane					
	2. Truck: <input type="checkbox"/> Dump <input type="checkbox"/> Concrete <input type="checkbox"/> Construction Equipment					
	3. Dumpster					
	4. Hoists/Scaffolds					
	5. Use of Sidewalk for: ()					
	6. Use of Roadway for: ()					
	B. Excavation for: ()					
	C. Sheeting and Shoring					
	D. Driveway Construction					
	E. Sidewalk Construction					
	F. Curb and Gutter Construction					
	G. Alley Construction					
	H. Grading <input type="checkbox"/> Street <input type="checkbox"/> Alley					
	I. <input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Planter Boxes <input type="checkbox"/> Hedges	H St., north side, 19th St.	19th & H Streets	20th & Penn Ave.	To be determined by DPW	
	J. <input type="checkbox"/> Fence <input type="checkbox"/> Wall					
	K. Other (specify):					

15. Description of Proposed Work: Replace existing street trees and add additional street trees and tree boxes as determined by DPW, Tree Maintenance Division.	16. Start Date:
	17. End Date:

18. APPLICANT'S SIGNATURE: I have read and I understand the conditions set forth on this application. I further understand that penalties are provided for furnishing false information.

AGENT'S SIGNATURE: DATE:

EXHIBIT B

OWNER'S SIGNATURE: DATE:

(DO NOT WRITE IN SHADED AREAS)

H.P.A. No.:	O.G. No.:	S.L. No.:
-------------	-----------	-----------

(B) TREES (COMPLETE ITEMS 19 THRU 22)

19. Type of Work: <input type="checkbox"/> New Building <input type="checkbox"/> Driveway <input type="checkbox"/> Trimming	<input type="checkbox"/> Removal <input checked="" type="checkbox"/> Planting	20. Number of Trees: To be determined by DPW	21. Type of Trees: <input checked="" type="checkbox"/> Curb <input type="checkbox"/> Parking	22. Name of Trees: To be determined by DPW
--	--	---	--	---

(C) RENTAL OF PUBLIC SPACE, SIDEWALK CAFE, PARKING LOT, FUEL OIL TANK (COMPLETE ITEMS 23 THRU 29)

23. Insurance Company's Name:	24. Policy or Certificate Number:	25. Expiration Date:
26. Type of Sidewalk Cafe: <input type="checkbox"/> Enclosed <input type="checkbox"/> Unenclosed	27. Length of Rental Period:	28. Hours of Weekday Use: from _____ to _____ 29. Hours of Weekend Use: from _____ to _____

(D) APPROVALS (OFFICIAL USE ONLY)

<input type="checkbox"/> PERMIT CONTROL	DPW - PUBLIC SPACE WIDTHS/RESTRICTIONS				
<input type="checkbox"/> 1. Fine Arts by: _____	Date: _____	<input type="checkbox"/> Street Name: _____	<input type="checkbox"/> Street Width: _____	<input type="checkbox"/> Road Width: _____	<input type="checkbox"/> Sidewalk Width: _____
<input type="checkbox"/> 2. Land Mark by: _____	Date: _____	<input type="checkbox"/> Parking: _____	<input type="checkbox"/> Restrictions: _____		
<input type="checkbox"/> 3. PADC by: _____	Date: _____				
<input type="checkbox"/> 4. WMATA by: _____	Date: _____				
<input type="checkbox"/> 5. Control by: _____	Date: _____				

<input type="checkbox"/> DPW - WATER/SEWER	<input type="checkbox"/> ZONING	<input type="checkbox"/> STREETSCAPE
Approved by: _____	Date: _____	Approved by: _____ Date: _____

Restrictions of Permit:	PUBLIC SPACE APPROVAL STAMP
	Deposit Number: _____

(E) FINAL APPROVAL FOR PERMIT ISSUANCE (OFFICIAL USE ONLY)

Permit Type	Approved by:	Approval Date	Deposit Amount (\$)	FEE (\$)	Permit Number	Expiration Date
1. Temporary Occupancy						
2. Excavation, Sheeting and Shoring						
3. Construct Sidewalks, Curb/Gutter, Alley						
4. Walls, Fences, Copings, Leads/Steps, Plant Hedges, Paved Parking						
5. Trees						
6. Driveway Construction						
7. Sidewalk Cafe						
8. Other						

SUMMARY OF AMENITIES

1. The superior architectural design, interior and exterior.
2. The superior design which benefits the occupants (atria, auditorium, communications and translation facilities, etc.)
3. IMF presence promotes role of City as international host city pursuant to the Comprehensive Plan--District and Federal Elements.
 - a. IMF and other international organizations contribute to the international character of the District, thus fulfilling the commitment to become more of an international city.
 - b. As detailed in the Comprehensive Plan Federal Elements, the retention and expansion of international organizations in existing locations is beneficial to the District.
4. Landscape/streetscape improvements--10 times the area of the existing mini-park is devoted to participatory space with water features, planting, seating, etc.
5. Visitors' Center - Triple the size of the existing facility and located at sidewalk level for greater visibility and usage. The auditorium is doubled in size--can be used by community organizations.
6. Lighting - A substantial increase in lighting as discussed in the TKLP Lighting Analysis goes to security as well as aesthetic appeal.
7. The Transportation Management Program which includes the following:
 - Coordinate carpool efforts with World Bank.
 - Rideshare coordinator.
 - Priority parking given to carpools.
 - Active promotion of Metrorail and Metrobus.
8. Indirect benefits which are difficult to measure, but nonetheless are positive contributions derived from the presence of the IMF:
 - a. Together with the World Bank, the IMF contributes to the international financial precinct, referred to as beneficial to the District by the Office of Planning.

- b. With 25 percent of the staff living in the District and many others shopping here after hours, there is a positive impact on the economy (sales tax revenue, real estate taxes, etc.).
- c. Indirect benefits from major meetings to the following:
 - Hotels.
 - Limousine services.
 - Restaurants.
 - Retailers.