

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING
CASE NO. 87-23A

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MONDAY, JUNE 8, 2026

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The Public Hearing of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
ROBERT E. MILLER, Vice Chair
JOSEPH IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist
SHARON S. SCHELLIN, Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, ESQUIRE

ALSO PRESENT:

DAVID M. AVITABILE, ESQUIRE, Goulston and Storrs
LEE S. TEMPLIN, ESQUIRE, Goulston and Storrs
BAXTER GOODLY, George Washington University
KEVIN DAYS, George Washington University
JAMI L. MILANOVICH, Wells + Associates
MICHAEL JURKOVIC, DC Office of Planning
BARBARA KAHLOW, West End Citizens Association

The transcript constitutes the minutes from the Regular Public Hearing held on June 8, 2026.

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(4:00 p.m.)

CHAIRMAN HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood, and I'm joined this afternoon by Vice Chair Miller and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as our Office of Zoning Legal Division, Mr. Jacob Ritting. I will ask all others to introduce themselves at the appropriate time. The virtual public hearing notice is available on the Office of Zoning's website.

This proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube live. The video will be available on the Office of Zoning's website after the hearing. Accordingly, all those listening on Webex or by phone will be muted during the hearing and only those who have signed up to testify will be unmuted at the appropriate time. When called, please state your name before providing your testimony. When you are finished speaking, please mute your audio.

If you experience difficulty accessing Webex or with your telephone call-in, then please call our OZ Hotline number at 202-727-0789 -- again, 202-727-0789 -- to receive Webex log-in or call-in instructions or if the -- or if you have not signed up. Excuse me. All persons planning to testify must sign up in advance and will be called by name at the appropriate time. At

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1 the time of sign-up, all participants will complete the oath or
2 affirmation required by Subtitle Z-408.7. If you wish to file
3 written testimony or additional supporting documents during the
4 hearing, then please be prepared to describe and discuss it at
5 the time of your request when testifying. The subject of this
6 evening's hearing is Zoning Commission Case Number 87-23A, George
7 Washington University, modification with hearing of PUD at Square
8 78, Lot 853, 2001 Pennsylvania Avenue Northwest. Again, today's
9 date is June the 8th, 2026.

10 The hearing will be conducted in accordance with the
11 provisions of 11-Z DCMR, Chapter 4, as follows: preliminary
12 matters; the applicant's case -- the applicant has up to 60
13 minutes; I did not get any -- unless -- I didn't see any
14 notification of anything less, but if you can do it in less time
15 than that, that will be sufficient and hit the highlights --
16 report of other government agencies; report of the Office of
17 Planning; report of the ANC -- in this case, I think -- I think
18 it's 2A. I stand to be corrected; if not, correct me. Also, we
19 have the testimony of organizations and individuals, each five
20 minutes -- organizations, five minutes; individuals, three
21 minutes -- and we'll hear in the order from those in support,
22 opposition, or undeclared; then we have rebuttal and closing by
23 the applicant. At this time, the Commission will consider any
24 preliminary matters. Does the staff have any preliminary
25 matters?

1 (No response.)

2 CHAIRMAN HOOD: Ms. Schellin, do we have any
3 preliminary matters?

4 MS. SCHELLIN: I'm sorry. I was -- yeah, I was talking
5 and didn't have my mute off, but --

6 CHAIRMAN HOOD: Let me correct -- let me correct. We
7 do have 2A, 2C, the two ANC's. I want to make sure I have that
8 right. I'm sorry, Ms. Schellin. Go right ahead.

9 MS. SCHELLIN: Yes. So, at Exhibits 22 and 22A, there's
10 a party status request in opposition from the West End Citizens
11 Association. Barbara Kahlow has been -- is their representative
12 and she is here, and I just checked to make sure. She is here,
13 and so we'll leave that for the Commission to consider.

14 CHAIRMAN HOOD: So let me ask, when I was reading
15 this -- and maybe I misread it -- I thought we had already decided
16 on Ms. Kahlow. Did we?

17 MS. SCHELLIN: I don't -- they didn't put that in the
18 notes, but let me check. Maybe they did.

19 CHAIRMAN HOOD: I thought we did, but that's all right.

20 MR. RITTING: I don't believe that's correct.

21 CHAIRMAN HOOD: Okay.

22 MS. SCHELLIN: I think that was the last case. There
23 was another case where they got advanced party status, Chairman
24 Hood, that I think you may have been thinking of.

25 CHAIRMAN HOOD: Okay. All right. Well. I won't -- I

1 won't rely on my memory anymore, so thank you.

2 MS. SCHELLIN: Right. They all start running together.

3 CHAIRMAN HOOD: And let me open it up to my colleagues
4 and let me hear any objections. I'm looking at my colleagues.
5 Any objections, Vice Chair Miller?

6 VICE CHAIR MILLER: I have no objection, and we
7 generally recognize Ms. Kahlow and her association as a party in
8 almost all of the GW cases.

9 COMMISSIONER IMAMURA: Agreed.

10 CHAIRMAN HOOD: Okay. All right. We will continue
11 that -- well, not continue the status, because I think each case
12 is on its own merit. I do know -- well, anyway, I won't bring
13 that up. I don't want to get myself in no more trouble. So we
14 will -- we will -- we will go ahead and give Ms. Kahlow party
15 status in this case. All right. Anything else?

16 MS. SCHELLIN: Just very quickly. There's one
17 proffered expert witness. She's been proffered and accepted --
18 I'm sorry -- been accepted by the Commission previously as an
19 expert, Jami Milanovich from Wells and Associates in
20 Transportation Engineering. We just ask that the Commission
21 would accept her in this case as an expert in transportation.

22 CHAIRMAN HOOD: Okay.

23 MS. SCHELLIN: And, I'm sorry, her -- it's 17C, as in
24 cat, is her resume.

25 CHAIRMAN HOOD: Any objections -- any objections,

1 | colleague, to us --

2 | (No response.)

3 | CHAIRMAN HOOD: No objections, so we will -- she will
4 | be -- Ms. Milanovich will be -- continue to be an expert.

5 | CHAIRMAN HOOD: One other thing, Chairman Hood, if I
6 | may, before -- that's all I have for this case, but we do have a
7 | meeting on Thursday. I didn't know if the Commission would like
8 | to vote for a closed meeting. I'm not sure if OZLD feels the
9 | need for a closed meeting or if the Commission does. I don't
10 | know if there are cases that may require it, but if you want to
11 | vote for closed meeting or not.

12 | CHAIRMAN HOOD: So thank you. Let me get -- let me
13 | pull that up, just in case. I don't want to run foul, so I ask
14 | everyone, just bear with me while I pull that up. Let's go ahead
15 | and vote on the -- do we have an agenda, Ms. Schellin?

16 | MS. SCHELLIN: Yes, I just e-mailed it to you.

17 | CHAIRMAN HOOD: Okay.

18 | MS. SCHELLIN: You want me to --

19 | CHAIRMAN HOOD: So when I get to that --

20 | MS. SCHELLIN: I'll read it for you.

21 | CHAIRMAN HOOD: -- you'll just tell me what's on the
22 | agenda. Right. Right.

23 | MS. SCHELLIN: Got you.

24 | CHAIRMAN HOOD: Hold on. So that meeting will be June
25 | the 11th. Okay. All right. Give me one second. Let me pull

1 | this up. Okay. So this is --

2 | VICE CHAIR MILLER: Did you e-mail it to all of us?
3 | No?

4 | CHAIRMAN HOOD: Did you e-mail -- he's asking "Did you
5 | e-mail it to all of us?".

6 | MS. SCHELLIN: Oh, no, because Chairman Hood is the
7 | only one that reads it. You'll get yours when the report is
8 | done, so he's the only one that reads it for the closed meeting.

9 | CHAIRMAN HOOD: So I'm going to get her to read it
10 | today, because if I open up another folder, this -- my computer
11 | may crash, and we'll have more problems, so let me -- let me
12 | start -- let me start again.

13 | Okay. This is a vote for the Commission to hold an
14 | executive session meeting on June the 11th at 3:15 p.m. This
15 | session is being held in order for the Commission to receive
16 | legal advice from its counsel regarding the cases noted on the
17 | agenda for the date of June 11th, 2026. I'm going to ask Ms.
18 | Schellin to give us those cases.

19 | MS. SCHELLIN: Yes, sir. Zoning Commission Case Number
20 | 25-06, Office of Planning text to regulations governing alley
21 | lots; Zoning Commission Case Number 25-09, Office of Planning
22 | text and map amendments to create the Cleveland Park neighborhood
23 | mixed-use zone; and Zoning Commission Case Number 25-15, Florida
24 | and Q Streets, LLC, map amendment at Square 3100. Thank you.

25 | CHAIRMAN HOOD: Okay. Give me one moment please.

1 MS. SCHELLIN: I'm sorry.

2 CHAIRMAN HOOD: That's all right. I just didn't want
3 to say anything. My phone was ringing. Okay. It says -- okay.
4 This meeting, as the agenda has been noted by Ms. Schellin, is
5 to preserve the attorney-client privilege between the Commission
6 and its attorney, pursuant to DC Official Code 2-575(b)(4) and
7 (A), and to deliberate, but not vote on the contested cases,
8 pursuant to DC Official Code 2-575(b) and 13. So I would -- I
9 would move that we hold that closed meeting, and ask for a second.

10 COMMISSIONER IMAMURA: Second.

11 CHAIRMAN HOOD: It's been moved and properly seconded
12 that the Commission hold a closed meeting on the date, June the
13 11th 2026, as stated. Ms. Schellin, would you do a roll call
14 vote please?

15 MS. SCHELLIN: Yes, sir. Commissioner Hood.

16 CHAIRMAN HOOD: Yes.

17 MS. SCHELLIN: Commissioner Miller.

18 VICE CHAIR MILLER: Yes.

19 MS. SCHELLIN: Commissioner Imamura.

20 COMMISSIONER IMAMURA: Yes.

21 MS. SCHELLIN: I should switch that, yes, because
22 Commissioner Imamura seconded that. And, of course, the vote
23 would be three to zero to two, Commissioners Wright and Stidham
24 not present. So the closed meeting vote carries. Thank you.

25 CHAIRMAN HOOD: Okay. And the meeting passes. Ms.

1 Schellin, I would ask that you ask counsel if they -- if we
2 believe and if my colleagues believe we need to notify -- if they
3 don't believe we need to have one and we believe we need to have
4 one, I would ask that you would -- we would just coordinate, if
5 we really need to have it, so we're not wasting everybody's time.

6 MS. SCHELLIN: Correct. Thank you.

7 CHAIRMAN HOOD: All right. Thank you. All right.
8 Anything else on this colleagues?

9 (No response.)

10 CHAIRMAN HOOD: All right. So let's get to tonight's
11 case. Ms. Schelin, can we bring everybody up?

12 MS. SCHELLIN: Yes, sir. I believe Mr. Young is getting
13 that coordinated.

14 CHAIRMAN HOOD: And, Commissioner Imamura, I'd like to
15 start with you this evening, unless it's a problem.

16 COMMISSIONER IMAMURA: No, that's fine. Thank you, Mr.
17 Chairman.

18 CHAIRMAN HOOD: Okay. And, Vice Chair Miller, I'm
19 going come to you second, and I will come to myself last. It's
20 not like we have a whole lot of numbers to go to. Mr. Avitabile,
21 whenever you all are ready, you and Ms. Templin.

22 MR. AVITABILE: Wonderful. Thank you very much,
23 Chairman Hood and members of the Commission. David Avitable with
24 Goulston and Storrs on behalf of the applicant, the George
25 Washington University, joined by co-counsel, Lee Templin. Ms.

1 Templin's going to handle the hearing tonight. I'm just going
2 to step in when we get to the questions from WECA, because I've
3 been part of the discussions and dialogue we've had with them,
4 so it will probably be most efficient for me to handle those.
5 So, with that, I'll let you take it away.

6 MS. TEMPLIN: Thank you. Good afternoon, Chair Hood
7 and Commissioners. For the record, my name is Lee Templin with
8 Goulston and Storrs on behalf of the applicant. We're also joined
9 here today by Baxter Goodly and Kevin Days, representatives of
10 the University, as well as Jami Milanovich, the University's
11 transportation consultant. Mr. Young, if you could please pull
12 up the presentation.

13 (PowerPoint presentation shared on screen.)

14 MS. TEMPLIN: Great. Thank you. And next slide please.
15 So the -- we are here today to present Zoning Commission Case
16 Number 87-23A, which seeks a modification of the PUD approved in
17 Order Number 563. The property is located at 2001 Pennsylvania
18 Avenue Northwest in the Golden Triangle BID. It is improved with
19 an 11-story mixed-use office building with ground-floor retail
20 that was authorized by the PUD in 1988.

21 The surrounding area consists mostly of office
22 buildings, hotels, and restaurants, as well as embassies and
23 other institutional uses. As is well known, over the past several
24 years, downtown DC has changed dramatically with unprecedented
25 office and retail vacancies. The University is proposing an

1 adaptive reuse of the building that will help draw activity north
2 of Pennsylvania Avenue. We are pleased to have the support of
3 OP at Exhibit 30 of the record, ANC 2A at Exhibit 33, and ANC 2C
4 at Exhibit 29, as well as a report of no objection from DOTT at
5 Exhibit 31.

6 I will describe the modification further momentarily,
7 but, first, let me hand things off to Mr. Goodly and Mr. Days,
8 who will give some more background about the project, as well as
9 the community outreach.

10 CHAIRMAN HOOD: Ms. Templin, let me ask you something.
11 Haven't you presented in front of the Zoning Commission before?

12 MS. TEMPLIN: I have, a couple months ago, for 450 5th
13 Street Northwest.

14 CHAIRMAN HOOD: Okay. Okay. I just wanted to make
15 sure. Okay. Thank you.

16 MS. TEMPLIN: Mr. Goodly, please feel free to go ahead.
17 I think he might be having some technical difficulties.

18 MR. DAYS: It's showing that he's muted.

19 MR. AVITABILE: We may have to pivot and --

20 CHAIRMAN HOOD: That's all right. If you all can just
21 contact him and let him know that he can unmute, or maybe he can
22 call Mr. Young or something. We can work it out. We're very --
23 the Zoning Commission is very patient.

24 MS. TEMPLIN: Yeah. Well, in the meantime, I could
25 cover my slides, and then we could go back in time, if that works.

1 MR. AVITABILE: Sure. Sure. Yeah, let's do that.

2 MS. TEMPLIN: Okay. Mr. Young, if you could fast
3 forward to slide six please. That's the one. Great. Thank you.
4 So, to give a brief background, the PUD also involved the adjacent
5 properties now occupied by Pepperdine University and the Arts
6 Club of Washington. The PUD authorized a transfer of density to
7 the 2001 Penn building through a lease between its owner and the
8 owner of the Arts Club. The University now seeks to modify the
9 PUD to, one, permit University use on a portion of the ground
10 floor and the upper floors of the building, and, two, to authorize
11 new building identification signage.

12 Next slide please. Condition two of the PUD order
13 limited the permitted uses in the building to office and retail.
14 Although the University plans to use the building for
15 administrative office use in the near term, which would be
16 permitted under the existing PUD, the University anticipates
17 eventually including some academic or other student-facing uses
18 and, therefore, seeks to modify the PUD to permit a broader range
19 of University uses. As a side note, University use is permitted
20 as a matter-of-right in the D-5 zone, so the proposed use is
21 entirely consistent with the District's vision for the use of the
22 property.

23 In response to community feedback, prior to filing the
24 application, the University agreed to retain the western bay of
25 the ground floor currently occupied by For Five Coffee as

1 designated retail. The eastern bay, formerly occupied by the
2 Bank of America, has been vacant for years. The space is
3 challenging, due to a long and narrow floor plate and the grade
4 change along 20th Street, which precludes breaking up the space
5 into multiple areas or connecting to outdoor patio seating along
6 20th. Rather than leaving the space vacant, the University plans
7 to fill the space with University use.

8 Next slide please. In consultation with ANC 2A, the
9 University has also agreed to reopen the retail located a short
10 distance away in the District House. District House initially
11 provided about 5,000 square feet of publicly accessible retail,
12 but, in 2022, the University modified the District House PUD to
13 limit the retail space to students to help support the
14 University's efforts to strengthen its dining program with
15 healthy affordable food options in spaces focused on student
16 gathering.

17 While it's still important for the District House to
18 operate as a student-focused third space, the University will
19 reopen District House for public access during weekday daytime
20 hours, reserving it for students only on nights and weekends.
21 The University believes this is a perfect compromise that will
22 balance the community's desire for additional retail
23 opportunities with the University's needs for student-focused
24 space. The University commits to filing an application to modify
25 the District House PUD within 90 days of the issuance of the

1 final written order for this application and expiration of all
2 applicable appeal periods.

3 Next slide please. The University also proposes adding
4 new signage on the upper stories of the I Street and 20th Street
5 frontages and the ground floor on I Street. The PUD predates
6 the Commission's current practice of evaluating signage.
7 However, recognizing this practice, the University requests
8 modification of the approved plans to accommodate the signage.
9 The proposed signage will illuminate, consistent with a number
10 of other signs in the surrounding area. Lighted signage is an
11 important hallmark of a thriving downtown, and it will also
12 enhance pedestrian comfort and safety in the evenings. The
13 signage gestures for the academic uses that coexist with the
14 commercial uses in the -- in the Downtown Business District,
15 signaling the synergetic character of the Golden Triangle BID
16 neighborhood.

17 I'll now turn things back over to Mr. Goodly, if he's
18 ready. Otherwise, maybe Ms. Milanovich could walk through the
19 transportation slides.

20 MR. AVITABILE: So I know we were working on getting
21 Baxter unlocked. If that has worked, that would be great.
22 Otherwise, Mr. Days can also speak to the intent of the PUD.

23 MS. SCHELLIN: He has -- I'm sorry. If I could, he has
24 contacted staff and said that his mute button is locked, which
25 it shouldn't be locked, because they don't lock; you just hit

1 | unmute. So he may need log off and log back on.

2 | MR. AVITABILE: Oh, it looks like he's done that, which
3 | is great.

4 | MS. SCHELLIN: Okay. Good.

5 | MR. AVITABILE: So he's logged off, at least. We'll
6 | see when he logs back on, and we get him promoted again.

7 | MS. SCHELLIN: Okay. Good. That's what he said the
8 | problem was.

9 | MR. AVITABILE: Great. All right. It looks like he's
10 | now logged back in and being promoted. And we will see if Mr.
11 | Goodly is able to unmute himself this time around, and, if not,
12 | if we can go back -- which slide would it be -- we can go back
13 | and Mr. Days can give an overview.

14 | MS. TEMPLIN: Yeah, the third slide.

15 | MR. AVITABILE: So we'll go back to slide three. And
16 | I'm glad I am now handling tech support. I'm now back in the
17 | role I should be in. Ms. Templin will take it from here. All
18 | right. There we go. Mr. Days, if you'd like to --

19 | MR. DAYS: Sure, I'll start off. I want to give you
20 | some background on the property. 2001 Pennsylvania Avenue
21 | Northwest is currently improved with an 11-story mixed-use
22 | building consisting of office space and retail space on the ground
23 | floor. The University acquired this property in late 2024 as
24 | part of its efforts to strategically meet administrative and
25 | academic space needs. At present, the majority of the building

1 remains leased to non-University tenants. Next slide please.
2 Next -- yep. In the near term, the University intends to utilize
3 the vacant office space within the building for swing space for
4 administrative and academic offices. We also plan to activate
5 the former Bank of America space on the eastern portion of the
6 ground floor with University-related uses. We believe this will
7 help maintain an active and welcoming landscape and that the
8 coffee shop on the western portion will remain designated retail.

9 Next slide please. The long-term version -- vision of
10 this is that the University is currently evaluating its long-
11 term options for the building. At this stage, we anticipate the
12 primary long-term use will include administrative and office
13 space to support University operations. Some academic spaces
14 will be considered, if it allows us to -- you know, to meet
15 institutional priorities. We're also very committed to insuring
16 that the building's future uses compliment the surrounding
17 neighborhood and maintain, you know, the life of the area.

18 Next slide please. I think this is where --

19 MR. AVITABILE: I think that's it.

20 MR. DAYS: -- where Lee took over.

21 MS. TEMPLIN: Yes. Thank you, Kevin. And, Mr. Young,
22 if you could fast forward -- I think it's slide 10 -- I'll turn
23 things over to Ms. Milanovich to talk through the transportation
24 slides.

25 MS. MILANOVICH: Great. Thank you. Thank you. Good

1 evening, Chairman Hood, members of the Commission. For the
2 record, my name is Jami Milanovich with Wells and Associates.
3 We're the transportation consultant for the project. I just
4 wanted to talk briefly.

5 We are requesting some relief from the bicycle parking
6 requirements, So I just wanted to review that briefly. The DC
7 zoning regulations do require us to provide 20 long-term bicycle
8 parking spaces. At least 50 percent of those must be horizontal
9 on the floor of the bike room, and the zoning regulations also
10 require 62 short-term spaces that must be located within 120 feet
11 of the primary entrance. There are 22 long-term spaces currently
12 in the building. However, less than 50 percent of those are
13 horizontal, and there are an existing six short-term spaces in
14 the public space surrounding the building.

15 Under the proposed project, we would provide a total
16 of 40 long-term spaces. We'll be providing a second bike room
17 on the P1 level of the garage with 18 horizontal spaces, so that
18 will not only meet the number of long-term spaces that we're
19 required to provide, but also meet the requirement that at least
20 50 percent of those are horizontal on the floor. We are providing
21 36 short-term spaces, which is short of the number required per
22 the zoning regulations.

23 If you could go to the next slide please. So the
24 diagram on the left highlighted in yellow shows where those 36
25 short-term bicycle spaces are proposed. We are requesting

1 relief, because we do have some spatial constraints, in terms of
2 being able to meet the physical number of spaces, and -- first
3 of all, I want to indicate that the number of spaces required
4 for the University use is significantly higher. The rate, I
5 think, is about 20 times higher than just a general office
6 building would be, so it is quite a large number of spaces for
7 this building. But, beyond that, we are spatially constrained.

8 There is a 23-dock Capital Bikeshare station along the
9 20th Street frontage that you can see there on the right-hand
10 side of that diagram that limits our ability to provide more
11 spaces on 20th Street. Our I Street frontage is only about a
12 hundred feet long, again, limiting the number of spaces that we
13 can provide in front of this building. There is a public art
14 piece in front of the main entrance to the building on I Street,
15 and so we've staged the bike racks so that they don't interfere
16 with that and still allow room for people to navigate that
17 sidewalk around the art installation.

18 We are also requesting relief from the distance. Those
19 spaces that are located along 20th Street, towards the north of
20 the property near the parking entrance, are actually more than
21 120 feet from the main entrance on I Street. We do not have an
22 entrance on 20th Street, and so, again, just trying to maximize
23 the number of bike racks that we can provide. We're doing so by
24 providing those on 20th Street, north of that Capital Bikeshare
25 station, but those are a little bit more than the 120 feet from

1 the primary entrance. So those are the areas of relief that
2 we're asking, with respect to bicycle parking.

3 Next slide please. And I did want to just quickly
4 touch on the Transportation Demand Management Plan. The
5 University does have a robust TDM Plan, and so this building
6 would be subject to those strategies. I'll just quickly
7 summarize. Students are eligible for discounted Capital
8 Bikeshare memberships. The University also participates in
9 WMATA's UPass program, which provides unlimited Metrorail access
10 for students. They do have extensive bike parking across the
11 Foggy Bottom Campus. We're adding to that bike inventory supply,
12 as part of this building. The University does provide campus
13 shuttles that connect the Foggy Bottom, Mount Vernon, and
14 Virginia campuses, and they do have a website where students can
15 find consolidated information regarding travel resources.

16 In terms of employee strategies, employees are
17 eligible to get a shower only wellness membership, so that, if
18 you bike or walk or jog to work, you can utilize showers on
19 campus. They are also available -- eligible for pre-tax commuter
20 benefits. They can also ride the shuttles that the University
21 provides, and the University also offers a number of flexible
22 work arrangements that include options for working fewer than
23 five days a week, as well as being able to adjust their start
24 and end times at work. And, with that, I think I'm turning it
25 back over to Lee.

1 MS. TEMPLIN: Great. Thanks, Jami. And I'm going to
2 toss it -- before closing, I'm going to send it back to Kevin
3 Days to give a little bit of a background on the community
4 engagement to date.

5 MR. DAYS: Thanks, Lee. Yeah. I wanted to let you
6 know that we've had long, productive conversations with both ANC
7 2C and ANC 2A, as well as working with the Arts Club. Now, each
8 of these organizations raised significant concerns about the
9 planned use and the planned loss of the retail space, and it's
10 through those productive conversations, particularly with the ANC
11 Commissioner whose District this building resides in, we've come
12 to an agreement that -- to swap out and provide access to the
13 community to the District House, which was open before, but closed
14 as a result of the University trying to do some -- make some
15 third spaces for students and solve a food insecurity problem by
16 doing a full -- a full meal program.

17 As a result of these conversations, we were able to
18 come to an agreement, both with ANC 2A and 2C, and as well as
19 with the Arts Club, who actually withdrew their opposition to
20 this modification, so we've had productive conversations. I
21 think we have shown that the University is willing to listen and
22 make adjustments and respond appropriately to concerns raised by
23 the community. And, with that, I'll turn it back over to Lee.

24 MS. TEMPLIN: Thanks, Kevin. In closing, we believe
25 the proposed modification is consistent with the original PUD.

1 The modification is an appropriate evolution of the PUD that will
2 better meet current market demands and continue to benefit the
3 community. The modification is not inconsistent with the
4 Comprehensive Plan and furthers a number of District policies,
5 including the Mayor's Downtown Action Plan, through its
6 activation of an underutilized downtown building. We would also
7 like to express our gratitude to ANC 2A, ANC 2C, and the Arts
8 Club for their collaboration throughout this process. The
9 University takes its community engagement very seriously and had
10 numerous conversations with stakeholders over the past year. We
11 are pleased to have the support of both ANCs and look forward to
12 future collaborations. We would also like to thank the agencies
13 for their feedback that helped shape the project.

14 Thank you to the Commission for your time and
15 consideration today, and we are happy to answer any questions.

16 CHAIRMAN HOOD: Thank you, Ms. Templin and to the whole
17 team, Mr. Avitabile and the whole team, Mr. Days and everyone,
18 Mr. Baxter, who we -- I don't think we was able to get to him,
19 but we know you're listening. But before I go to Commissioner
20 Imamura, with all due respect, Ms. -- and when I first got around
21 here, GW and Barbara Kahlow went hand in hand for me. And I need
22 to know, Mr. Days -- I know -- I heard you mention 2A, 2C, and
23 the Arts Club, but what was your negotiation or engagement with
24 West End?

25 MR. DAYS: We met with Barbara and her organization

1 multiple times to talk about what would be possible. We notified
2 them that we had reached an agreement with the ANC 2A and that
3 we had satisfied their objections. And Ms. Kahlow and her
4 organization have continued to oppose this. We've worked as
5 hard as we can. David, I don't know if you want to add. You
6 were part of those conversations and --

7 MR. AVITABILE: Yeah, certainly. We had -- we had two
8 substantive discussions, at least, back in February, and then
9 again in April, in Ms. Kahlow's home. She was gracious enough
10 to invite us. We were talking about this modification and then
11 another modification that I think she'll talk about this evening,
12 where we were trying to brainstorm if there was a way where we
13 could sort of work together and come up with something that would
14 work. To Ms. Kahlow's credit, she actually brainstormed of a
15 couple of ideas, too, but, ultimately, we weren't able to meet
16 eye to eye, and the proposal that worked for the ANC -- in the
17 greater neighborhood represented through the ANC, was not
18 something that was acceptable to Ms. Kahlow, so that's the
19 direction that we went. We, obviously, continue to work with
20 her. When we can find common ground, we're always happy to do
21 it. She sets a very high bar for us, but sometimes we don't
22 necessarily agree, and this was one of those times.

23 CHAIRMAN HOOD: Okay. I think you both have answered
24 my question. I do know that you all have come to an agreement
25 with the ANC, which I think is great, and I was just wondering

1 | to make sure that that connection was there with the ANC, as well
2 | as Ms. Kahlow, who is a longstanding person who's been working
3 | on GW issues. Go back to the Maureen Dwyer days and the Charlie
4 | Barber days and all those -- all that group. So, anyway, let me
5 | begin with Commissioner Imamura. You have any questions or
6 | comments?

7 | COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I do
8 | have a couple questions and a couple comments. For me, this
9 | seems pretty straightforward, but I'm -- I remain open to hearing
10 | Ms. Kahlow's point of view. I think it's great that sometimes
11 | people set high bars, but -- so I'm open to her perspective. Mr.
12 | Avitabile, great job with your IT work tonight. Ms. Templin,
13 | thank you very much for your report -- testimony, rather; same
14 | with Mr. Days and Ms. Milanovich. Pleased to hear that 2A and
15 | 2C, DDOT, and OP all generally support this case and that you've
16 | come to an agreement with 2A to open the District House for public
17 | use during the week and daytime hours, if I have that correct,
18 | so I'm happy to hear that you've reached that.

19 | I also want to just confirm -- and I think Ms. Templin,
20 | you had gone over this -- the street signage off of I and 20th
21 | on the upper stories and then on the ground floor on I Street
22 | there, and I don't have anything -- any remarks for the signage;
23 | it matches what's already there and integrated into the building.
24 | I think that seems pretty reasonable. I think the fact that the
25 | University is looking for how to use this space in lieu of the

1 bank being there is terrific, and I think that will help generate
2 some activity along the pedestrian -- at the pedestrian scale
3 there. I guess my question is -- the first one is for Mr. Days.
4 It seems pretty reasonable to me that you -- that the
5 administration wants to -- or the University wants to co-locate
6 some administrative office uses, as well as other University
7 uses, such as academic programs, research institutes, and other
8 uses. I just wanted to ask if you could -- University uses seems
9 rather broad, and I know the University has probably contemplated
10 this already, in addition to co-locating administrative office
11 space, but can you specify a little bit more about University
12 uses and what the University possibly envisions here?

13 MR. DAYS: Yes. I believe Baxter is -- has been able
14 to be unmuted, and I think he'd be a better person to address
15 this question.

16 COMMISSIONER IMAMURA: Sure, that'd be fine.

17 MR. GOODLY: I apologize. I finally made it through.
18 My apologies. Yes, and thank you, Kevin, for covering the slides.
19 The University envisions creating more administrative spaces, so
20 moving some of the administration -- administrative offices off
21 the main campus into that building, so that we can open up other
22 spaces on the main campus for other academic uses or other
23 University uses. So what we envision is the upper
24 administration -- senior leadership relocating to 2001 Penn over
25 time, and that's going to free up a number of spaces around

1 campus. Right now, kind of the President's leadership team is
2 scattered around 10 to 12 buildings. This is an opportunity for
3 us to create some synergy to bring them into one place, and then
4 allow those other buildings to be used for academic purposes.

5 COMMISSIONER IMAMURA: All right. Thank you, Mr.
6 Baxter. I appreciate your response. And, Mr. Days, that just
7 speaks to how well you covered the slides for Mr. Baxter, so
8 thank you both.

9 I do have a question for Ms. Milanovich. I understand
10 the relief from bicycle parking is what is being sought here.
11 Thank you for outlining that there's 22 existing long-term new
12 18 horizontals that will be added to meet that 50 percent
13 requirement. I agree that 62 short-term bicycle parking for an
14 office building like this is very different from an academic
15 campus, so thank you very much for raising that point, but that
16 you will be adding 36 new short-term bicycle parking locations
17 or racks there, and for pointing out -- I appreciate that you
18 pointed out the Capitol Bikeshare station as well.

19 My question is this. I saw a letter in opposition from
20 the neighboring hotel, and I guess it's Lombardy, I think. I'm
21 curious, at least in the plans that I saw, there is one short-
22 term bicycle rack at the farthest -- the west -- it's the --
23 yeah, it's -- I think so. It's on -- it's far west along the
24 property line. I'm curious, what is the distance between that
25 bicycle rack and the Lombardy Hotel.

1 MS. MILANOVICH: If you give me -- I think I can get
2 that.

3 MS. TEMPLIN: Yeah, feel free, and then I can jump in
4 as well. And maybe while Ms. Milanovich is looking that up, I
5 will just say that we did respond to the Lombardy Hotel, to their
6 letter in opposition, and we reached out with that plan showing
7 that the short-term bicycle spaces will all be located in front
8 of this building and there should not be any near their building.
9 We think they saw the public hearing notice and just saw the
10 request for flexibility from that 120-foot radius and weren't
11 sure where they were. We never received a response to that,
12 otherwise, but we but we did respond to their concerns.

13 COMMISSIONER IMAMURA: Okay. Great. Very good. I'm
14 pleased to hear that and would just -- if it's possible to come
15 up with at least an estimated length between that parking -- or
16 that bicycle parking and Lombardy, I just want to put that on
17 the record.

18 MR. AVITABILE: Yeah it's a -- I mean, there are two
19 or three buildings down the street on the other end of the block.

20 COMMISSIONER IMAMURA: Right. It's quite a distance,
21 So that's -- I was rather surprised, but Ms. Templin, thank you
22 for your explanation, As Ms. Milanovich looks that information
23 up, if she's able to pull that up.

24 I'm also in agreement that -- to provide relief for the
25 120-foot requirement. That seems pretty reasonable to me. So

1 | that is the only question that I -- the two questions that I have
2 | is -- was just about the University uses and the distance there,
3 | if Ms. Milanovich is --

4 | MS. MILANOVICH: It's about -- well, from their entrance
5 | to the corner of our building looks to be about 135 feet --

6 | COMMISSIONER IMAMURA: Okay.

7 | MS. MILANOVICH: -- from their building edge looks to
8 | be just over a hundred feet.

9 | COMMISSIONER IMAMURA: Okay. Very good. Thank you.

10 | MS. MILANOVICH: Rough measurement on Google Earth.

11 | COMMISSIONER IMAMURA: Perfect. All right. Thank you
12 | very much, and thank you to Google Earth. All right. With that,
13 | Mr. Chairman, I don't have any further questions or comments and
14 | will wait to hear from Ms. Kahlow, but I think this is pretty
15 | straightforward.

16 | CHAIRMAN HOOD: Okay. Thank you, Commissioner Imamura.
17 | Vice Chair Miller.

18 | VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
19 | you for your comments at the outset, Chairman Hood, and
20 | appreciate the comments and questions of my fellow colleague,
21 | Commissioner Imamura, and appreciate the applicant's
22 | presentation, which I agree is a pretty straightforward
23 | application. Commissioner Imamura touched on a few things that
24 | I -- a couple things that I was going to touch on, but I'll ask
25 | a couple things. So on the ANC 2A resolution, at Exhibit Number

1 33 in support, has a condition of -- I'll read it: "ANC 2A
2 requests, as a condition of its support, that the University
3 install clear, prominent, and publicly visible signage at
4 District House indicating that the ground-floor retail space is
5 open to the public and that such signage clearly communicate the
6 days and hours during which public access is available" -- I
7 think it's the weekday hours -- "so that neighborhood residents
8 are aware of being able to make use of this restored public
9 benefit." Maybe that was already in the public record, but if
10 you can just comment on that, Ms. Templin or Mr. Avitabile or
11 Mr. Days, in response to that issue.

12 MS. TEMPLIN: Yes. Yeah, we did agree to that with the
13 ANC, when we presented in front of them, to have clear signage
14 indicating the hours for District House, when it'll be publicly
15 available.

16 MR. AVITABILE: And I think, since we'll have to come
17 back before you for modification of that PUD to sort of
18 crystallize this, we can address the specific nature of that
19 signage in that modification.

20 VICE CHAIR MILLER: Okay. And when is -- when is that
21 happening, Mr. Avitabile?

22 MR. AVITABILE: Within 90 days after the final decision
23 here (indiscernible).

24 VICE CHAIR MILLER: Right, that's part of -- yeah,
25 that's part of -- yeah. Okay. So I was going to ask about the

1 Lombardy, and I think you've addressed that. I'm going to ask
2 about -- what was it -- else I wanted to ask about? So Ms. --
3 there's a loss of -- there's the vacant public space on -- is it
4 the eastern or western?

5 MS. TEMPLIN: Eastern, yeah.

6 VICE CHAIR MILLER: The eastern -- 4,085 or something
7 square feet, and that was a part of the public benefit in the
8 original PUD, and you've offered a mitigation in this
9 modification of reopening District House to the public during
10 weekday hours, so that's commendable.

11 So Ms. Kahlow provided in her testimony -- and we'll
12 get into this when she -- after she testifies with you and with
13 her, but she offered alternatives to that, one of which seemed
14 pretty reasonable to me and pretty modest, the \$25,000 monetary
15 contribution of the Resident Relief Fund at Saint Mary's Court,
16 which is located a few blocks away, I guess, which operates as a
17 140-unit apartment building where low-income housing is provided
18 to the elderly and persons with accessibility needs. And I know
19 that's been a public benefit that's been offered in other, I
20 think, GW case cases. I have some vague recollection of that.
21 But I don't know if there needs to be an alternative. It seems
22 to be an additional reasonable mitigation. Is it -- what is the
23 problem?

24 The other one, which was free technical assistance to
25 every Foggy Bottom resident who has technical computer issues.

1 I mean, if you offer that to me, you would be doing that full-
2 time, so -- and anybody else in our demographic and the Foggy
3 Bottom people, who are my demographic, but -- so I think that
4 that's not an enforceable condition. It's totally open-
5 ended -- needed, but not something that GW needs to take on.
6 But the other one is an enforceable, clear monetary contribution,
7 which I think you might have done in the past for others in that
8 neighborhood. What was the concern about not getting -- not
9 meeting that condition?

10 MR. AVITABILE: Well, I'll say -- I mean, I'll start.
11 The first we heard of that was this morning, when we saw her
12 testimony.

13 VICE CHAIR MILLER: Which is the first I saw it either,
14 because I just read that this morning.

15 MR. AVITABILE: Right. We had -- as I said, we had
16 multiple conversations, and I think good conversations, where we
17 were throwing ideas back and forth, but this is the first we've
18 heard of that as a proposal -- as a proffer. And, unfortunately,
19 we have already -- we had already gone down the path of discussing
20 with ANC 2A something else. You know, I think it was actually
21 something that, frankly -- I mean, I'll let Baxter speak to it --
22 we saw it and we were, at least, looking at it, but then we asked
23 Ms. Kahlow, "Oh, so, you know, would you -- so if we do this,
24 you'll withdraw your opposition?" And she said "No, I'm still
25 going to speak tonight." So, I mean, I do think that part of

1 the discussion and dialogue we have when we make these
2 commitments, it's to try to streamline the process and streamline
3 the hearing and get to a yes more quickly, not to then continue
4 to get cross-examine. So, you know, I think -- I think that was
5 a little bit of the challenge. You know, it was being thrown
6 out here tonight for the first time, and we were just reacting
7 to it live. I think we'll still consider it as a good idea, but
8 I think we've put together, hard fought, through a lot of
9 conversations, something that tries to respond to the community
10 as a whole. And, you know, I think that's a little bit of the
11 challenge we're trying to balance here.

12 VICE CHAIR MILLER: Okay. Well, we can get into that
13 a little bit after Ms. Kahlow speaks, because it looks like, the
14 way I read her letter that was just submitted today, is that she
15 would support it with that -- one of those conditions, which I
16 think could be an additional, not an alternative, to what is a
17 very good mitigation that I think the ANC supports, in terms of
18 District House accessibility to the public, so --

19 MR. AVITABILE: That's what we thought, too, but then
20 when we asked for the clarification -- and, I mean, given that
21 anyway --

22 VICE CHAIR MILLER: So I'll ask her tonight. We'll
23 ask -- we'll ask her tonight if she's going to support it.

24 MR. AVITABILE: Right.

25 VICE CHAIR MILLER: And maybe we can limit the cross-

1 examination that -- or she can just -- she's hearing me now. She
2 can just say it in her statement.

3 There was something else, which I can't remember. So
4 I'll end it there. Oh, well, Ms. Milanovich might -- this is
5 the bike parking thing. Yeah, it's mostly office and it's not
6 University use, which would require more -- normally more
7 parking, which this is a University, so it's getting the higher
8 requirement. Does anybody have any data -- and maybe it's in the
9 record and I missed it -- on how much the short-term and long-
10 term existing spaces are being used on a daily, weekly basis?
11 Are they fully used? They probably -- my guess is they probably
12 aren't, but I don't know. You got the -- and you got the Capital
13 Bikeshare thing --

14 MS. MILANOVICH: Right. Yeah.

15 VICE CHAIR MILLER: -- there that Commissioner Imamura
16 pointed out.

17 MS. MILANOVICH: I do not have data on utilization for
18 the existing short-term bike spaces across campus. I don't know,
19 even anecdotally, if Baxter or Kevin might be able to speak to
20 that, as they're walking around campus, if they see unused bike
21 spaces. To my knowledge, there aren't current utilization counts
22 done for the bike parking.

23 MR. GOODLY: Yeah. Just anecdotally, I would -- I
24 would say that there are -- particularly around the common area,
25 there's a large bike storage area there. That's probably the one

1 | that gets used most, and I would say, on most days, it's about
2 | halfway filled.

3 | VICE CHAIR MILLER: Okay. Thank you for that response.
4 | Thank you all for your participation and presentation and
5 | engagement. That's it, Mr. Chairman.

6 | CHAIRMAN HOOD: Okay. Thank you. I don't really have
7 | any questions, but I just want to put this on the record. At no
8 | time am I -- and I'm sure my colleagues are not, even though that
9 | discussion was about something different from what the two
10 | ANCs -- what the ANCs had worked out. I do know that the Vice
11 | Chair is being considerate of Ms. Kahlow, but I do know that
12 | sometimes -- and I've seen it happen -- they said "Well we're the
13 | ANC. We were elected. We get great weight. Why are they looking
14 | at another organization?" We've had that happen. But I want to
15 | just tell ANC 2A and C, at no time am I discarding what you --
16 | the work that you all have done, because, by law, you all get
17 | great weight, and I just want to put that on the record. So I
18 | heard that discussion --

19 | VICE CHAIR MILLER: And I'm not suggesting -- and I
20 | wasn't suggesting, Mr. Chairman, that we eliminate that
21 | mitigation --

22 | CHAIRMAN HOOD: Yeah, but --

23 | VICE CHAIR MILLER: -- but I was saying -- I was just
24 | wanting to know if adding that other thing would be a problem,
25 | and we'll find out more about that.

1 CHAIRMAN HOOD: So I just -- let me -- let me just
2 finish my point, Vice Chair. The reason why I'm saying that is
3 because the way it sounded -- I've been around long enough and I
4 know how it goes, and I know you won't get the heat, but it will
5 come back, so I just wanted to make sure I put that out there,
6 because it's going to be a heavy lift for me, personally, but I
7 do want to hear from Ms. Kahlow, what her issues are, because I
8 don't want anybody to think that we've ever discounted the people
9 who get great weight. And I know you weren't, but I know how it
10 can be perceived at times, because it's happened in the past.

11 All right. Ms. Schellin, do we have anyone from the
12 ANC? Vice Chair, I'm going ask you, if you don't mind saying
13 all that, if you can get -- if we don't have anyone from 2A or
14 2C, if you can get there. Just give us a snapshot. All right.
15 Ms. Schellin, do we have anyone from ANC 2A or 2C?

16 MS. SCHELLIN: Let me see who we have signed up.
17 Sometimes they put their ANC. They don't -- Mr. Avitabile, do
18 you have the person you worked with at the ANCs?

19 MR. AVITABILE: So ANC 2A was Commissioner Jim Malek.

20 CHAIRMAN HOOD: Oh, Malek.

21 MS. SCHELLIN: I don't see him.

22 MR. AVITABILE: And ANC 2C was --

23 MS. TEMPLIN: Nancy Groth.

24 MR. AVITABILE: -- Commissioner Nancy Groth.

25 MS. SCHELLIN: Nancy?

1 MR. AVITABILE: Nancy Groth, correct. I didn't see
2 either on the list of attendees.

3 MS. SCHELLIN: Yeah. No, sir, neither one.

4 CHAIRMAN HOOD: Okay. All right. Do we have any other
5 government agencies besides DDOT and OP?

6 MS. SCHELLIN: Okay. Let me see, for testimony, I
7 don't think we did, but let me just double-check to make sure.
8 You never know, last minute.

9 CHAIRMAN HOOD: And what about DDOT? If not, we'll
10 go -- anybody from DDOT?

11 MS. SCHELLIN: Right. I have just the Office of
12 Planning. No one else.

13 CHAIRMAN HOOD: Okay. Let's go to the Office of
14 Planning, Mr. Jurkovic and I believe Ms. Brown-Roberts.

15 MS. SCHELLIN: Correct.

16 CHAIRMAN HOOD: Okay. Let's bring them up.

17 MR. AVITABILE: Sorry, Chairman Hood. I -- at the
18 risk -- at the risk of opening ourselves up, West End Citizens
19 Association probably has cross-examination.

20 MS. SCHELLIN: To cross-examination, yeah.

21 MR. AVITABILE: Oh, you know what? You know what? Oh
22 my goodness. I'm getting ready to get myself into more trouble
23 than I stay in.

24 MS. SCHELLIN: Yes. Yes.

25 CHAIRMAN HOOD: Please go -- Ms. Kahlow -- thank you

1 for reminding. Ms. Kahlow, you know I didn't forget you, but,
2 Ms. Kahlow, you have any cross-examination?

3 MS. SCHELLIN: She will be brought up. She's --

4 CHAIRMAN HOOD: She's up now.

5 MS. SCHELLIN: Mr. Young, do you see her? Yes, there
6 we go.

7 CHAIRMAN HOOD: If she can unmute, she can begin.

8 MS. KAHLOW: Yes. Do you see me?

9 CHAIRMAN HOOD: I don't see you.

10 MS. KAHLOW: No. It's supposed to say "start video".
11 How do we start it? It says start it. I want to start it.

12 CHAIRMAN HOOD: Click on it. Click on it.

13 MS. KAHLOW: I did click on it. Okay. There you are.

14 CHAIRMAN HOOD: There you go. We can see you.

15 MS. KAHLOW: Yes, I tried -- I just called your hotline
16 to say I wanted to cross. Thank you very much, David Avitabile.
17 Yes, I have a lot of cross for GW, only a little cross for OP,
18 and I'll go in order, and then I will -- at the end of the cross-
19 examination, I will ask them questions to amplify the
20 answers -- actually to clarify the answers that were given
21 earlier that were incorrect.

22 First question for the GW witnesses, not their lawyers.
23 In the 5/8 -- May 8th supplemental submission, GW states in its
24 modifications to the ground-floor uses that it will fill the
25 space with active student-facing uses that will draw University

1 activity across Pennsylvania Avenue. What is the student-facing
2 use that -- since it's not mentioned in the -- in the PowerPoint?
3 Does it still exist? Has -- or has GW removed it? And, if it
4 is removed, what will be in the large 4,100-square-foot east
5 side? What is -- "University use" is just too open. I don't
6 know how it's going to have public activity, which is what we
7 wanted and what was discussed by everyone. What's going to be
8 there? Is it going to be student-facing? If so, what is it? If
9 it's not, what else is it going to be?

10 MR. DAYS: Baxter, are you taking this or do you want
11 me to take it?

12 MR. GOODLY: Oh, you can start, Kevin, and I'll back
13 up.

14 MR. DAYS: Yeah. I think, as we said at the ANC
15 meeting, the University is considering two options that I've
16 heard discussed. One is a student employment office, and the
17 idea is students who are looking for jobs will go to that office,
18 will go across Pennsylvania Avenue and will be in that area, and
19 they would likely have -- you know, take advantage of any other
20 existing retail stores, like coffee shops or the food store in
21 there. We think that is one -- that's an example. There's other
22 examples, also, that the University is considering, including the
23 admissions office, although I don't know if that's something that
24 we're moving forward with, but the idea is -- what we're looking
25 to do is place an activity in that space that promotes traffic,

1 | that livens the street, that brings folks across Pennsylvania
2 | Avenue, and it will have this effect of, you know, providing
3 | customers to the existing retail businesses that are there.

4 | MS. KAHLOW: Thank you, Kevin, for that answer, which
5 | is in my testimony. What I asked as asked was, why was it not
6 | mentioned in the PowerPoint? It says "University use". Has
7 | there been a change? Are there going to be student-facing uses
8 | or are there going to be other University uses? That's what I
9 | don't understand.

10 | MR. DAYS: I think we've been consistent in our oral
11 | presentation.

12 | MS. KAHLOW: That's correct, but not in the --

13 | MR. DAYS: Yeah, just not in the PowerPoint, but that's
14 | just a decision of wordsmithing, but the idea is --

15 | MS. KAHLOW: Okay. Okay.

16 | MR. DAYS: -- the primary push is that that space be
17 | utilized by students and the GW community in a way that draws
18 | people to this -- to that corner.

19 | MS. KAHLOW: Thank you. That's very good, Mr. Days.
20 | Second question. Will GW support a Zoning Commission Order
21 | condition -- condition in the decision section of the Order for
22 | continuing retail use in the smaller western 2,700-square-foot
23 | space, if the current coffee shop leaves? Will you -- will you
24 | support a condition in the order?

25 | MR. AVITABILE: Yes, we've already said that, Ms.

1 Kahlow. That's part of our -- that's part of our prehearing
2 submission, that that would remain as retail.

3 MS. KAHLOW: Yes, but I know you said it in the written
4 statement. I wanted to know if it would be a condition. That's
5 the difference.

6 MR. AVITABILE: Well, it's already a condition. The
7 current conditions require all of the ground floor to be retail,
8 and so all we're doing is modifying the order so that the eastern
9 bay would be able to use as either University use or retail use,
10 so it would remain a condition of the order that the western
11 space be retail.

12 MS. KAHLOW: Thank you. Third question. In the
13 supplemental submission on page three, when you talk about the
14 District House, what changes did GW make in 2022 to effectuate
15 the change to close it, and which of these changes enhanced
16 student safety, which was the one of the principal reasons GW
17 stated for closing public access? What changes were made in
18 2022?

19 MR. DAYS: So the University closed the building access
20 so that the public couldn't access that space. The University
21 moved from having individual mom and pop shops down there to a
22 more contractor-led, so that we are working with a contractor
23 that provides all of the food items that are down there. And
24 then we changed our food program so that students could swipe,
25 because we were noticing that students were running into food

1 | insecurities. These are young people who have never spent money
2 | before, and they would run through all their money and go hungry,
3 | and we thought that was a bad thing, and we ordered to change
4 | that. There was also a pull from students -- and this is
5 | consistent -- students want what's called this third space. This
6 | is a space that's not your classroom, not your room, where they
7 | can meet with friends and study. And the University was trying
8 | to provide a third space by closing that space down.

9 | MS. KAHLOW: Okay. And that wasn't the question I
10 | asked. I'm very familiar with what they did with the student
11 | vendors. What I was asking is, what changes did they make for
12 | student safety and --

13 | MR. DAYS: They closed the space, Barbara.

14 | MS. KAHLOW: They just blocked --

15 | MR. DAYS: To get access to the space, You had to have
16 | a GW card.

17 | MS. KAHLOW: Okay.

18 | MR. DAYS: And that was the way in which we attempted
19 | to insure security -- to increase the security.

20 | MS. KAHLOW: So then the fourth question relates to
21 | what will happen now in the District House? Will the public --
22 | could it be anybody in the public, not just in Foggy Bottom-West
23 | End? They won't have a card to enter the space. How will they
24 | enter?

25 | MR. DAYS: The door will be -- Baxter, do you want to

1 take this or do you want me to keep going?

2 MR. GOODLY: Yeah, I can take that. So, Ms. Kahlow,
3 the -- what we did in '22 was to lock that external door that
4 faces out to I Street, so that -- there's an electronic lock that
5 is tap access. We put that in place. What we're proposing is
6 to take that access off during certain hours of the -- of the
7 day during the week, and then, when we no longer are welcoming
8 the public, we'll put that access back in place -- or that barrier
9 back in place. In addition, when we have the public in the --
10 in the third space that Kevin mentioned, we're going to increase
11 our security guard presence there, as well, to insure that the
12 students are safe. And for the rest of the Commissioners, the
13 building that is in mind here, there's essentially, actually,
14 three layers of doors that get to the residential part of the
15 building, and so we feel comfortable, by opening up that external
16 one, there's still two other doors that would have to be accessed
17 only through a tap-access process. So we're very comfortable
18 with the safety of our students there, and we think that this is
19 a reasonable request that we -- that we can allow access to the
20 third space for those hours that we've talked about.

21 MS. KAHLOW: Mr. Goodly, thank you for that
22 explanation. What will be the daytime hours, and why is access
23 denied on the weekends, when most people go out to eat? Why
24 would it not be available on -- during the daytime hours on
25 weekends?

1 MR. GOODLY: So we thought very long and hard about
2 what hours we could open up, and one of the -- one of our concerns
3 is always going to be about students in that third space that
4 that Kevin mentioned. So our students deserve some opportunity
5 to kind of commune as students. We can do programming for
6 students, if it's not open to the public, so that's why we
7 chose -- obviously, during the week the students are very busy
8 with classes and other things. The weekend is often a time for
9 them to relax and to study. That space becomes that area for
10 them or another area for them to be on their own without public
11 access, so that's the reason we chose to shut down.

12 MS. KAHLOW: And what are the weekday hours?

13 MR. GOODLY: I'm sorry?

14 MS. KAHLOW: What are the -- what are the weekday
15 daytime hours?

16 MR. GOODLY: I don't know if we've settled on -- I
17 think we were shutting down at six p.m. and opening up around
18 ten or, so I think it's like ten a.m. to six p.m., I believe.

19 MS. KAHLOW: Okay.

20 MR. AVITABILE: And I'll just add, that's the sort of
21 detail that we can certainly go into additional detail on in the
22 modification for District House.

23 MS. KAHLOW: Okay. Thanks, David. Next question. In
24 the June 5th PowerPoint, you talk about the student-facing. You
25 don't -- excuse me. There's no mention of student-facing on

1 | slides four, near-term, grade five; long-term, six; modifications
2 | to the, seven, ground-floor retail. So, David, maybe you have
3 | to answer. Why did you not have any mention of student-facing
4 | for that space in the PowerPoint?

5 | MR. DAYS: I don't think David created those slides.
6 | I think I created those slides.

7 | MS. KAHLOW: But you still are going to do student-
8 | facing then?

9 | MR. DAYS: Yes.

10 | MS. KAHLOW: Okay. That's --

11 | MR. DAYS: I think we -- again, I think we've been
12 | consistent.

13 | MS. KAHLOW: I didn't know -- I didn't -- So now I
14 | understand; you just didn't put it in (indiscernible).

15 | MR. DAYS: Yeah.

16 | MS. KAHLOW: Okay. The next question is, were any of
17 | the current GW officials in the 20 -- involved now in this case
18 | and in this PUD involved in the 2021 to 2022 District House
19 | application to close the retail -- to enhance public safety was
20 | a specific reason in the written documents -- and, if so, were
21 | they aware of GW's request by the Executive Vice President, number
22 | two at the University, to me, for the West End to become a
23 | party -- apply for party status in support and, because of student
24 | security, would I support it? And we talked about it at the WECA
25 | and we agreed to it. Were you aware of the fact that the GW

1 | approached us to support them in closing the dormitory?

2 | MR. DAYS: So I was here, Ms. Kahlow, and I do not
3 | recall that conversation. I was not part of those conversations.
4 | I know, from a general point of view, that there were a number
5 | of different issues that were important to the University
6 | regarding the closing of District House; as we said, third space,
7 | changing of the -- of the plan -- of the food plan, and we have,
8 | you know, reconsidered that in these days, because the conditions
9 | has changed and we want to be able to meet the community where
10 | it -- you know, where we can, and this is one of those places
11 | where we think we're making a good faith effort to do that.

12 | MS. KAHLOW: Thank you for that answer. I don't --
13 | nobody else was there that actually knew in the leadership. It
14 | was unusual for the University to come to the Civic Association
15 | asking them to do something for them and the reason stated, so
16 | we had to consider it.

17 | My last question is about what happened today. Were
18 | the two meetings that we held in my home about two PUDs, 2100
19 | Penn and 2001 Penn, restricted to discussion of could daycare
20 | be -- that was required in 2100 Penn, but not yet been provided,
21 | fit somewhere in the 2001 Penn? Is that the only thing we
22 | discussed? We did not discuss any other options? No one ever
23 | talked to WECA and asked us our options. We have lots of ideas
24 | for options, besides the District House, because there's so much
25 | retail everywhere -- food retail everywhere in the neighborhood.

1 The last thing in the world we need is another vendor open. We
2 have real needs like Saint Mary's Court, but I could name many
3 others. For example, The Village; we need stuff for The Village.
4 So, anyway, the point was, am I correct, the two meetings we had
5 were restricted to the -- and the on-site at 2001 Pennsylvania
6 Avenue was to see if daycare would work. We never discussed
7 anything else we wanted in this instance. We did discuss it in
8 another meeting on the 2100 Penn, but not on this meeting, not
9 on 2001 Penn. Is that correct?

10 MR. AVITABILE: No. No, that's not correct. At the
11 meeting we had -- I guess it was month before last -- in April,
12 we had a wide-ranging conversation about all sorts of possible
13 uses in both spaces. We talked about temporary activation, pop-
14 up spaces, what else we could put within this building, also
15 within the other building. You had brought up, for both
16 buildings, the concept of could we put the Ward 2 Wellness Center
17 in either location. Certainly, it started out with the idea,
18 could the daycare fit in this particular space, and I think we
19 all agreed that wasn't going to work, but we had -- we had a long
20 conversation. We talked about lots of different possible uses
21 of the space.

22 MS. KAHLOW: David, you're right. You're right, and I
23 forgot. Thank you. But I guess the fact is, when the ANC hadn't
24 come to us in advance, and we would have been willing to
25 discuss -- if you were willing to discuss something, we had ideas.

1 So we didn't -- the timing was so many months ago, it's hard to
2 know when we -- never had a conversation that I thought was
3 relevant to this, but thank you for -- you're right. I forgot.
4 My memory -- that's my age. I'm sorry. Those are my

5 MR. AVITABILE: I'll take it as a win. I just got to
6 be right.

7 MS. KAHLOW: I'm sorry, but I'm an honest person and I
8 have to say this, that you reminded me. I had forgotten.

9 MR. AVITABILE: I feel like I'm rewarded for reminding
10 the Chair to make sure you got to cross-examine, so thank you.

11 MS. KAHLOW: Thank you. Thank you, Mr. -- Chairman
12 Hood. I've finished cross of this witness -- the GW witnesses.

13 CHAIRMAN HOOD: Let me just say this, Mr. Avitabile.
14 I may have forgotten at that time, but, whenever it was called
15 to my attention, she would have been cross-examined. I
16 don't -- if it was at the end of the hearing, she would have
17 got the chance to cross. So, Ms. Kahlow, are you finished?

18 MS. KAHLOW: With this witness. I have questions for
19 the Office of Planning, once they give their report.

20 CHAIRMAN HOOD: Oh, okay. All right. All right. So
21 hold tight, Ms. Kahlow. Thank you. Okay. Now we can go to the
22 Office of Planning. I think we went through all that. Mr.
23 Jurkovich, you may begin.

24 MR. JURKOVIC: Thank you, and good evening, Chair Hood
25 and members of the Commission. The Office of Planning recommends

1 approval of the requested modification, including the applicant's
2 requested bicycle parking flexibility. The proposed PUD
3 modification is not anticipated to change the material facts upon
4 which the original application was approved. The PUD was
5 originally approved prior to the Comprehensive Plan and the
6 related zoning map amendments in 2016, and economic conditions
7 subsequent to COVID have drastically changed the office patterns
8 Districtwide. As such, many office building conversions have
9 become necessary to alleviate vacancies and help reactivate
10 streets with other permitted uses in their designated zones.

11 Here, the request to convert this largely vacant office
12 building into the University's proposed mix of office and
13 instructional use should bring additional foot traffic to a
14 walkable, transit-oriented area with an abundance of amenities
15 and help foster further employment opportunities.

16 In summary, OP finds that the requested PUD
17 modification would not be inconsistent with the Comprehensive
18 Plan maps, elements, and policies. Therefore, OP recommends that
19 the Commission approve the requested modification with the
20 applicant's proper conditions. That concludes my -- that
21 concludes OP testimony, and I'm here to answer any questions.
22 Thank you.

23 CHAIRMAN HOOD: Thank you, Mr. Jurkovic. Let's see if
24 we have any questions. Commissioner Imamura, any questions of
25 the Office of Planning?

1 COMMISSIONER IMAMURA: No questions, Mr. Jurkovic.
2 Thank you for your report. It sounds like Ms. Kahlow has more
3 questions for you.

4 CHAIRMAN HOOD: Okay. Vice Chair Miller.

5 VICE CHAIR MILLER: Sorry. I hit the wrong button.
6 Thank you, Mr. Jurkovic, for your report, comprehensive as usual,
7 and we'll look forward to hearing the back and forth with the
8 witness.

9 CHAIRMAN HOOD: Ms. Templin or Mr. Avitabile, y'all
10 have any questions for Office of Planning?

11 MS. TEMPLIN: No questions. Thank you.

12 CHAIRMAN HOOD: Okay. And, again, I don't think we
13 have anyone here from the ANC 2A and 2C. And, Vice Chair, I'm
14 going ask you to get ready. And, okay, Ms. Kahlow, you have
15 any -- do you have --

16 MS. KAHLOW: I do.

17 CHAIRMAN HOOD: You may proceed with your questions.

18 MS. KAHLOW: I do have some questions. First, in the
19 OP summary on May 29th, you said quote, "requests that the
20 Applicant provide additional information regarding the process
21 for achieving the said District House proffer in advance of the
22 public hearing." I could find nothing in the record after May
23 29th. Did they submit something to OP, and, if so, could you
24 share it with the WECA, since I didn't see any of it?

25 MR. JURKOVIC: I believe, in subsequent pre-hearing

1 | submittals, they discussed that they plan to submit that as a
2 | modification without hearing either within 90 days or past the
3 | requisite appeal period for this case.

4 | MS. KAHLOW: I'm sorry. Was that in writing? I -- in
5 | what exhibit was it? I didn't see that, and I definitely didn't
6 | hear there was going to be a modification without hearing. I
7 | definitely did not read that.

8 | MR. JURKOVIC: Well, ultimately, how the modification
9 | moves forward is up to the applicant. I do not have the specific
10 | exhibit on hand where that was mentioned, but my recollection was
11 | confirmed today with the applicant's testimony, in regards to
12 | that proffered condition.

13 | MS. KAHLOW: Yes, they talked about it today, but I was
14 | asking -- you wrote a report dated May 29th and nothing in the
15 | record from them after that mentioned it, but okay. the next
16 | thing I wanted to ask is did OP review the case record for the
17 | District House case, the earlier one when we closed the retail
18 | to the public, which included, on page one, the purpose behind
19 | the University's initiative is to enhance safe -- student safety;
20 | under page two under description" of the modification, to enhance
21 | student safety; and also on page two, to enhance safety for
22 | students. Did you review the prior case before you wrote your
23 | report?

24 | MR. JURKOVIC: No.

25 | MS. KAHLOW: Okay. So, all right. And I was going to

1 ask about student-facing, but I think it's now clear. Kevin Days
2 gave a good description of what it meant, but it wasn't clear
3 except for what he told us, and I don't know if it was clear to
4 you or not, because the question is, did OP consider the student-
5 facing things as -- or whatever they're going to substitute as
6 being able to provide -- what's the word I want -- the activity
7 across Pennsylvania Avenue, and I don't -- I don't know if you
8 considered that or not when you talked -- did they use student-
9 facing with you?

10 MR. JURKOVIC: I believe you're asking in regards to
11 their intended uses of the ground floor, and since this
12 applicant --

13 MS. KAHLOW: Which side of the ground floor? The large
14 space, almost 5,000 square feet.

15 MR. JURKOVIC: Yeah. And since this application was
16 submitted and to today, you know, the applicant had been working
17 on fine-tuning the, you know, immediate and future uses of the
18 site. I believe the idea of the student, you know, financial
19 office was always something that was brought up. I think the
20 most recent discussion was of workplace placement. You know, it
21 would be OP's opinion that the applicant has, you know, put their
22 best foot forward in putting forward a use that should draw, you
23 know, student traffic across to this site and the immediate area.

24 MS. KAHLOW: Okay. My last question is not specific
25 to this case, but based on the old leadership at Office of

1 Planning with whom the WECA met repeatedly, we asked why the OP
2 reports don't discuss when we apply for party status or we state
3 objections. Why is there no mention of that in the report about
4 community concerns? OP reports they were -- they were going to
5 add that from now on.

6 MR. JURKOVIC: I believe we discussed, in the setdown,
7 you know, that there -- we don't discuss at length, you know,
8 opposition. And, as shown in this case, the -- you know, the
9 applicant has worked with parties, you know, to advance this
10 case, and that was discussed in brief, and we cited the
11 applicant's, you know, exhibit in the record, in regards to said
12 communication. I would have to check the record of exhibits as
13 to when. I know WECA -- originally, you submitted opposition,
14 and in my discussions with the applicant, they were working with
15 you all, as well as the ANC and, you know, the Arts Club of
16 Washington, you know, to, you know, come to their own common
17 ground with you, hopefully, and as well the other parties.

18 We, at length, really focus on the application, itself,
19 and as it relates to the Comprehensive Plan and our reports and
20 really leave, you know, you all, as separate parties in your
21 discussions, to supply that to the case. In this reference, you
22 know, it was a modification to a long-existing PUD, and we felt
23 that, you know, initially, the applicant's proposal without the
24 District House proffer was enough for us to set it down, and we
25 were happy to see that, you know, through continued communication

1 with the public, that they have, you know, enhanced their
2 application.

3 MS. KAHLOW: Thank you for your answer, and I just ask
4 that in the future, that there be mention of the Civic
5 Associations. In our case, West End Citizens Association and the
6 Foggy Bottom Association are very active, and they're more in
7 tune often with the Foggy Bottom-West End community than the ANC,
8 so I would appreciate your trying to recognize us in the future.
9 Thank you. Mr. Hood, I'm finished with this witness. Thanks.

10 CHAIRMAN HOOD: All right. Thank you. Thank you, Ms.
11 Kahlow. And thank you, Mr. Jurkovic, for your report. We
12 appreciate it. Vice Chair, you have the ANCs? Would you just
13 give us a snapshot please?

14 VICE CHAIR MILLER: I do. I have ANC 2A's letter to
15 you, Mr. Chairman, dated May 20th, at Exhibit Number 33, where
16 they state that, at their regular meeting of May 20th, they
17 considered this application and adopted the resolution in support
18 by a six-to-zero vote. I'll just read a few of the resolved
19 paragraphs on page four, I think, of their letter to you. ANC
20 2A supports approval of this -- I'll paraphrase -- this case
21 subject to conditions set forth in the University's prehearing
22 statement, including, specifically, that, one, the requested
23 modification to the pre-approved PUD apply only to the eastern
24 ground-floor bay of the property with no modification of any kind
25 to the existing retail condition of the approved PUD, with respect

1 to the western ground-floor bay; two, that the University reopen
2 District House for public access during weekday daytime hours;
3 and, three, that the University file an application to modify the
4 District House PUD within 90 days of issuance of the final written
5 order in this case. And I think all of those are part of the
6 application now. They further resolved that the ANC 2A requests,
7 as a condition of its support, that the University install clear,
8 prominent, publicly visible signage at District House indicating
9 that the ground-floor retail space is open to the public and such
10 signage clearly communicate the days and hours which public
11 access is available, so that neighborhood residents are aware of
12 and able to make use of this restored public benefit. And, in
13 response to my question, the applicant stated that that would be
14 part of the order.

15 And then they have a further resolution that ANC 2A
16 encourages the University to continue exploring opportunities at
17 the property at District House and across its Foggy Bottom
18 holdings more broadly to integrate student-facing uses with
19 publicly-accessible amenities that strengthen the connection
20 between the University and the surrounding residential community.
21 And I think the applicant has stated that they are committed to
22 that goal this evening.

23 I don't have the ANC 2C, which is an adjacent 2C --
24 adjacent ANC. I don't have that letter in front of me, but, as
25 I recall, from reviewing the exhibits, it was in support. It's

1 an adjacent ANC. It's not the immediately affected ANC. Thank
2 you, Mr. Chairman.

3 CHAIRMAN HOOD: Thank you, Vice Chair, for capturing
4 both ANCs, 2A and 2C, who are supportive, as we move forward. I
5 think the ANC voted three-to-zero. I'm going off the top of my
6 head, but, whatever it is, it's in the record, so thank you very
7 much for doing that. Let's go -- I think we -- oh, the next
8 thing is go to Ms. Kahlow for her opposition. Ms. Kahlow.

9 MS. KAHLOW: Thank you very much. I speak quickly, and
10 if you need me to slow it down, please let me know. I, Barbara
11 Kahlow, live at 800 25th Street Northwest. I'm testifying on
12 behalf of the West End Citizens Association, the oldest citizens
13 organization in Foggy Bottom-West End and the second oldest in
14 all of DC. One of our principal goals is maintaining the quality
15 of life for the residential community in Foggy Bottom-West End.

16 The WECA was not a party in the 1987 case. Since then,
17 we've become more active in land use cases in Foggy Bottom-West
18 End and have often been recognized as a party. I think there
19 were ten of them in the GW cases as -- that we applied for, all
20 of which we received party status in. We requested party status,
21 and I talk about what our letter said.

22 This afternoon, I'm talking about three subjects: one,
23 GW's 2100 Penn PUD's requirements' fulfillment and non-
24 fulfillment of the order's requirements; two, the history of the
25 WECA's agreement to GW -- for GW to support closing the retail

1 | dormitory, which I've mentioned; three, the instant application
2 | on 2001 Penn. First, let's get to the 2100 Penn. I love that
3 | we had this opportunity to discuss for the record how extremely
4 | disappointed we are with GW and its performance.

5 | In sum, GW, without any prior notice to or discussion
6 | with the WECA or any of the rest of Foggy Bottom-West End,
7 | substituted its GW Campus Store, which was located elsewhere in
8 | GW's boundaries, into the two-story retail, which the community
9 | had expected would be community-oriented, including a grocery
10 | store and the traditional small retailers that had been in that
11 | space, 2100 Penn, forever; barber shop, shoe repair, dry cleaner,
12 | et cetera.

13 | In response, unfortunately, we had to hire a zoning
14 | lawyer to help us in the case. In addition, the order's
15 | requirements in the condition part require a daycare
16 | establishment, which has never been provided, and the reason was
17 | it was the space that we had allocated, which was not specified
18 | in the order, the amount of square feet was too small for vendors.

19 | We were stunned, in addition, that of the two retail
20 | stores that are there, one that's excellent and one that's not,
21 | the second one is not, now has a back-room nightclub run by
22 | Casta's on New Hampshire Avenue, which has been a problem ABC
23 | establishment in the West End for many years. The bottom line
24 | is we felt misled about this entire 2100 experience --
25 | Pennsylvania experience, and now we realize we need to have more

1 specific and precise conditions and zoning orders relating to GW
2 and Foggy Bottom.

3 Second, the District House. I've gone through it
4 before, but the bottom line is that we were a witness, at the
5 request of the GW Executive Vice President, in support, and it
6 was because of not only giving the students an experience -- a
7 different experience for their food, the Executive Vice
8 President took me to (indiscernible) and Mount Vernon, showed me
9 how it was going to work, and then we talked at length about the
10 security, because it's a big issue for -- safety's always been a
11 big issue for me. So we talked about all of that. And the order
12 specified that because they were closing the retail, they were
13 going to give an amenity, and they would now increase the original
14 amenity by \$20,000 to give a green wall for a problem that they
15 created -- that was created when they built in a sidewalk. The
16 answer is there really was a quid pro quo, and it was -- and it
17 was financial, when you were asking about that.

18 So the third, and that's this case here, we wanted to
19 discuss some alternatives, and, as Mr. Avitabile correctly
20 remarked, we had a meeting where different ideas were thrown out,
21 but never -- because it was really a 2100 Penn meeting about
22 daycare, never really focused on this subject, because we would
23 have -- we have many ideas that we -- such as the ones I -- we --
24 I will be presenting. The larger space, the eastern part, is 60
25 percent of the retail space that will be gone that was required

1 and that the community had relied on, and then they talked about
2 student-facing. Mr. Days explained what that meant. Even though
3 it wasn't in the latest slideshow, it's still in the intended
4 use, and we wanted to suggest some alternatives.

5 This is switched (indiscernible). First was to provide
6 free technical assistance by GW undergraduate or graduate
7 students to Foggy Bottom-West End residents. We could easily say
8 seniors only, who need help to use their in-home computers,
9 smartphones, iPads, Kindles, and et cetera. GW currently, I
10 found out since I wrote this testimony, does give this free help
11 to the seniors at St Mary's Court, which is great. They already
12 have people ready to go on that. And The Village has some
13 people -- GW students that are volunteers at The Village, and
14 they help Village members. So some people do get this help, but
15 a lot of people -- I can name one in every single building in
16 Foggy Bottom-West End that is struggling, not -- myself not
17 included, that is struggling with technical, and we could use
18 some help.

19 The second was to do a 25,000 monetary contribution to
20 the Resident Relief Fund for Saint Mary's Court, a 140-unit
21 Section 202 National Housing Act entity, which -- for low-income
22 housing for the elderly and people with disability --
23 accessibility disabilities. I met with the new President of the
24 Board, and he said it would be wonderful, and he wrote a letter,
25 which I can submit for the record, if you'd like to -- I can send

1 | it to Sharon Schellin right now, if you would like -- of why this
2 | would be so important to have a financial contribution. They had
3 | so many needs for the Resident Relief Fund, because of the massive
4 | fire, and it's been -- they need money -- more money now, because
5 | there's more needs.

6 | And the last thing I wanted to note was the ANC/SMD
7 | Commissioner who negotiated this District House idea, not
8 | recognizing the security issue -- and there's so much food
9 | everywhere, the last thing we need is additional food
10 | vendors -- said in the May meeting that -- where they made
11 | the motion that Mr. Miller just -- Commissioner Miller just read,
12 | "that the net reduction in public retail is unfortunate. Any
13 | future request for reduction in PUD-required retail needs a high
14 | level of scrutiny and needs a balance with equal benefits," and
15 | the WECA agrees with him. Thank you for letting me present the
16 | testimony -- the whole written testimony. I'm sure you -- some
17 | of you have already looked at. I didn't want to have to repeat
18 | it all today. Thank you.

19 | CHAIRMAN HOOD: Thank you, Ms. Kahlow, for all the work
20 | that you have always done, and that's why I believe that when I
21 | hear GW, it's always synonymous with West End or Ms. Kahlow. I
22 | know you've been involved quite extensively. I did have a
23 | question for you. And I do know -- and I preface that with -- I
24 | want GW to know, also, that I know for a fact that Ms. Kahlow
25 | does not put all of her talent towards GW, because I see her in

1 | some of the avenues I travel and other Wards in the city, and
2 | she's respected in all of those different areas where I am. She
3 | and I run into each other from time to time somewhere, but,
4 | anyway, we'll leave that where it is. But I will say that one
5 | of the things that I'm curious about, Ms. Kahlow, is the -- when
6 | ANC 2A -- were you involved with ANC 2A? Do you work with them?
7 | Were you involved to give us some of that historical perspective
8 | of what actually is going on here? Did you have any input with
9 | them?

10 | MS. KAHLLOW: No input on this, except for the
11 | Commissioner Malec of the SMD. We told him about our opposition.
12 | He agreed. I sent him our party request, and then he went ahead
13 | and negotiated without telling us. The ANC has so many problems
14 | that, when it came up for discussion, I decided not to add to
15 | the confusion in the ANC. You will be hearing very soon about
16 | what is going on in our ANC. It'll become public, because it's
17 | really an embarrassment, and the two Civic Associations have had
18 | to pick up the whole relationships, and we've met with GW and
19 | they've promised that they won't -- they won't identify sites for
20 | the new Campus Plan or boundaries until they've actually met with
21 | the two organizations, because we are the principal people
22 | representing the residents. But, no, the ANC -- we -- I chose
23 | to be silent. It -- there was too much confusion. I didn't
24 | think it was the right way to mention it.

25 | CHAIRMAN HOOD: Okay. All right. All right. Well,

1 | thank you for that, Ms. Kahlow. Let me see if others have any
2 | questions. Commissioner Imamura.

3 | COMMISSIONER IMAMURA: No questions. Thank you, Ms.
4 | Kahlow.

5 | MS. KAHLOW: You're welcome.

6 | CHAIRMAN HOOD: Vice Chair Miller.

7 | VICE CHAIR MILLER: Thank you, Mr. Chairman. And thank
8 | you, Ms. Kahlow, for your presentation here today and your civic
9 | engagement over many decades. So the question I had was the
10 | question I was raising. I mean, you -- you're a party in
11 | opposition, so you've had your opportunity for cross-examination
12 | in opposition, but my question is, you suggested some -- a couple
13 | of mitigation options for this modification, including the Saint
14 | Mary's Court contribution, which I think is more definitive and
15 | enforceable than the open-ended technical assistance, which I
16 | also could use and many people in our demographic could use on a
17 | daily basis, but I do have Archie around, who now can help me
18 | with that.

19 | So the question is, would you -- would you -- are you
20 | with -- or would you be supportive now of -- if the
21 | condition -- if GW agreed to that additional condition -- I
22 | don't know if they would; they've done conditions in response to
23 | the ANC 2A, which I appreciate and which you are supportive of,
24 | as I recall -- as I understand -- but if they were to do, in
25 | addition -- in addition to those conditions, the contribution to

1 Saint Mary's, would you be supportive of this application? Are
2 you able to say --

3 MS. KAHLOW: I can say that it's more complicated,
4 because the way your process works, you can't do cross-
5 examination and you can't find findings of fact, and since we had
6 this experience of 2100 Penn where we didn't get what we thought
7 we were getting, we need to participate in the discussion of
8 conditions.

9 VICE CHAIR MILLER: I wasn't -- I wasn't criticizing
10 your participation in party -- in being a party in opposition.
11 I supported it.

12 MS. KAHLOW: That's why I wanted to continue

13 VICE CHAIR MILLER: But at this -- but if they were
14 to -- if they were -- I don't know if they are -- if they were
15 to add that contribution to Saint Mary's as a condition to this
16 order in this application, would -- are you able to say tonight
17 that you are supportive of this application?

18 MS. KAHLOW: I think it's a little more a little more --
19 a little more confusing. Yes, that would be wonderful, but I
20 think it would be -- the District House makes no sense, since we
21 already have millions of vendors for food. We have so many needy
22 things that we need in Foggy Bottom of all of our seniors. That's
23 why we mentioned the technical assistance. GW is willing to do
24 it, and we would have to find out a way to do it, but there are
25 other ideas.

1 If we could have one meeting on point with them, I
2 think we'd reach an agreement, and then we could -- as long as
3 we could review the conditions. It's not an easy answer, because,
4 of course, we want the money, but we, more importantly, want to
5 have conditions that are -- that are binding. If they continue
6 the District House, that's their problem, but it's not really
7 what's needed in this community. What's needed in this community
8 are the people to have -- want retail, that have technical needs.
9 You know, we have so many other needs that the District House
10 fooding is not particularly a needed thing.

11 VICE CHAIR MILLER: Okay. Thank you for your response
12 and answer.

13 MS. KAHLOW: I hope I answered everything okay.

14 VICE CHAIR MILLER: Look forward to seeing you at the
15 Mubadala Citi Open tennis tournament next month.

16 MS. KAHLOW: I did not -- I did not renew my tickets,
17 because the --

18 VICE CHAIR MILLER: They've been gotten out of control,
19 the prices at all of these --

20 MS. KAHLOW: Oh, it's not the money. It's the fact
21 that the ladies rooms are just always broken. It doesn't work.

22 VICE CHAIR MILLER: Okay.

23 MS. KAHLOW: It doesn't work. There's --

24 VICE CHAIR MILLER: But I'll see you around, like
25 Chairman Hood sees you around.

1 MS. KAHLOW: Well, but Chairman Hood sees me, because
2 what people don't know -- I don't know if Mr. Imamura knows that
3 I help communities of color across the city on land use. They
4 come to me for advice or to testify in front of the Council or
5 the Zoning Commission, so I help other people, and that's why I'm
6 around a lot of places, but the tennis was my thing. Now I watch
7 it on television. Sixteen years.

8 VICE CHAIR MILLER: That's the best seat in the house.

9 MS. KAHLOW: That's right. Thank you.

10 CHAIRMAN HOOD: And, again, Ms. Kahlow, we thank you
11 for all your superb help in other areas in the city. And, again,
12 you just don't do GW stuff. I know I can testify to that. So,
13 anyway, all right, let's -- Ms. Templin or Mr. Avitabile, y'all
14 have any questions of the party in opposition, Ms. Kahlow?

15 (Both parties shake head negatively.)

16 CHAIRMAN HOOD: You know, what I've noticed in these
17 hearings, y'all all know each other. I heard Mr. Day say
18 "Barbara", and I hear y'all say "Kevin". I hear -- I -- and that
19 does not go lost on me, so I just want y'all to know that.

20 MS. KAHLOW: We get along well. I just want you to
21 know, we get along well.

22 CHAIRMAN HOOD: I see. So, anyway, all right. So no
23 questions from the -- again, we don't have anyone here from the
24 ANC. I just want to make sure I call it. Ms. Schellin, do we
25 have anyone who's here to testify in support, opposition, or

1 undeclared?

2 MS. SCHELLIN: We have no one in any category, actually.

3 CHAIRMAN HOOD: Oh.

4 MS. SCHELLIN: And no one to testify.

5 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. Ms.
6 Templin, do you have any -- I'm going to call just you, Ms.
7 Templin, because I think you're taking the lead on this. Mr.
8 Avitabile is just here for tech support and helping us to keep
9 from going long. So, Ms. Templin, do you have any closing -- I
10 mean, any rebuttal or closing?

11 MR. AVITABILE: Yeah, we do have some rebuttal.

12 MS. TEMPLIN: and we're going to kind of share roles,
13 so Mr. Avitabile is going to do some rebuttal, and then I will
14 close things out.

15 MR. AVITABILE: Again, since -- I get to do all the
16 items related to Barbara, so that's the rebuttal piece of this.
17 So I think I want to just clarify a couple of things, and we'll
18 punch through them quickly.

19 And, Chairman Hood, you're right, you're getting a
20 moment in a continuum of conversation that we've been having for
21 the better part of probably two or three years now about PUDs
22 and public benefits and how we implement it. And it's a situation
23 where reasonable minds certainly can disagree, but we're all
24 trying to achieve the goals that the University has and the
25 neighborhood have for active and vibrant retail, active student

1 | uses that enhance the neighborhood, and we're just trying to get
2 | there as in common as we can.

3 | So I think, first, on the questions about the District
4 | House and the commitment -- there was a question for Mr. Jurkovic
5 | about timing -- our prehearing submission for May 8th, which was
6 | Exhibit 25, made really clear what our proposal was, in terms of
7 | how we were going to implement that commitment through a
8 | modification. And I'd add, that submission from May 8th included
9 | five proposed conditions with specific language on what we
10 | propose as the conditions for this PUD, in terms of the use and
11 | approval and everything else, so we've tried to be as open and
12 | precise, as we are in all of our orders, about what we commit
13 | to.

14 | I think the Commission knows and understands, we --
15 | there's a difference between what you put in a condition, which
16 | is a specific commitment that you're going to be bound by and
17 | lives for the life of a PUD, and your description and your
18 | aspirations and your intent. We certainly always -- and then
19 | there will be areas where people disagree. Our intent for the --
20 | I know we spent some time talking about a PUD that isn't before
21 | you tonight, this 2100 Penn PUD and the Campus Store, which I
22 | know -- I think both Mr. Miller and you, Chairman Hood, were a
23 | part of that. I don't remember, Mr. Imamura, if you were a part
24 | of that one; I don't think you were. But, you know, the issue
25 | there was the Campus Bookstore considered to be retail and, very

1 clearly, for many people, that was easily able to be seen that
2 it was retail, and you all agreed that it was retail, and the
3 Court of Appeals agreed, by the way, that it was retail in what
4 might be the quickest decision I've seen come out of them. Inside
5 of two months of oral argument, they issued their order,
6 confirming that they agreed with the conclusion that that was
7 retail. So, you know, I appreciate that Ms. Kahlow feels
8 differently about that and her organization feels differently
9 about that, but that's where, again, reasonable minds can
10 disagree. And so I just want to sort of put a pin on that piece
11 of it.

12 On the other piece of that, the daycare that's been
13 talked about, there is no active daycare in the building, because
14 the daycare market completely changed. We have been negotiating
15 for the better part of two years with WECA and others, trying to
16 figure out a solution to that with the owner of the building,
17 Boston Properties. GW is just the fee owner of the land. We
18 will be bringing that forward to you. We have been working with
19 them, as you've heard, to try to come to an agreement, but I just
20 want to be clear, we actively seriously -- take seriously our
21 commitments in these PUDs, and we work as hard as we can to try
22 to implement them, and we try to do so in a way where we're
23 working together. Particularly after the experience with the
24 Campus Store, the last thing we were going to do is unilaterally
25 propose a change to you without engaging with everyone first.

1 Just this process, as you can see playing out, can sometimes be
2 a little messy and it takes time. But I just wanted to sort of
3 clarify on that other application, we are all trying to work
4 together to implement that.

5 And then I think the last thing I wanted to speak to --
6 and thank you, Commissioner Miller, for asking the question that
7 you asked. And, Mr. Goodly, I think if you -- you know, I think
8 the proposal for the \$25,000 for Saint Mary's is something that
9 is an interesting idea, and I think if we could reach an agreement
10 on that and get to a Zoning Commission action on this this evening
11 and be able to walk away, I think that's something the University
12 would seriously consider, but we've spent a lot of time on this.
13 I mean, I think we filed this application -- gosh, was it
14 September --

15 MS. TEMPLIN: I think it was October.

16 MR. AVITABILE: -- September or October --

17 MS. TEMPLIN: September.

18 MR. AVITABILE: Right. I mean, we've been at this for
19 nine months getting up to this hearing. It took a while to get
20 to set down, and we really would like to bring this to a close,
21 so the University can move forward in planning what it wants to
22 do with the building, knowing that it can put the University uses
23 in the building, figure out what's going to go into the ground
24 floor, but we would like to be able to -- we would like to be
25 able to move forward.

1 So, I guess, Mr. Goodly, a question for you to clarify,
2 like, is that something that you would be agreeable to doing?

3 MR. GOODLY: Yes. The University has a long history
4 of supporting that Institution and we would love to be able to
5 do something again, and I think -- I think that would be a great
6 way for us to support our neighbors and, as you said, David, to
7 continue to move forward with the planning of 2001 Penn.

8 MR. AVITABILE: So, I mean, you heard it. We're happy
9 to -- we're happy to agree to do that, as well, but I think we
10 would like to be able to move forward, and, you know, I think
11 we, otherwise, have very clear conditions of what we've agreed
12 to commit to do that we proposed that very clearly say when and
13 how we're going to implement the District House. I recognize
14 that Ms. Kahlow doesn't believe that that's a benefit, but the
15 ANCs certainly felt that that was important. And so we can do
16 something for the ANC, and we can do something for WECA as well.

17 At the end of the day, we're just trying to do what we
18 can to make sure the Foggy Bottom-West End community, as a whole,
19 feels like we are contributing. And all of this in exchange for
20 taking a bank space and turning it into something more active.
21 I think this is a win-win-win for everyone here. So I think
22 we're happy to do it, but we'd really like to walk away and
23 potentially get to a decision tonight.

24 CHAIRMAN HOOD: Okay.

25 MR. AVITABILE: And I recognize that's not really a

1 question for you all. I just -- you know, that's our challenge.

2 CHAIRMAN HOOD: Yeah, it's not -- it's not a question.
3 I don't know where my -- I know where Vice Chair Miller is. I
4 don't know where Commissioner Imamura is. And I really thought --
5 well, I'm going to let the Vice Chair handle this since he brought
6 it up. I'm not going to handle it, because I might handle it a
7 different way, and I don't want to have -- I mean, I got other
8 thoughts on that, but, Vice Chair Miller, I'm going to turn it
9 over to you.

10 VICE CHAIR MILLER: Was Ms. Templin going to give
11 closing remarks or you want me to go into that?

12 CHAIRMAN HOOD: She was, but before she do closing --
13 before she do closing --

14 VICE CHAIR MILLER: You want me to respond? Well, I
15 think they offered to do it, and I was suggesting that it -- I
16 was -- if they -- if they were -- if they included as a condition
17 and Ms. Kahlow could say she's now supportive of this application,
18 and so we all can have that win-win-win, not that it's a total
19 win for anybody -- it never is in any of these cases -- I was
20 willing to push that, but her response --

21 CHAIRMAN HOOD: So all I want you to do is work it out.
22 I want you to work it out.

23 VICE CHAIR MILLER: -- her response indicated that she
24 was not going to say that, and I respect her opinion that it's
25 complicated and she got a lot of other issues involved here and

1 | so she wasn't willing to say she was supportive, so I'm not going
2 | to push it any further.

3 | CHAIRMAN HOOD: Okay. Well, let me -- let me take it
4 | back. Let me take it back. Let me take it back. Ms. Kahlow,
5 | do you still stick with your same response, because -- do you
6 | still stick with your same response that you gave earlier?

7 | MS. KAHLOW: It's -- I gave a more complicated answer,
8 | and I still think we want to look at each of the conditions.
9 | That's what's important to us. The package -- if you want to do
10 | the District House, fine; 25 grand, great, but we want to see
11 | the conditions of the order, because we didn't -- we got misled
12 | the last time. If we could somehow be involved in the
13 | participation of the decisions of the order; if we could write a
14 | document, we could review it, then we would be willing to agree.
15 | We -- that particular piece was really important to us.

16 | CHAIRMAN HOOD: Okay. I don't know -- I'll leave all
17 | the legal jargon up to our lawyers, so we just try to deal what's
18 | in front of me. I don't know if that's even permissible, so I
19 | don't want to kind of sway into that. Okay. So, Vice Chair,
20 | let me just take it back. Any follow-up questions before we go
21 | to closing? And I do know that, because counsel basically did
22 | the rebuttal, if there -- normally, you don't cross-examine the
23 | counsel, but somebody else may be able to ask him the questions.
24 | I want to make sure, Ms. Kahlow, you don't have any rebuttal --
25 | I mean, any cross on rebuttal.

1 MS. KAHLOW: I would like to make what I just said
2 clear. We are happy with the package. If you want to keep the
3 District House; yes, the 25 grand, but in the rules of the Zoning
4 Commission -- I have four contested cases -- parties can comment
5 on and produce an order -- draft order conditions. We want that
6 one thing, because that we got -- we lost the last time, and if
7 we have an agreement that we can look at those conditions with --
8 Mr. Avitabile and I could sit down and actually work on that,
9 then we'll be fine. I mean, it sounds ridiculous, but that would
10 be fine. Mr. Avitabile, can we can we agree to that, because we
11 just want something that's binding?

12 MR. AVITABILE: I mean, I don't -- I don't know that
13 we're -- the conditions have to be enforceable for the life of
14 this PUD, which means we can't do something like put language in
15 there that says neighborhood-serving retail --

16 MS. KAHLOW: I agree.

17 MR. AVITABILE: -- because no one knows what that
18 means.

19 MS. KAHLOW: Okay.

20 MR. AVITABILE: Or student-facing space, because that's
21 also vague. And, yes, like, right now, that's what we're
22 thinking, but in 30 years, when we now want to put something else
23 in that space and we think it's student-facing and some other
24 group thinks it's not, I don't want to be fighting about that,
25 just like we were fighting over whether or not a Campus Bookstore

1 is neighborhood-serving. So that's the problem with some of the
2 verbiage. I mean, I think the conditions are pretty clear and
3 they spell for themselves. I am happy for a situation where if
4 you want to remain a party and change your position to, at least,
5 be no objection or what have you, you'd have a right to comment
6 on our draft order, and the Commission can do what they will with
7 that, I suppose. I mean, I -- although I would really like to
8 have the vote this evening, if possible. So I'm not sure how to
9 proceed with this.

10 CHAIRMAN HOOD: Let me ask -- let me ask Mr. Ritting,
11 because I know how I'm going to proceed. Let me ask Mr. Ritting
12 if he could --

13 MR. RITTING: I was going to make a suggestion. You
14 know we have this process in full PUD cases, where, after proposed
15 action, there's a -- there's a back and forth process. It
16 wouldn't apply in this case automatically by rule, because
17 there's no proposed action. This is just a PUD modification;
18 there's only one vote. If the applicant's willing to do it, I'm
19 willing to look at the conditions ,if you submitted them with the
20 draft order, and to follow the same process that's listed in the
21 rule. You know, it would be a voluntary process, because it's
22 not required by the rule, but if the applicant's willing to do
23 it, I'm willing to look at it, and that would seem to be a
24 structured way to accomplish what you all discussing.

25 MS. KAHLOW: Would we be able to also, Mr Ritting?

1 MR. RITTING: Yes.

2 MS. KAHLOW: Great.

3 MR. RITTING: The rules, if you want to look at them,
4 they're at Subtitle X, Section 308. I forgot the subparagraphs,
5 but it's, like, a seven-day process where the applicant submits
6 something, I provide comments to the applicant about the draft
7 conditions, and then you have a chance to respond. You know, we
8 would have to modify it in some other ways that I can't foresee
9 in some small way, but I think that would work, if the applicant's
10 willing to agree to it.

11 The other little complicating factor is that the -- if
12 the Commission takes a vote to approve, the record's technically
13 closed, so there wouldn't be any other additional submissions,
14 other than that back and forth, per the rule that doesn't
15 technically apply. So I'll leave it up to the applicant to say
16 if they want to go along with that. They're under no obligation
17 to do that.

18 MR. AVITABILE: I'll make a judgment call here, and,
19 hopefully -- but I think we are amenable to that, in the interest
20 of, at least, giving Ms. Kahlow the chance to have her say and
21 in sort of, I think, attesting to sort of like -- we do -- we do
22 like to try to work together, even if we don't always agree.

23 Obviously, we would like -- you've heard me clearly,
24 otherwise, on what we'd like to be able to do, if possible, for
25 what was, otherwise, a straightforward case, but it's your

1 prerogative, as the Commission, on when and whether you'd want
2 to vote now or after that process happens, but we're certainly
3 open to that process either way.

4 MS. KAHLOW: Great.

5 CHAIRMAN HOOD: Okay. Thank you. Ms. Templin, did you
6 have any closing?

7 MS. TEMPLIN: Yeah, just briefly to close. You know,
8 the University is proposing an adaptive reuse of this
9 underutilized building on a really important corner downtown.
10 The University has engaged diligently with all community
11 stakeholders for the better part of the last year, which resulted
12 in not only the commitment to retain the western bay as retail,
13 but also to reopen the District House, which is existing retail,
14 to public use during weekday daytime hours. We really do
15 appreciate everyone's collaboration, and we appreciate the
16 Commission's time today. Thank you.

17 CHAIRMAN HOOD: Okay. Thank you. Let me see how my
18 colleagues -- I'll be frankly honest -- and I hear the
19 camaraderie between Ms. Kahlow and Mr. Avitabile, how they're
20 trying to work things out. For me, when I look at the case record
21 and I think if the courts look at the case record, we have to do
22 our job which is in front of us. We just won a big major case,
23 and I don't want to do a whole lot of tweaking and doing that,
24 because that gets me in trouble. While I think that it's very
25 amicable, I believe that Mr. Avitabile and all those -- Mr. Goody

1 (phonetic) and -- Goodly and Mr. Days and all those, Ms. Templin,
2 everybody can work with Ms. Kahlow and get it done. I believe
3 you can get it done sometimes outside of our process.

4 MS. KAHLOW: Yes.

5 CHAIRMAN HOOD: That's just me. But we have a process
6 we need to follow. I think this record is tight. I'm ready to
7 vote tonight, but I want to hear from others. I know Vice Chair
8 Miller brought it up, and, you know, I can go either way, but I
9 just want to caution us --

10 VICE CHAIR MILLER: I'm ready to move forward, Mr.
11 Chairman.

12 CHAIRMAN HOOD: Let me just finish. We are highly
13 scrutinized, and we want to make sure -- but I believe what I
14 heard was said between Ms. Kahlow and Mr. Avitabile can happen
15 without us, so that's just where I'm at.

16 VICE CHAIR MILLER: I agree with you, Mr. Chairman, and
17 I'm ready to move forward. And I liked your comment about
18 "amicable".

19 CHAIRMAN HOOD: Yeah.

20 VICE CHAIR MILLER: It kind of rhymes with Avitabile.
21 So I think we're all working together to try to get --

22 CHAIRMAN HOOD: That's it. That's it. So Commissioner
23 Imamura, you got any comments.

24 COMMISSIONER IMAMURA: Thank you Mr Chairman. I'm in
25 agreement with you. We need to -- I'm prepared to vote tonight

1 on what's before us. And so if they so choose to work things
2 out beyond and outside the scope of our work, that's, I think,
3 actually, very kind of Mr. Avitabile to do that, and I think that
4 may pay dividends in the long run for both of them -- for both
5 parties. So I hope it works out, but I'm prepared to vote on
6 what's before us tonight.

7 MS. KAHLOW: What's before us plus the \$25,000, right?

8 CHAIRMAN HOOD: I was not -- I was not including that,
9 but I'm looking at Vice Chair Miller, I'm looking --

10 VICE CHAIR MILLER: No.

11 COMMISSIONER IMAMURA: No.

12 CHAIRMAN HOOD: Okay. Saying no. Okay. No, now,
13 we're not going to include that in the process, Ms. Kahlow.

14 MS. KAHLOW: If we're not going to include the \$25,000,
15 then we will continue to be a party in opposition.

16 VICE CHAIR MILLER: I didn't hear you say you were
17 going to not be a party opposition if we did that. That's why
18 I'm not pushing it.

19 MS. KAHLOW: No. I thought that Mr. Avitabile said we
20 could do this amicably, and that's fine. I mean, if we can do
21 it amicably, let's put the 25,000 in. Otherwise, we will be a
22 party in opposition, but put it in. I thought that's what we
23 agreed to today. I'm sorry if it wasn't clear.

24 CHAIRMAN HOOD: But you know, Ms. Kahlow, what I've
25 learned in zoning in all my years, when we start talking about

1 money and stuff, I don't want to be involved with them kind of
2 conversations, because I think it's illegal for -- at least for
3 us to have that kind of conversation, and I'm not -- I don't want
4 to be -- I get tied up in enough stuff, and I don't want to be
5 tied to that. I'd rather for you all -- and I don't -- I'm not
6 going to ask -- I'm not going to put my counsel -- well, he cut
7 the light on, so good. Let me turn over to my counsel.

8 MR. RITTING: I was just going to advise that it's --
9 the hearing's over, and there's no need to engage in further back
10 and forth with Ms. Kahlow. If the Commission wants to deliberate
11 about its actions and what is included in the conditions, I think
12 that would be appropriate at this time.

13 CHAIRMAN HOOD: Okay. Thank you, Mr. Ritting. All
14 right. Colleagues, we have what's before us. We can talk about
15 whatever things that were included or asked about being included,
16 as we've discussed, but I think, for me, it's pretty
17 straightforward. Any additional -- additions that are being
18 added, I think, I don't necessarily have an issue, but I don't
19 know how we get there. I don't want to make it look like we're
20 pushing it, because I don't think that we're supposed to be
21 pushing it. I know I'm not pushing it, but let me hear from
22 others. Commissioner Imamura; then we'll go to you, Vice
23 Chairman.

24 COMMISSIONER IMAMURA: Thank you, Mr Chairman. I'm
25 ready to take final action tonight, as the case stands and as

1 | it's been presented to us tonight, and prepared to give great
2 | weight to the ANC reports, as well, so -- and OP also. So I
3 | think the record is complete, and I don't think that it requires
4 | any further deliberation, at least on my part.

5 | CHAIRMAN HOOD: Okay. Thank you. Vice Chair Miller.

6 | VICE CHAIR MILLER: I agree.

7 | CHAIRMAN HOOD: All right. So, with that, I don't have
8 | anything to add. Would somebody like to make a motion?

9 | COMMISSIONER IMAMURA: I would gladly make the motion,
10 | Mr. Chairman. I move that the Zoning Commission take final action
11 | on Case Number 87-23A, George Washington University, modification
12 | with hearing of a PUD at Square 78, Lot 853, at 2001 Pennsylvania
13 | Avenue Northwest, and ask for a second.

14 | VICE CHAIR MILLER: Second.

15 | CHAIRMAN HOOD: It's been moved and properly seconded.
16 | Thank you. Moved and properly seconded. Any further discussion?

17 | (No response.)

18 | CHAIRMAN HOOD: Not hearing any, Ms. Schellin, would
19 | you do a roll call vote please?

20 | MS. SCHELLIN: Yes, sir. Commissioner Imamura.

21 | COMMISSIONER IMAMURA: Yes.

22 | MR. AVITABILE: Commissioner Miller.

23 | VICE CHAIR MILLER: Yes.

24 | MS. SCHELLIN: Commissioner Hood.

25 | CHAIRMAN HOOD: Yes.

1 MS. SCHELLIN: The vote is three to zero to two to
2 approve -- I'm sorry -- to approve Zoning Commission Case Number
3 87-23A, the vote being -- I'm sorry -- Commissioners Stidham and
4 Wright not present, not voting. And, of course, a draft order
5 should be submitted; I'll say three weeks just to give them some
6 time, if they want to work together on the conditions. And,
7 other than that, the record is closed. Thank you.

8 MR. AVITABILE: Thank you.

9 CHAIRMAN HOOD: Thank you, Ms. Schellin. Do we have
10 anything else before us on this case?

11 MS. SCHELLIN: No, sir.

12 CHAIRMAN HOOD: Okay. The Commission will meet again
13 this coming Thursday at four p.m. on these same platforms. We
14 will have a closed meeting, as we announced earlier. And I want
15 to thank everyone for their participation, and you all can
16 continue to collaborate and do work together without us. So,
17 with that, you all have a great evening. Thank you.

18 (Whereupon, the above-entitled public hearing was
19 adjourned at 5:53 p.m.)

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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

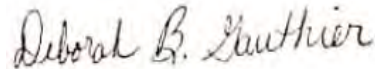
In the matter of: Public Hearing - Case No. 87-23A

Before: DC Zoning Commission

Date: 06-08-26

Place: Webex Videoconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Deborah B. Gauthier