

# TRANSCRIPT OF PROCEEDINGS

DISTRICT OF COLUMBIA ZONING COMMISSION

PUBLIC HEARING

\* \* \*

Application of the International  
Monetary Fund, IMF, requesting  
Modification and an addition to a  
previously approved Planned Unit  
Development and a related change of  
Zoning from R-%-C to C-3-C for Lot  
826, and a portion of Lot 49, and an  
adjacent dead-end alley that is proposed  
to be closed, all in Square 120

Case Number:

91-7M/79-13

ZONING SECRETARIAT  
DISTRICT OF COLUMBIA

91 NOV 26 P 3:19

Pages 139 thru 316

Washington, D. C.  
November 14, 1991

MILLER REPORTING COMPANY, INC.

507 C Street, N.E.  
Washington, D.C. 20002  
546-6666

DISTRICT OF COLUMBIA ZONING COMMISSION

PUBLIC HEARING

-----x  
 Application of the International x  
 Monetary Fund, IMF, requesting x  
 modification and an addition to a x  
 previously approved Planned Unit x  
 Development and a related change of x Case No.  
 zoning from R-5-C to C-3-C for Lot x 91-7M/79-13  
 826, and a portion of Lot 49, and an x  
 adjacent dead-end alley that is proposed x  
 to be closed, all in Square 120. x  
 -----x

Room 9, District Building  
 1350 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20004

Thursday, November 14, 1991

Hearing in the above-entitled matter reconvened,  
 pursuant to recess, at 7:45 p.m., VICE CHAIRMAN TERSH  
 BOASBERG, presiding.

COMMISSION MEMBERS PRESENT:

TERSH BOASBERG, Presiding

LLOYD SMITH, Commissioner

JOHN G. PARSONS, Commissioner

ALSO PRESENT:

MADELINE H. ROBINSON, Secretary

VINCENT ERONDU, Assistant Secretary

ALBERTO BASTIDA, Office of Planning.

APPEARANCES:

For the Applicant:

WHAYNE S. QUIN, ESQ.  
Wilkes, Artis, Hedrick & Lane  
1666 K Street, N.W.,  
Washington, D.C.

For ANC-2A:

RICHARD NETLER, ESQ.

+ + +

C O N T E N T S

| <u>TESTIMONY OF:</u>                                        | <u>PAGE</u> |
|-------------------------------------------------------------|-------------|
| Edward T. Kelly (Foggy Bottom/West End ANC-2A)              | 151         |
| Sara Maddux (Commissioner, ANC-2A06)                        | 154         |
| Ellen M. McCarthy (Planning Consultant)                     | 169         |
| John W. Wimberly, Jr. (Pastor, Western Presbyterian Church) | 195,<br>202 |
| Joyce Zickler (Church Member)                               | 197         |
| Gregory M. Busby (Pastor, Church of the Redeemer)           | 216         |
| Edward Davis (Individual in Support of Applicant)           | 219         |
| Robert Hanson (Homeless in Support of Applicant)            | 222         |
| Barbara Kahlow (Citizens for a Responsive ANC-2A)           | 224         |
| Kerry H. Stowell (Citizens for a Responsive ANC-2A)         | 229         |
| Chris Lamb (President, Foggy Bottom Assn.)                  | 243         |
| <u>Individuals in Opposition</u>                            |             |
| Mary E. Healy -                                             | 264         |
| Ramona Lauda -                                              | 268         |
| Joan M. Clark -                                             | 275         |
| Maria Tyler -                                               | 279         |
| Irene Parsons -                                             | 281         |
| Alan Beckinston -                                           | 286         |
| Kirsten Olsen -                                             | 290         |

C O N T E N T S - CONTINUED

| <u>TESTIMONY OF:</u>                         | <u>PAGE</u> |
|----------------------------------------------|-------------|
| Joann Rowe -                                 | 294         |
| Robert Meyers -                              | 298         |
| Robert Graham -                              | 301         |
| Closing Statement - Mr. Quin for Applicant - | 305         |
| Adjournment -                                | 316         |

+ + +

VICE CHAIRMAN BOASBERG: Good evening, ladies and gentlemen. We apologize for the late start. We have had some sickness on the Commission and the other two members were unable to be here, so we had to, as you can see, make some emergency rules. We thank the emergency member for dropping everything and coming down tonight.

I am Tersh Boasberg, the usually Vice Chairman and today Chairman, of the District of Columbia Zoning Commission. Joining me this evening are Mr. Parsons and Mr. Smith. Let me thank you again for dropping everything, Mr. Smith.

This adjourned hearing is now open. This is the continuation of the hearing for Case No. 91-7M, which is an application of the IMF, the International Monetary Fund, requesting modification and an addition to a previously-approved Planned Unit Development, PUD, and a related change of zoning from R-5-C to C-3-C for Lot 826, and a portion of Lot 49, and an adjacent dead-end alley that is proposed to be closed, all in Square 120.

The subject property is located on the south side of the 1900 block of H Street, N.W. The PUD site measures 28,242 square feet of land area, and IMF proposes to add approximately 280,319 square feet of gross floor area to the

existing headquarters building. The PUD modification would provide generally that the following would be done: the increase in the overall FAR, floor area ratio, of the entire building from approximately 7.67 to 9.07; secondly, it would eliminate the existing mini-parks at the southeast corner of 19th and H, and the west side of the public alley; third, it was redeveloped for a height of 130 feet, the one-story portion of existing building at the southwest side of the public alley; and four, redesign the 19th street entrance of the existing building.

On September 23rd, 1991, the Commission opened the public hearing and addressed preliminary matters and heard the applicant's case. The Commission will resume this evening as follows:

The applicant had a chance to put its case on and was cross-examined. There was a report of the Office of Planning and it was cross-examined. I don't believe there are reports of any other agencies, so we will start tonight with the report of the Advisory Neighborhood Commission 2A and then we will open the hearing to first the parties and persons in support of the PUD, in support of the IMF position, and then, lastly, the parties and persons in opposition to

this.

Those presenting testimony tonight should try to be brief and nonrepetitive. If you have a prepared statement, please give copies to our staff and orally summarize the highlights only. Please give us your statement before summarizing.

Individuals appearing before the Commission must complete two slips of paper, identification slips, if the reporter would hold those identification slips up so the people can see those. You will need to submit two of those so that we can keep a record of your statements. If these guidelines are followed, we can keep an adequate record.

Now let me add a few cautionary words. First of all, we know this is an emotional issue. Believe it or not, we hear many emotional issues down here at the Zoning Commission, even though none of us has a degree in psychiatry--or, for that matter, some other degrees. But we realize that things are emotionally involved, complex, and that people have very strongly-held views, that some consider these as moral issues and right or wrong, black or white. At the same time, we have to have an orderly proceeding, so I will ask all of you to give each of your fellow citizens a chance to talk and express his or her views without applause, with-

out intimidation, without booing.

We understand how you feel about these things. You have had a chance to write to us. We will listen to your testimony. But it really doesn't do any good to either comment loudly on another person's testimony or--We do not make a decision by plebiscite. We try to make decisions by the rules and regulations which all of you, as voters, have drafted more or less through your representatives in the Mayor and City Council, and we apply those rules. We are required to do that obviously by the constitution. So I hope you will aid us and aid yourself in getting home at a reasonable hour by following those procedures.

Now, in order to speed things up a little bit, what I would like to do before asking those who wish to testify to rise and take the oath, I would like to ask the representatives of the parties if they would come forward to the counsel table, the witness table here, so that we can discuss any preliminary matters.

My records show that the applicant will be represented, and we have the church, Reverend Wimberly here, and we have ANC-2A. We have the Foggy Bottom Citizens Association. All right. If you will just come forward, you can share the

microphones there.

Now, Miss Robinson, are there any preliminary matters that the staff might have first?

MS. ROBINSON: We have one preliminary matter, Mr. Chairman. We have a request from Council Chairman John Wilson, indicating that he requests the record remain open for a few days prior to the close of the--

VICE CHAIRMAN BOASBERG: Okay. We always keep the record open for a few days. That's not a problem, and we certainly will do it in this case as well.

Are there any other matters?

MS. ROBINSON: Only the additional materials that you have in front of you that were not in your packets.

VICE CHAIRMAN BOASBERG: All right. Since the record is open, we will do that.

Now, what I would like to do with the parties here to facilitate our discussion tonight, I would like to hear if there are any of you who have any preliminary matters to discuss first.

Yes, sir. Give your name and address and so forth.

MR. QUIN: My name is Whayne Quin, representing the applicant in this case.

At the last hearing the members of the Commission asked for further information in three specific areas: certain changes in the PUD proposal relating to lighting, a landscape plan, and the visitors center. You made certain suggestions.

We filed information in those three areas, those three items, for the record yesterday and served it on the parties. I just bring that to your attention, to offer our witnesses for explanation, for cross-examination, or however you would like to handle it. It is not really rebuttal testimony but we can handle it in any way you wish.

VICE CHAIRMAN BOASBERG: All right. We have received those for the record because the record is open.

Are there any other matters?

MR. QUIN: The only other matter is that you suggested at the last hearing that we meet with the other parties. We did so and filed a short letter on that for the record.

VICE CHAIRMAN BOASBERG: Right. We have that.

MR. QUIN: That's all.

VICE CHAIRMAN BOASBERG: Thank you.

I think what we will do on this--I realize that the

other parties really haven't had a chance to comment on this, but I think we can take your comments in writing. You can make comments tonight if you've had a chance to see this, and certainly you can do that. If you haven't had a chance to review it, to study it, or you need somebody else to look at it, then we will keep the record open for a reasonable length of time. As we conclude the hearing, we will decide that.

Now, in terms of testimony, in terms of the various people who are here, I don't know, you know, who is in your organizations and who is not. But I would recommend that those who are individuals, who you have had contact with, if we can have brief and unrepetitive testimony, it would be helpful to us. I would urge you to use your psychic powers and good influence to achieve that result.

Thank you very much. No preliminary matters. We will then begin with the testimony of the ANC in this case, which is ANC-2A. Who is going to represent them this evening? All right, all three of you come up. Hopefully, all three microphones may be working.

What I would like to get is some rough idea of what you think your testimony would take in terms of timing, and this is for the audience as well.

MR. KELLY: Collective?

VICE CHAIRMAN BOASBERG: "Collective" is a bad word to use these days, but yes, collectively.

MR. KELLY: Collectively, the three of us should not exceed 60 minutes, including Q&A.

VICE CHAIRMAN BOASBERG: All right. See if you can work with 45 minutes, if possible, Mr. Kelly.

The other parties, are we talking 10 or 15 minutes? Miss Kahlow?

MS. KAHLOW: Yes, depending on--

VICE CHAIRMAN BOASBERG: Yes, depending on. If we could get some idea from the church, Reverend Wimberly.

REV. WIMBERLY: About ten minutes.

VICE CHAIRMAN BOASBERG: Ten minutes. Thank you.

What we would like to do is conclude the hearing by 11:00 o'clock, both for your benefit and our benefit, if that's acceptable. So as you line up to testify, please consider that.

Now, what I would like to do is have all those who would like to testify, you have to take an oath. So if you will please stand, we will administer this oath to those of you who would like to testify. You don't have to finally

decide. If you think you might want to testify, you can rise. If you decide later to change your mind and want to testify, we can also administer the oath later. We're somewhat flexible.

Miss Robinson.

(Oath given to prospective witnesses.)

VICE CHAIRMAN BOASBERG: Thank you. In case any of you are depending upon the time systems in the District building, they're about 15 minutes behind. That's not bad.

You may begin, Mr. Kelly.

MR. KELLY: Mr. Chairman, members of the Commission, good evening. My name is Edward Kelly. I live at 500 23rd Street, N.W. I have lived in the Foggy Bottom area for almost 20 years.

Our Foggy Bottom/West End community is not the downtown central employment area. Rather, it is predominantly residential, a mixed-use neighborhood, which is the type of neighborhood that the Comprehensive Plan states should be preserved and enhanced.

I am appearing here today as Chair of the Foggy Bottom and West End ANC-2A, which contains Square 120, which is the site of the application before you this evening at

this hearing.

I am here to report only on the actions taken by ANC-2A regarding the proposed development of this site by the IMF to add to its headquarters building. At ANC-2A's regulatory scheduled monthly public meeting on the 12th of September of this year, the Commission, on a 6-0 vote, unanimously approved the resolution that has been attached to this testimony, strongly opposing the PUD application by the IMF. That resolution had previously been forwarded to your Commission and it is attached to the testimony merely for your convenience.

ANC-2A strongly recommends that the Zoning Commission deny the application by IMF for modification and addition to the previously-approved PUD on the site, for the reasons stated in the "whereas" clauses of this resolution. These will be elaborated on in greater detail by other members of the ANC team and I will not review them at all at this time.

The testimony that our ANC will be giving is based on Resolution 91-9B. Appearing with me today are two individuals who will be giving that testimony: Sara Maddux, an ANC-2A Commissioner and Chair of our special task force on

the IMF PUD application, and Ellen McCarthy, our ANC's expert witness on urban planning issues related to this application.

Before turning to those members of our ANC team, I would like to add to the record of this hearing, in parallel to that previously given by Mr. Quin, the outcome of Mr. Boasberg's request to all parties of this case to hold additional meetings before this reconvened hearing to attempt to negotiate the differences among them.

Since the original date of our September 23rd hearing, as she has done at every single other meeting with all and varying parties connected with this case, Commissioner Maddux, among others, met once with representatives of the Western Presbyterian Church and Miriam's Kitchen and once with representatives of the IMF. Neither the Kitchen nor the Church, nor the Fund, offered any item for discussion and negotiation. If anything, we regret to state, the positions of those parties seemed to us to become more intractable. This is unfortunate.

Our ANC appreciates the opportunity to present to the Commission our views and our strong opposition to the IMF PUD application.

I ask that the full text of this testimony and the accompanying resolution and the full testimony of other speakers representing ANC-2A be entered into the record of this hearing. Thank you for your time and consideration.

I shall now ask Commissioner Maddux, the chair of ANC's special task force on the IMF PUD application, to explain in more detail the reasoning behind our ANC's request. Thank you.

VICE CHAIRMAN BOASBERG: Thank you.

Good evening, Miss Maddux.

MS. MADDUX: Thank you very much.

I am Sara Maddux, Commissioner for ANC-2A06, appearing on behalf of the Foggy Bottom/West End Advisory Neighborhood Commission. I have lived in Foggy Bottom since 1966.

At the ANC meeting on September 12, the Commission met and approved a 6-0 resolution strongly opposing the IMF PUD application. ANC strongly recommends that this be denied on the following grounds:

This, if approved, would override and destroy a previous decision of the Zoning Commission which provided an amenity to the neighborhood in terms of the park, which is

—

closely tied to the green vistas associated with Pennsylvania Avenue.

The proposed development is excessively large in terms of what's being requested under the PUD by asking for a 10.1 FAR. The increase in the FAR resulting from the proposal would give extra building rights valued at approximately \$40.9 million which far exceeds the benefits which the applicant describes.

The downstream and directly connected effect of the proposal, the moving of Western Presbyterian Church and its programs and associated problems to a highly residential area, which is not fragile but thriving, would have a great negative impact. Mr. Wimberly of the Western Presbyterian Church has explained in detail to us the operation of the feeding program and the associated problems.

MR. QUIN: Mr. Chairman, not to interrupt the hearing any more, I just want to note the continuing objection that I noted at the last hearing on any reference to--

VICE CHAIRMAN BOASBERG: Yes. All your objections are noted. You will have a chance to ask questions.

MR. QUIN: Thank you.

MS. MADDUX: Inasmuch as the IMF has had some

—

beautiful proposals of things to come, I would like to share with you some slides of how things are now.

(Slide Presentation.)

This is the entrance currently at the site to Western Presbyterian Church. You can see the historic bell there.

This is looking at the church at the corner of 19th and H, to show the trees, the park, and the World Bank building across the street with the curving facade.

This is the church face on, with the IMF looming in the background. As you can see, it's a very nice and pleasant and friendly church.

This is another side view of the church with the IMF in the background. Again you can see the greenery, the nice scale of the church, and even the people sitting in the park there by the side of the church.

This is going down 19th Street, which shows the current facade of the IMF, and then the next taller office building down the street. At H Street on the corner you can see a little piece of the park. What you need to do is visualize all of that being filled in with a tall building, so it looks like the tall building down the block.

This is the Pepco Building directly across the street. We would have two behemoth buildings facing each other, with very little relief.

This is another view of the Pepco Building, which will be directly across the street. So you can see how the little green park provides relief.

This is the side on 20th Street going down. It's one whole block of buildings. The church you see on the next block, at the corner of 20th and G, is the United Church. You can see the solid facade along that side of the street.

This is across the street, looking down H Street. Again, you can see, looking towards GW, how nice it is to have a lower profile along that area.

Again, this is a low profile, with people walking along the street, human scale.

This is more people on the street.

This is the little park in the fall.

This is looking at the church across the street. What you see there is, if you build this building, it will totally fill in that area where the church is down to the other side of the yellow tree losing its leaves.

Again, that's the whole area that will be filled in.

It will all look like a part of the building on the far right of the slide.

(End Slide Presentation.)

Thank you.

MS. ROBINSON: Mr. Chairman, I just need to indicate to Miss Maddux that we would like to have the slides for the record, the slides presented tonight.

VICE CHAIRMAN BOASBERG: All right. Thank you.

MS. MADDUX: More specifically, in response to the proposal, ANC-2A's analysis reveals that there is a sequence of proposed zoning changes and issues. The R-5-C area would need to be changed to C-3-C, which permits a matter of right of 6.5, and under PUD zoning guidelines an FAR of 7.

In the applicant's proposal, they state the overall FAR would then be 9.07, a great increase over that which is provided in 11 DCMR 2403.10.

In terms of the public benefits and other meritorious aspects of the proposal, the applicant has given examples of enhanced working space for its employees--landscaping of the four sidewalks of the ground area valued at \$7-8 million, and an enhanced visitors center.

During the applicant's public presentation of the

proposal on August 8, 1991, we were informed that the enhanced working space for its employees provided an average office space of 425 square feet because of the nature of the work and the need to meet and deal with high-level dignitaries of foreign countries and other international institutions.

For the U.S. Government, space guidelines provide agencies have an average office space of 153 square feet, and these various U.S. Government agencies' officials also meet and deal with the same dignitaries on the same issues. This is an interesting comparison.

During our public meeting on September 12, 1991, one of our constituents, who has had an opportunity to be inside the International Monetary Fund for art exhibitions, pointed out that the existing building has a very large and tall atrium and asked why that space could not be used for office space.

Additionally, we note in the plans there is another sizeable atrium with balconies that extend six floors tall. No doubt these architectural features, although accountable in the definition of the FAR, contribute to the massiveness of the building and expand the area needed for offices and support. One wonders if not an outside atrium, designed such

as that done by the National Geographic, would be possible.

The landscaping proposed along the sidewalks is stated to be a replacement for the park at 19th and H Streets, N.W. The linear landscaping does not replace the intimacy and coziness of a park. One is still sitting upon a sidewalk instead of having a retreat away from those transiting the area.

The overall vision of this building from every side will be that of a behemoth building without even a softening architectural feature such as a curving driveway at the corner, like the neighbor across the street at the World Bank.

Although the enlarged visitor center is proposed as an amenity to this project, it is primary for the convenience and need of the IMF. The by-product will be an expanded opportunity for visitor participation when not closed to the public for IMF meets.

The applicant has stated the need for other variances in terms of roof structure, setbacks, and penthouse requirements. Because ANC-2A is so strongly opposed to the project as a whole, it has not addressed these individual technical variances.

The applicant states on page 16 of its statement

that the proposed addition is not inconsistent with the Comprehensive Plan. Part of the Comprehensive Plan states: "assuring a choice of locations in reasonable proximity to Federal offices and other foreign missions and international organizations." ANC-2A feels strongly that there is equally suitable commercial space in reasonable proximity to the cited offices.

One of the essential elements of the Comprehensive Plan, District elements, is the provision of expanded employment opportunity for District residents. The proposal fails to detail what, if any, expanded employment opportunities there are for District residents, either in terms of numbers or functions or subsidiary contractual opportunities which would contribute to the economy of the District of Columbia.

ANC-2A views the move of Western Presbyterian Church as directly connected to this applicant. This applicant does, too, and has addressed it in a statement by giving the history of its negotiations with the church. It describes the presentation to ANC-2A in joint terms on page 7, and the work of the project jointly on page 27. Therefore, the impact of the move of the church upon Foggy Bottom and the West End is an essential element of this PUD.

One of the church's programs is a breakfast program operated by Miriam's Kitchen. This program provides a meal in the morning for approximately 200 men who, for the most part, are unfortunately homeless. The impact upon the surrounding neighborhood in the proposed site of the church at 24th and G Streets, N.W. is very negative in terms of security and safety for the individuals who live there. These residents are voters and taxpayers who have evidenced their strong concerns at three public ANC-2A meetings.

Unfortunately, there is both a written and verbal record of problems with some of the individuals who frequent Miriam's Kitchen. There is a broad knowledge in the neighborhood of problems concerning aggressive panhandling, verbal threats, trash, sanitation, public urination, and an almost palpable fear suffered by passersby.

To move this program into this highly residential area out of a commercial area where it is currently carried on would be a degradation of the neighborhood and a blight on the residents' comfort and safety.

One of the suggestions has been for the International Monetary Fund to carve out a small kitchen on the proposed site or provide within a block, in a nearby commercial area,

a site for Mariam's Kitchen or successor feeding program operated by Western Presbyterian, and/or jointly with another organization. This solution would fit nicely with Maryor Dixon's comments reported in the IMF summer of 1991 staff news as a joint effort. Her remarks were--and I quote-- "The strength of this city, its future, really, lies in its international dimension, its trade opportunities, its business opportunities, its cultural exchanges." This quote was used by the IMF in its testimony.

However, I would like to add the rest of the quote. The Mayor continued, "...and the challenge is to effect a great marriage between the local, Federal and international communities. I think the potential is really there."

ANC-2A agrees and suggests that the applicant, the IMF, support the community and the District of Columbia with more than just art exhibits, especially in these times of real human needs.

The applicant on page 16 stated that the proposal application is not inconsistent with the Comprehensive Plan, Federal elements, and sites meeting security requirements. Section 1001.6 of 11 DCMR provides that chanceries be "adequately protected, as determined by the Secretary of State,

after consultation with Federal agencies authorized to perform protective services."

The Bureau of Diplomatic Security, Protective Liaison Branch, Department of State, has no record of threats or security problems registered by the International Monetary Fund.

Research into the hearing records, which took place in the 1979-1980 time frame, relating to Phase II of the PUD, brought to light some very interesting comments which relate to the history of this green space and the church. I would like to share some of the quotes from the statements of the Commissioners and the witnesses for the applicant. These deal with the questions of the park, which was considered as an amenity, the question of what might happen if the church were ever bought by the IMF, and the size of the project.

On November 15, 1979, Mr. Cling, IMF's architect, in extolling the park, said that part of the amenity "is how the whole opening into the block, i.e., the park and a church, relates across H Street up Pennsylvania Avenue and links a series of parks together, which I think makes a very splendid visual relationship to the whole area."

Again on September the 15th he said, "I would con-

sider that the church is a strong anchor to the neighborhood. Furthermore, I would consider that the amount of space that is generated out of the properties that the Fund holds to complement the church public space is a big donation to the neighborhood."

Mr. Fawcett, serving as an expert witness for the IMF, on December the 17th, said "The park that has been discussed extensively will provide valuable space open to the public in a very dense, urban area."

On January 7, Mr. Parsons, Commissioner, said "I'm talking about something that will run in perpetuity, that the park will never be developed for any purpose." In response, Mr. Dale, the Deputy Managing Director of the IMF, said "I personally have no problems with that concept."

Dr. Lewis, Commissioner at the same hearing, "I would like to be in a position so that if this Commission approved your proposal, this Commission would be assured that the open area would remain open." Counsel for the IMF, Mr. Glasgow, in reply stated "I would recommend to the Deputy Managing Director, Mr. Dale here, a permanent covenant on the park area. I think that he stated he would support that."

Mr. Parsons, Commissioner, later stated, "Given the

potentially historic structure of the church, the amenity of the park being satisfied, we as a Commission identifying this as inner space in the city, and we're going to say it should be there, then how can we protect it and not let some future Commission destroy it? Why give them FAR to provide a public amenity if it's going to be destroyed in the future?"

Mr. Marianni, Vice Chair of the Zoning Commission, commenting on what the position might be if IMF bought the church, "They might have control of the church property, and they control the cornerpiece, and then maybe, for example, it would be a low-level, simple kind of structure that would simply fill out the block to meet some of their needs."

On February 28th Mr. Marianni also said, "I believe the Commission was looking for some assurance that if it were to happen, the church property, through a decision on the church's part, were to go on the market, and the IMF would be an active and competitive bidder to buy the property, to essentially keep it as a low-scale development that would not create a monster on the block."

Mr. Parsons, in the same hearing, said "They know that if they buy the church, we have no interest in giving additional density, so why buy the church? If you have an

enormous need, go somewhere else and build."

In summary, although zoning regulations primarily relate to bricks, windows, streets, heights and other measurable dimensions, as well as economic issues, this PUD request raises the intertwined elements of the ecology of the city in terms of little beautiful green parks, human scale heights, and the comforts of the church downtown and the very imponderable current issue of the homeless and food needs along with the zoning issues.

Because of the very real impact of the proposed PUD, all of these issues come before the Zoning Commission.

Since I'm a new commissioner, I have to share some observations. When one reads the zoning regulations, one is impressed with the range of impact of them. They control where and under what kind of housing limitations we can live; where and what kind of work can be carried out in certain areas; what kind of transportation networks can be developed; a whole panoply of how and where we live together.

Therefore, as responsible citizens, we should have an opportunity to mold our neighborhood under these regulations. We have many homeless and programs serving the homeless already in the Foggy Bottom/West End neighborhood. This response

addresses the need to accommodate those programs within reasonable limits.

May I please insert at this point a letter from Councilman Evans of Ward 2, to Mrs. Maybelle Tabor Bennett, dated November 13, 1991.

VICE CHAIRMAN BOASBERG: We have that.

MS. MADDUX: Finally, since this area is not earthquake prone, your decisions stand until hit by a wrecking ball. Therefore, we consider this a most important decisions for our neighborhood because the results will last well past our lifetimes.

ANC-2A appreciates the opportunity to present its views and trusts that your Commission will give ANC-2A's resolution great weight in your deliberations and disapprove the PUD request.

I ask that the full text of this testimony and the accompanying resolution and the full testimony of other speakers be entered into the record. I graciously thank you for your time and your attention.

I would like to introduce our urban planning expert, Ellen McCarthy. Thank you.

VICE CHAIRMAN BOASBERG: Thank you. Miss McCarthy.

MS. McCARTHY: Good evening. My name is Ellen McCarthy. I am a planning consultant, specializing in urban planning and zoning and traffic mitigation. I have a master's degree in urban and regional planning from Harvard University, and I have worked in the field of urban planning for 17 years, both in the public and private sectors.

I believe you have copies of my testimony in front of you, so in the interest of time, I won't read everything, but I would like to highlight certain parts.

What I would like to focus on today are the planning and land use issues regarding the proposed PUD application. I will first review the history of the project, showing this is no mere formality of "subber-stamping" Phase III of a plan first approved in 1969, as the application attempts to portray.

Second, I would like to review the project's inconsistency with the Comprehensive Plan. Following that is a consideration of the adverse impacts of the proposed project, an examination of the total insufficiency of the amenities package, and finally, a review of the problems caused by the relocation of Western Presbyterian Church.

First, a brief history of the PUD. I won't go into

the details of Phase I and Phase II. I believe you heard a lot of that the last time around. However, much has been made of the fact that this is the third phase of an already-approved PUD. But, in fact, the project has changed substantially since its prior approvals.

The first major change is a mammoth increase in density. The original application for Phase I did envision development of the entire Square 120; that's true. But the project was to have had an overall density of 7.0 FAR, not the 9.07 we are talking about now. That is a full quarter of a million square feet less than the original approval than what we are looking at now.

Now, in downtown, a quarter of a million square feet would be a good-sized building in and of itself.

The second major change from the past approvals is the inclusion of the church property. As Miss Maddux's testimony just showed you, there was a pretty clear understanding by the Zoning Commission the last time around that the church and the green space would remain. In fact, the Zoning Commission specifically, in Condition 15 of Order 310, required that should the IMF purchase the property, "no use shall be established without prior approval of the Zoning

Commission."

In addition, as I indicate in my testimony, NCPC's Executive Director's recommendation indicated that the IMF intended to complete its development with the second phase. The IMF itself, in a letter to NCPC, indicated that they planned only two stages of development, of which phase two was the last.

It is significant to note that the approval to phase two of this PUD was conditional, and was passed only by a 3-2 vote, with at least one current member of the Zoning Commission dissenting, after vociferous objections by the community regarding the scale and character of the proposed expansion, and objections by the National Capital Planning Commission about the scale and lack of mixed use, particularly at street level.

The approval that the Zoning Commission gave in order to return required that the minipark be constructed, that a church wall that had been exposed by the demolition of an adjacent property be refaced with stone to match the church facade, and that a portion of the brick wall surrounding the churchyard be repaired.

Now, clearly, the Zoning Commission did not place

these conditions on the project arbitrarily. It recognized the important contribution made by the church and associated open space to the urban design and "feel" of the surrounding area and it wished to guarantee that they would continue to make that contribution. In fact, the Commission's order itself indicated that it only approved such a large addition because it felt that that would allow for the construction of the minipark and preservation of the church, and that these constituted such important open space that the trade-off for a higher-density building was worth it.

Much emphasis is also placed by the applicant, the Office of Planning and post zoning decisions on the importance of keeping the IMF employees together in one building, and of having that building close to other related organizations, such as the World Bank and the Inter-American Development Bank. However, there are a number of points that you should think about with regard to this argument.

First, the IMF is likely to require an additional building for its operation in the near future. When it came before you for phase two, it was estimating that from 1980 until 1990 the additional 335 people that it planned to add in phase two would be accommodated sufficiently, that it only

had planned to add the 335 people that would be accommodated by phase two. However, here we are within that time period, ten years later, and they have an additional 400 people beyond the 300 they had estimated that are in rented space, that they would like to have in the proposed phase three.

If the density of the proposed phase three addition were reduced to one more in keeping with zoning and urban design considerations, that wouldn't call a halt to IMF's operations; it would simply hasten the eventuality that they will face anyway of constructing additional space.

The World Bank has been operating from more than one building for years. In fact, the IMF has offices in Paris, Geneva, and 30 other countries currently. This has not precluded its ability to pursue international financial activities effectively. With the type of work done by employees of the IMF, and the sophisticated electronic communications technology available to them, operating from more than one location should be no problem. Certainly, if the IMF can successfully integrate their offices in Paris, operating from another office a few blocks away should not be too difficult.

Secondly, given the current situation and near-term

prospects for D.C.'s private real estate market, the removal of IMF employees from rented, privately-owned space, where they are now, into a nontaxable location, does not constitute an economic development benefit to the city, as the applicant suggests, particularly given that only 28 percent of the IMF employees are U.S. citizens in the first place, District residents, and that very few entry level District residents are employed there.

Third, the advantages of proximity shouldn't be oversold, either. While it certainly seems likely, given the current real estate climate, that IMF would be able to easily find additional space within close range of its headquarters, remember, the Inter-American Development Bank left the vicinity in the mid-1980's voluntarily and, as far as I know, has not suffered as a result.

In summary, the Zoning Commission is being told by the applicant that it essentially has little choice in approving this project, that its approval has been foreordained by previous Commission orders, but, in fact, the project has changed considerably since those orders were issued and the project deserves a fresh review from the Commission.

I would like to look briefly at the lack of

consistency with the Comprehensive Plan. Since you have the specific quotations from the Plan highlighted in front of you in my testimony, let me just skip over briefly and point out that the proposed project is inconsistent first of all with several aspects of the land use element, particularly the residential neighborhood objectives and the commercial land use objectives.

The Comprehensive Plan is quite clear and rather eloquent on the importance of conserving stable residential neighborhoods--and you have some quotations in front of you about that. But in this instance, not only does the applicant propose to change the zoning on the site from residential to commercial, in an area of the city which has lost block after block of residential use to commercial encroachment, but the applicant also proposes to move the church and its associated feeding program, which has some aspects which are clearly detrimental to a healthy residential environment, into a residential neighborhood.

Regarding commercial land use objectives, the Plan talks a lot about the importance of incorporating a mix of land uses in commercial areas to avoid "office only" precincts dead after 6:00 o'clock at night.

However, despite this strong directive to encourage a mix of uses, the applicant proposes a single-use building, basically open solely during the workday, with public evening activities only as an exception to the rule.

Next, the Comprehensive Plan's historic element, which also is very clear about the importance of preserving historic resources of the city, not only landmark buildings but also historic open space and open space fronting on special streets, of which Pennsylvania Avenue is one.

A nomination has been prepared to designate Western Presbyterian Church as an historic property. If that designation is approved by the Historic Preservation Review Board, then it would be out of the question, in terms of consistency with the Comprehensive Plan, to proceed with this project. Other witnesses will expand further on this issue.

The third major element of inconsistency is with regard to urban design. One of the most appalling aspects of the proposed project is in the area of urban design. In an area so critically short of open space, and bordering on Pennsylvania Avenue, to eliminate a park and an historic, low-scale attractive building, and substitute a 130-foot, overly dense "Washington box" would seem unthinkable.

In fact, even the Office of Planning, in their mostly supportive preliminary report, noted "Here is one of the most important concentrations of international activity in Washington--indeed, one of the most important centers in the world; yet, the character of the area does not adequately indicate the special activities that take place within the buildings, nor is it sufficient to tie the buildings, well-designed as they may be, to the street."

The Comprehensive Plan states clearly the importance of preserving open space.

The applicant attempts to blunt criticism of its elimination of the park by adding its own version of the "Great Wall of China", to fence the building off from the rest of the street. As will be examined later, however, the proposed streetscape is a detriment, not an asset, and in no way can be considered to be following the dictates of the Comprehensive Plan to "enhance the District's aesthetic qualities."

In like fashion, as with the Comprehensive Plan, the Ward plan also contains important and very specific comments about the importance of open space and historic areas and residential uses within Foggy Bottom. Again, in the

interest of time, I will leave those quotations before you to read.

But I could certainly say, in summary, that the proposed project is not consistent either with the major elements of the Comprehensive Plan or with the Ward 2 plan.

Now I would like to take a look at the adverse impact of the proposed project on adjacent areas. First, the project destroys an important historic landmark. One of the most substantial negative impacts from the proposed project is the loss to the neighborhood of an important historic treasure, Western Presbyterian Church. The architectural and social significance of the church are amply documented in the nomination recently submitted to extend the protection of District law 2-144. Other witnesses will expand on this information in detail.

However, speaking strictly from a planning perspective, on this ground alone, the Commission should reject the subject application. The Comprehensive Plan and D.C. law are quite clear on the importance accorded to protection of historic buildings.

Secondly, the height and density of the proposed addition are clearly excessive. It is important to note that

the 10.11 commercial FAR being requested in this application is substantially above the 4.0 residential-only FAR, which is allowed for a PUD under the guidelines for the current zoning on the site, which is R-5-C.

Now, even assuming that the loss of residential zoning can be justified in an area of the city which has seen substantial erosion in its residential base, the PUD guidelines for C-3-C, which the applicant is requesting, still only permit a 7.0 FAR, not the 10.11 that's being requested. The extreme "boxiness" of the resulting building is particularly troublesome given that it is replacing two important low-scale elements which provided such welcome relief from the rather monotonous white "boxes" surrounding it, and given its proximity to Pennsylvania Avenue.

As mentioned initially, the need for this extreme density is a little hard to understand, given that the proposed addition is so substantially greater in square footage than was originally envisioned in phase one of the PUD plan.

Third, the adverse impacts to the surrounding area would include the loss of green space. This loss of green space, in a section of the city critically short of it, is particularly troubling. Even the Office of Planning's

preliminary report, while embracing set down, indicated "On the other hand, the proposal for phase three would add density at the expense of an important open space amenity by filling in the space currently occupied by a church and garden. The church, coupled with the garden, provide spatial and architectural relief for the immediate community and for the city."

What makes this a particularly troubling loss is that the green space to be destroyed was specifically required by the Commission as part of it's approval of phase two. In fact, the Commission is now being urged to approve this excessively dense addition partly because it's consistent with the previous construction on the site. However, the Zoning Commission specifically noted in its approval of the oversized phase two addition that it allowed such a dense addition because, "Concentrating development in a single, 130-foot addition, rather than two separate lower additions, will create substantial public open space and attractive urban design."

Now, get this. First the IMF gets an overly dense second phase in exchange for the church and a park being preserved. Now they get rid of the park and the church, and they argue that they deserve the same excessive density in

phase three; excessive density in height, because otherwise phase three wouldn't match phase two and, therefore, it would be an urban design problem.

Now, this is a little bit like the definition of "chutzpa", where the guy murders his father and mother and then throws himself on the mercy of the court because he's an orphan.

In place of the mini-park, the applicant offers an elaborate streetscape plan. But the proposed streetscape is in no way commensurate with the loss of the park. The current park reads to the pedestrian as a park, admittedly not the friendliest of parks, but the IMF could redesign it to make it even better. But it does read as a place where a pedestrian might sit down and take a rest in the shade of a hot summer day.

The proposed streetscape, especially along the important H Street frontage, which is visible from Pennsylvania Avenue, reads like a gigantic wall, much more like a grandiose decoration for the building than a public park. The building will still be towering above it, with no setbacks or stepdowns to relieve the effect, as with the World Bank across the street at 19th and H.

In addition, the proposed streetscape design, in and of itself, will have a disastrous effect on street life. As you can see from looking at the site plan in section F of the original PUD application, particularly page Z-6, except for some fountains and a big driveway on 19th Street, designed to make a grand entrance for the IMF, the "streetscape" consists mostly of an undulating, three to four foot high granite wall around the entire building, festooned with occasional plantings. The so-called "alcove gardens", as can be seen in Z-6 or Z-12, feature granite slabs, unprotected from the sun except at the very corners, where two people cannot even carry on a comfortable conversation, since they must sit either right next to each other-and try to talk this way--or, at best, at a very slight angle from each other, if they're in the slight curve of the alcove.

With all due respect to Mr. Fager, this streetscape is something only the Granite Extractors Association could love.

The effect at night, even with the somewhat enhanced lighting which the designer has added in response to Mr. Parson's questions at the last hearing, will be very scary, indeed, occasional pools of light, surrounded by shadows, with

a two-foot wide "maintenance path", virtually hidden behind the wall, and the trees providing an excellent hiding place for would-be purse-snatchers and muggers. And, of course, there are likely to be potential troublemakers around because the lack of any nighttime uses in the surrounding buildings does not allow for any "eyes on the street" to provide for security.

Lastly, in terms of the adverse impacts, there is an inadequate mix of uses. The proposed project, like the rest of the IMF building, represents one more step in the transformation of what was once a lively neighborhood into a deadly dull institutional precinct, with no interest at street level and no mix of uses to prolong legitimate street life beyond the 9:00 to 5:00 workday. What a sad state of affairs for a major international financial center.

Even the National Capital Planning Commission, which generally supported phase two of the IMF PUD, "reported that the development should contain additional public amenities, including mixed uses at the ground floor level, and should be more responsive, in terms of its bulk, mass and scale to surrounding land uses and development." That's a quotation from Zoning Commission Order 310.

Now, what was interesting was that in its order, the Zoning Commission made no attempt to rebut this fairly serious criticism by NCPC but merely dismissed it as "local concerns"; not within the purview of NCPC.

So much for the adverse impacts of the project. Now I would like to deal with the sufficiency of the amenity package.

As you all know well, to qualify for a PUD the applicant must show they are providing a superior working environment and amenities superior to those that could be achieved by applying other provisions of this title.

In addition, the application itself notes "To exceed the PUD guidelines, the applicant shall demonstrate the public benefits and other meritorious aspects of the proposal that will result through approval of the project."

In this case, the applicant is asking for additional development rights which the ANC has rather conservatively estimated to be worth \$40.9 million--and that assumes there is already a map change from a lower density commercial zoning to a higher density commercial zoning. Otherwise, the benefit amount would be even higher if we really looked at the benefit going from residential to above C-3-C.

In exchange for this considerable private development from public action, the applicant proposes a virtually nonexistent set of public amenities. In fact, the application lists solely the design and materials of the addition--which are merely extensions of the existing building--the landscape program, and a new visitors center, larger than the existing one and moved from the basement to the street level.

Let's examine each of these benefits in greater detail. The design and materials of the building are no different than any number of office buildings in the central employment area, office buildings which were constructed as matter-of-right projects, well within existing zoning controls.

The landscape program is elaborate, but as we have discussed already, it is difficult to count this as an additional benefit when it is largely there to replace an amenity required by the previous Commission and to be destroyed under this application.

In addition, the design of the landscaping program really seems more geared to enhancing the building than it is to providing a public amenity. It is also significant to note that only 30 percent of this landscaping is even being provided on IMF land; the rest of it is within the public

right-of-way.

Even if the Zoning Commission chooses to view the landscaping as an amenity, and not simply as a replacement of the conditions of the previous PUD approval, the applicant's own designer testified at the last hearing that the cost of the landscaping is only \$7 to \$8 million, less than one-fifth of the estimated value of the additional FAR that has been requested.

Now, the new visitors center is, indeed, substantially larger. However, there was no documentation in the application that the size of the old visitors center was at all a problem, in terms of public enjoyment. As the ANC points out in its position statement, the visitors center is basically being provided to meet the needs of the IMF in greeting its large number of visitors and makes no substantial contribution to the surrounding neighborhood.

In short, there is no justification for the treatment of the proposed project as anything other than a matter-of-right project, and certainly no justification to exceed the PUD guidelines by almost 50 percent.

Lastly, we should talk about the special problems that are caused by the proposed relocation of Western Presby-

terian Church. As the citations above from the Ward 2 plan noted, the protection of the residential neighborhoods of Foggy Bottom is an important city priority. Like all near-in Ward 2 residential areas, they have been threatened by commercial encroachment and the negative spillover effects from community-based residential facilities and associated programs.

Now the subject project brings a new threat--the IMF, as part of its land deal with Western Presbyterian Church, has purchased a new site for the church at 2401 Virginia Avenue, a residential neighborhood.

The problem comes from a feeding program, Mariam's Kitchen, to which the church leases space. There are numerous documented instances of disturbances related to Miriam's Kitchen which up till this point have had no serious repercussions, given the largely commercial character of the church's present location. However, these types of disturbances would threaten the very fabric of the residential neighborhood to which the church would be moving, as the Office of Planning recognized explicitly in its final report. It would appear that OP's recommendation for the IMF to continue the feeding program on-site or nearby as part of its

amenities package would serve two excellent purposes: it would provide more depth to a very thin amenity package, and it would eliminate the adverse consequences.

Now, the applicant argues that there is no "nexus" between the two issues and, therefore, not only was it inappropriate for the Office of Planning to exact a replacement feeding program, but the Zoning Commission cannot insert itself into this controversy. However, I think there are at least three arguments which belie this:

First, the IMF could not build the proposed addition if the church were still there. The IMF not only bought the church property; it found the replacement site on Virginia Avenue and purchased it for Western Presbyterian. That is a pretty clear nexus.

Secondly, according to attorneys for that transaction, the transfer of the church to the Virginia Avenue site is conditional upon the IMF PUD being approved. This constitutes a fairly direct connection.

Lastly, the Office of Planning wasn't exacting anything. It simply was suggesting that the proposed amenity package was insufficient and it agreed with the community that this was not another "not in my back yard" situation, but

some legitimate arguments existed against moving the feeding program to the Virginia Avenue site. It suggested the IMF replace the feeding program, either out of its own facility or at a nearby church, that that would be an excellent gesture on the part of the IMF.

It should be noted that Miriam's Kitchen has already moved once. It was originally located in United Church, which was subsequently bought by GWU, partially preserved and incorporated into a new location on 21st Street. At that time, the program was shifted to its present location.

In addition, it is important to note that the community does not oppose Miriam's Kitchen. They strongly support continuing the program at or close to its current location. In fact, it appears that if Western Presbyterian does move to Virginia Avenue, the feeding program would have to be discontinued, at least at that site. Section 215 of the zoning regulations, originally enacted by the Zoning Commission as Section 3101.413 of the D.C. Zoning Code in Order No. 12, Case 69-40, prohibits programs like Miriam's Kitchen from operating in residential areas without a special exception from the Board of Zoning Adjustment.

One of the conditions that section 215 specifically imposes is that "the operation of the program shall be such

that it is not likely to become objectionable in the residence district because of noise or traffic."

It appears extremely unlikely that Miriam's Kitchen could meet this requirement in its proposed location.

VICE CHAIRMAN BOASBERG: We have your excellent summary there and I think we'll let that be submitted.

Is there any other testimony on behalf of the ANC?

MR. NETLER: That will be all. That's all the testimony.

VICE CHAIRMAN BOASBERG: Thank you.

Are there any questions from the Commission?

Your estimate of the \$40 million, has that been submitted somewhere?

MS. MADDUX: I have an attachment I can give you for that.

VICE CHAIRMAN BOASBERG: Did we already have it in the record, do you know?

MR. KELLY: It was attached to the original Resolution when it was submitted by letter several days prior to the earlier hearing.

VICE CHAIRMAN BOASBERG: Okay, thank you.

Any cross-examination of the ANC?

MR. QUIN: Yes, sir, just a few questions.

First for Mr. Kelly. Mr. Kelly, were you present at the October 22nd meeting that occurred at the Fund with the other parties?

MR. KELLY: I was not.

MR. QUIN: And do you know whether both chairs of the task force were present?

MR. KELLY: I know that at least one chair of the task force was present.

MR. QUIN: That's all I have of Mr. Kelly.

Miss Maddux, do you know whether the Church, on its own, has made its own decision to relocate and find a new structure?

MS. MADDUX: No, I do not.

MR. QUIN: Miss McCarthy, what is the land use plan category for the site?

MS. MCCARTHY: What is it currently zoned?

MR. QUIN: What is the land use category from the Comprehensive Plan?

MS. MCCARTHY: Oh. High density.

MR. QUIN: High density what?

MS. MCCARTHY: Commercial.

MR. QUIN: And in the original approval of the plan, what was the height that was approved for the entire site and the entire square?

MS. MCCARTHY: You mean what was approved in the phase one PUD application?

MR. QUIN: When the Zoning Commission approved the entire concept for the square, what was the height that was approved?

MS. MCCARTHY: When the Zoning Commission approved the original 7.0 overall density concept for the square, it also approved 130 foot height at that time.

MR. QUIN: And did not the building contemplate going to the building line on all street frontages?

VICE CHAIRMAN BOASBERG: I'll let the record speak for that. It's in the record and we can read the record.

Any other questions, Mr. Quin?

MR. QUIN: Yes.

Part of your testimony dealt with the historic nature of--

MS. MCCARTHY: I'm sorry. I also meant to point out that the high-density commercial land use category, to which you were referring in the first question, according to

the Comprehensive Plan, the high-density commercial land use category includes a mix of employment, retail, office, cultural and entertainment centers which serves as the business and retail heart of the District in the metropolitan area.

MR. QUIN: Thank you.

VICE CHAIRMAN BOASBERG: The Commission can read the Plan, too. Go ahead.

MR. QUIN: I hope so.

The second question is, the last question perhaps, you gave testimony concerning the historic nature of the Western Presbyterian Church--

VICE CHAIRMAN BOASBERG: No, there wasn't any testimony on the historic nature. She said that certain things happen if it was historic, but go ahead.

MR. QUIN: My question is, did the ANC resolution contain any reference to any asserted historic nature of the church?

MS. MCCARTHY: I'm not on the ANC, so I really can't--

VICE CHAIRMAN BOASBERG: The resolution will stand by itself. We can read that, too.

MR. QUIN: I have no other questions.

VICE CHAIRMAN BOASBERG: Thank you.

Are there any other questions? Any of the other parties here, Mr. Wimberly, the other people at Foggy Bottom, are all entitled to cross-examine, so for the sake of brevity, I will ask if there is any other cross-examination. If you hear that and you want to cross-examine, please stand up. Any cross-examination?

All right. Thank you.

MR. NETLER: I have just one question.

VICE CHAIRMAN BOASBERG: Give us your name.

MR. NETLER: Richard Netler for the ANC. I just have one question on redirect for Miss Maddux.

Miss Maddux, at the recent ANC meeting, did the ANC take a position with regard to the church and its historic nature?

MS. MADDUX: Yes. The ANC has joined the Foggy Bottom Association--

VICE CHAIRMAN BOASBERG: All right. There will be a record in this case and we understand that. We can read it. Thank you. All these attorneys have to work hard for their clients, we know that.

(Laughter.)

Now, if there are no other questions, then we revert

back to our order in the hearing notice, which we indicated again this evening. We will first hear the parties and persons, individuals and parties, who are in support. Reverend Wimberly and the Church will be the first party, and if there are any other parties in support, we will hear from them, and then persons, and then those parties and persons in opposition will have an opportunity to talk.

Again, we know this is an emotional issue. We are aware of the high intensity of volume and I hope that you will give your fellow citizens a chance to explain their view as they, I'm sure, will give a chance for you to explain yours.

Good evening, Reverend.

REV. WIMBERLY: My name is John Wimberly. I have been pastor of Western Presbyterian Church since 1983. I have been a resident of Washington, D.C. for ten years.

I am here to support the application by the International Monetary Fund which will allow them to complete the development of their headquarters program. The IMF and the Western Presbyterian Church have signed a land exchange agreement which represents a convergence of interests between the two institutions. Western's interest is to have a new facility which will house our growing ministry. Our present

building is unsatisfactory for our present and planned future program.

Western Church was organized in January of 1855 in Foggy Bottom. Our first building was at 22nd and Virginia, just a couple of blocks from where we're planning to move. In 1857, the congregation moved to a building on H Street, where the Pepco Building is presently located. When that building became outdated, the congregation bought two lots directly across the street and in 1931 we moved to our present church.

We now plan not to destroy but to move our sanctuary, almost stone by stone, to the new location. We have preserved the building over the years, not the ANC, not the Foggy Bottom Association, but the members of Western Church have paid to preserve that building and will continue to do so at our new site.

In the past decade, our congregation has experienced a significant influx of new members who share our historic commitment to urban ministry in Foggy Bottom. We are grateful for these new folks and look forward to a good future.

I would like to introduce at this time Joyce Zickler, an elder in our congregation, who is a member of our

governing board and chair of our relocation committee.

MS. ZICKLER: Thank you.

As John said, I'm Joyce Zickler from Western Presbyterian Church. I have been living in the District since 1965, about half of that time in Foggy Bottom, and the other half in Palisades.

On behalf of the congregation of Western Presbyterian Church, I would like to outline briefly the process by which we decided to make our contractual arrangement with the International Monetary Fund.

As indicated in the appendix to the report before you, the church and the Fund previously have discussed, both formally and informally, the Fund's desire to acquire the church's property. Over the years, the channels of communication between the church and the Fund have remained open, as we have dealt with matters like landscaping and shoring up foundations, related to previous construction by the Fund and as we, as neighbors, have discussed programs and developments affecting both institutions. In those discussions, the congregation consistently and clearly articulated its commitment to minister to those who live, work and visit downtown Washington, and that it would not seriously consider

any change in its location that would alter the direction of its ministry.

Over the past ten years, the church's witness in the downtown area has gained considerable momentum. Our building is alive throughout the week. We have continued our tradition of opening the sanctuary doors for a period during the day for the ever-present flow of individuals seeking help or just a quiet place to meditate. We also have offered informal noontime services.

Music at Noon and our program of Lenten organ recitals have become downtown institutions. In addition, an Ethiopian Evangelical congregation began using our building for meetings and worship services and has built a congregation of more than 250.

The number of Bible study groups and self-help organizations, such as AA and Adult Children of Alcoholics, using our building, has expanded until all available rooms are now taken during the middle of the day. These important community services appear to have been overshadowed in recent discussions of our church by concerns about another of our programs, Miriam's Kitchen.

In recent years, our congregation also began to

grow and its age distribution became more even, as young and middle-age adults were added to our roll. We reopened a Sunday School for children and added a young adults group. Moreover, the Ecumenical Christian Ministry at the George Washington University was revived. The subsequent two campus ministers have become parish associates at Western.

The church also became more interested in and active in contributing to the direction of ministry in the Washington area and worldwide. Although we had a limited budget, and received financial help from the Presbytery during our period of rebuilding, the congregation sought new mission work with the funds available.

As you can well understand, we were pleased with the growth of our ministry and we were anxious to do more. But we faced an aging facility and limited resources. Thus, about three years ago it seemed appropriate to reconsider the subject of some arrangement with the IMF. We remained firm in our intention to stay in Foggy Bottom. The congregation felt equally strongly that it did not want to lose its beautiful neo-Gothic sanctuary. Moreover, we worried that a move might prove disruptive and that we might risk losing some of our momentum.

In theological terms, our approach to this decision was a matter of stewardship of our resources. A property exchange with the IMF held the potential of turning an aging asset--in which our talents, in the words of the Gospel, might be buried by the demands for renovation and upkeep--into an investment capable of paying out manyfold in service and mission efforts over many years to come.

As Presbyterians, the process by which the decision was reached was very important. The prospect of entering into a contract with the IMF was first discussed by the church leadership groups more than 2-1/2 years ago. We subsequently discussed the pros and cons of the move with other groups in the congregation and with the Presbytery. We contacted groups that use the building for their views, and we initiated contacts with neighborhood groups in Foggy Bottom, including the ANC.

In practical terms, we arranged for consultants to evaluate our building and provide us estimates of the prospective costs of required repairs and desirable renovations. With all that in hand, at a congregational meeting in May, 1989, the members voted by a margin of two to one to appoint a committee of 12 persons--I chair that committee--to

negotiate a relocation agreement with the IMF.

The contract we eventually signed called for the exchange of our property for the site at 24th and Virginia Avenue that had been purchased by the IMF. The exchange occurred in October, 1990. It also calls for the IMF to preserve our present sanctuary, relocating it to the site after constructing a new two-story set of office and meeting facilities. The phased building plan is designed to minimize disruption to our worship services and programs. Finally, the IMF will provide us an endowment for mission of \$4 million and is paying for the legal, architectural and related expenses that we incur as a result of the move.

The leadership of the church has continued to discuss and to plan for our move. We have received the enthusiastic support of our Presbytery and other religious leaders. At the new location, we will have improved facilities for our congregation, the Ethiopian congregation, Bible study, self-help groups, musical programs, the campus ministry, neighborhood meetings and the like.

We have some dreams, too, for some sort of "mothers day out" daycare and for programs for the elderly who live in the neighborhood. Although we do not yet have access to the principal of the endowment, the church elders have ear-

marked the funds for benevolences here in the Washington area and abroad. We already have used some of the funds generated by the interest payments to support construction of a school and church facilities in Ghana. Closer to home, we have begun supporting an after-school program for latch key children at Church of the Redeemer in Northeast. Our congregation is excited by the opportunities opened up by our arrangement with the IMF, and we look forward to reaching out and serving the community in our new location.

I would like to pass the mike back to John Wimberly.

REV. WIMBERLY: The leadership and members of Western Presbyterian Church are well aware that our move to 2401 Virginia Avenue has raised concerns in that area of Foggy Bottom. Some residents are particularly disturbed about a feeding program for the homeless called Miriam's Kitchen.

That feeding program began in the fall of 1983 because there were a large number of homeless people living on the streets of Foggy Bottom and no breakfast program, just as there remains many homeless people living on the streets of Foggy Bottom. It has only increased since that time.

We are the only weekday breakfast program for the

homeless west of Lafayette Park. We do not operate on weekends; we do not operate programs for the homeless during the day or the night. We are a two-and-a-half hour, Monday through Friday, breakfast program.

We believe we can run Miriam's Kitchen in our new location as it is run at our present location, responsibly, and with little inconvenience to reasonable neighbors.

The new building has a specially designed kitchen and hall for that purpose. If it cannot be operated in ways which reasonable people find satisfactory--we stated that in print and we stated that at the ANC meetings--we will have to find other ways to feed and minister to the homeless. If we need to hire a security person to allay fears, we will. We've made that commitment. If we need to increase the number of volunteers working each morning to speed up the operation, we will. We will do what needs to be done.

We have a 136-year track record in Foggy Bottom of being good neighbors in Foggy Bottom, and we have done nothing that indicates that we will be otherwise in the future.

While Miriam's Kitchen is a proper concern for neighborhood organizations and ANC-2A, I am somewhat baffled as to why our church programs are being discussed by a Zoning

Commission which is hearing a case about a piece of property we no longer own. Our property on 2401 Virginia Avenue is zoned for church use. Miriam's is part of our mission, based on our religious convictions. Indeed, we had it written into our contract, it is there, with the IMF, that they shall in no way try to tell us what to do with our new church facility, and it specifically mentions in that section of the contract our feeding program for the homeless.

If they attempt to stop our feeding program for the homeless, our attorneys feel that they will have breached the contract.

The International Monetary Fund has no right to take over a program which is our program and a part of our religious mission. The board of directors of Miriam's Kitchen and the church will make that decision.

I am also baffled that the D.C. Office of Planning has even suggested the possibility of removing a feeding program for the homeless from our church. The Mayor repeatedly has said that the religious community must do more, not less, to address the crisis of homelessness. The Deputy Mayor for Economic Development, Mr. Penny, told me personally, in the presence of David Colby, that he agrees that we are doing what

the Mayor has asked us to do; thus, the Office of Planning stands in direct opposition to the Mayor and the Deputy Mayor's public policy position.

In our meetings over the past two years with the boards of directors of Potomac Plaza and Potomac Plaza Terraces, when we signed contracts with them which allow us to build our church as presently designed, in our meetings with the ANC and elsewhere, the leadership of Western Presbyterian Church has stated consistently two basic principles: we will continue to be responsive to concerns of our neighbors, as we have been for 136 years; and secondly, we will help those in our community who are suffering as our faith and the Scriptures instruct us.

We reiterate those two principles this evening.

In its slide presentation, I would like to thank the ANC for showing that. The ANC demonstrated what we have been saying. If you look closely at those slides--and I hope you will go back and look at them--there are no homeless people in those slides. They were taken after the feeding program was over. We have made it clear to those homeless people that we feed that if they loiter, if they harass people, if they in any way cause a problem outside of our church, the

feeding program will end.

Thus, as those slides demonstrate, taken later in the day, there are no homeless people there. It will be the same way at 2401 Virginia Avenue.

Thank you.

VICE CHAIRMAN BOASBERG: All right. Thank you, Reverend.

Are there any questions? Is there any cross-examination of Reverend Wimberly and Miss Zickler?

MR. QUIN: No questions.

VICE CHAIRMAN BOASBERG: Mr. Netler?

MR. NETLER: Richard Netler for ANC-2A.

Reverend Wimberly, is it true that if the IMF does not gain approval of its Planned Unit Development, that it has the option of swapping back the property with you that it presently is intending to move you to?

REV. WIMBERLY: Something told me you might ask us that, so I asked our attorneys. They said the answer to the question is Yes, but in their opinion, the amount of money that the IMF has invested to this point indicates that they wouldn't exercise that option.

MR. NETLER: Is there also a provision, in whatever

agreements you have with the IMF, that if you move to 24th and Virginia Avenue and the Board of Zoning Adjustment does not allow you to move any of your programs to that site, that you can move back to the present site that you're at?

REV. WIMBERLY: No.

MR. NETLER: And have you obtained any approval from the Board of Zoning Adjustment to move any of those programs?

REV. WIMBERLY: No, we have not.

MR. NETLER: Have you made an application to move those programs?

REV. WIMBERLY: No, we have not.

MR. NETLER: If you are unable to move any of those programs and, therefore, are unable to provide those programs at that site, and you don't have the option of moving back to your present site, would that be a benefit to the community, the lack of those programs?

REV. WIMBERLY: I'm not certain I understand your--

MR. NETLER: Your inability to provide those programs at your site at 24th and Virginia, and your inability to move back to your present site to provide those programs, would that be a benefit to the community?

REV. WIMBERLY: Based on our review of the BZA cases

about churches and churches' programs, we have no reason to believe that the BZA would not act favorably in our case.

MR. NETLER: Can you point to a case in which the BZA has said these programs may be moved?

VICE CHAIRMAN BOASBERG: All right. I'm going to stop it there. We're not the BZA and it hasn't been brought before the BZA. We understand that it requires BZA approval and we understand nothing is a foregone conclusion in this world.

Do you have another line of questioning?

MR. NETLER: I do believe there is a consideration-- and I'm not going to pursue the question--however, with regard to whether there are amenities that are being provided by this project or not and what the results will be of that project.

VICE CHAIRMAN BOASBERG: The Commission understands. Any other questions?

MR. NETLER: Yes, just a few more.

What provisions have you made at your present site to address some of the problems that have been brought up by the ANC with regard to the feeding program or other programs for the homeless?

REV. WIMBERLY: At our present site, we are not--

we were told by the IMF, as a matter of fact, and by Pepco across the street, that there would be people loitering and that there would be people harassing, et cetera. We have not had those problems. Pepco just gave us an award two years ago for outstanding community service.

The IMF has a major employee entrance closer than that wall to me from where the homeless come and go. I have never received a call from the IMF or from any IMF employee saying they were harassed going in that door.

MR. NETLER: So that would suggest to you, therefore, that the provision of those programs at the present site seems to be working quite well?

REV. WIMBERLY: It's working well at the present site, and we have listened to the community and offered additional security provisions to start with and, if needed, to continue.

MR. NETLER: No other questions.

VICE CHAIRMAN BOASBERG: Okay.

Are there other questions of the church? I'm sorry, you have to be a party.

MS. KAHLOW: I have some questions.

VICE CHAIRMAN BOASBERG: Identify yourself.

MS. KAHLOW: I am Barbara Kahlow, cochairman of Citizens for a Responsive ANC-2A. I just have a couple of questions about the church.

I have read about its membership and I wonder if you could tell me the percentage of members that are Foggy Bottom residents, other district members, or members outside of the District of Columbia.

VICE CHAIRMAN BOASBERG: Miss, why don't you answer the question, since you seem to have that--

MS. ZICKLER: I'm no longer keeping the books, but--

VICE CHAIRMAN BOASBERG: Okay. You don't have to be exact.

MX. ZICKER: Okay. I believe that between 20 and 25 percent of the membership lives in Foggy Bottom or close to the church in the District of Columbia. There is another, probably 10 or 15 percent, like myself, who live father out. I live in the Pallisades and became a member of the church when I was living in Foggy Bottom.

The rest of them are Maryland and I would say a large proportion from Northern Virginia. Many of the people in Northern Virginia lived in the downtown area and became members of the church, and when downtown housing dried up,

they moved to Northern Virginia.

MS. KAHLOW: If I can add the numbers right, that means over 60 percent of the membership of the church lives outside the District of Columbia and over three-quarters live outside of Foggy Bottom.

Second, I overheard Mr. Wimberly saying that he lived in the District. Where do you live?

REV. WIMBERLY: I live presently, for the last six months, since I got married, I live in Ward 3. For the preceding period of time I lived in Ward 5 on North Capitol and Rhode Island.

MS. KAHLOW: So you're also not in the neighborhood.

VICE CHAIRMAN BOASBERG: Okay. You can testify. You don't have to comment sub rosa on their testimony.

MS. KAHLOW: Okay, thank you. Two more questions.

I wondered if you would be willing to provide us for our review a copy of the contingent contract you have with the IMF.

REV. WIMBERLY: I don't have a problem with that. I think the IMF has already told you they do.

MS. KAHLOW: I asked if you would.

REV. WIMBERLY: I'm not willing to do it if the

other party to the contract is not willing. It's a contract between two parties.

MS. KAHLOW: Lastly, I wondered if you would remove your freeze on the work we're trying to do on background of the nature of the Western Presbyterian Church. I understand that in Philadelphia--and you can correct me if I'm wrong--you have put a freeze on our further research with the national office.

REV. WIMBERLY: The records of the Western Presbyterian Church were in Philadelphia. The person who was putting together the application for the historic designation was told not to consult us in any way. They went to Philadelphia and they went through our records. They had an opportunity to go through our records and they did go through our records. We are now going through our records--

VICE CHAIRMAN BOASBERG: Okay. This is a little off the line for the Zoning Commission.

MS. KAHLOW: Okay. Thank you. That's all I had to ask. I just wanted to know.

VICE CHAIRMAN BOASBERG: Reverend, I just have one question. In order to get the input from the citizens in the community, does the church have, or would they be willing

to set up some kind of community liaison committee that may be composed of--in other words, have some members of the neighborhood on that, or from the ANC, that would meet once in a while or--

REV. WIMBERLY: As a matter of fact, this afternoon a member of Western Church, one of our officers, and I met with Chairman John Wilson. We discussed exactly that.

I have made several times, at the request of our officer, the offer that if the program isn't run satisfactorily to reasonable neighbors, that we would not run the programs. So Chairman Wilson and we discussed this afternoon who those reasonable neighbors might be. We are beginning a process of setting up a group of people who might act as, in fact, a review board, and after a period of say three months, look at the feeding program. If it's not running in accordance with what we all want to see happen down there, then the program wouldn't go any more.

VICE CHAIRMAN BOASBERG: We realize this is a serious issue that people could take different viewpoints on. We realize those viewpoints are strongly held.

REV. WIMBERLY: Absolutely.

VICE CHAIRMAN BOASBERG: I think, though, if it were

possible and sufficient--I know you all have met and we can't force you to agree; we can't force you to make meaningful offers. We're not the National Labor Relations Board. We are simply a Zoning Commission. If there were a way that the parties could agree on a mechanism, to try to extend that as much as possible, I think that might be--

MS. ZICKLER: I would like to add that about eight years ago, when we established Miriam's Kitchen and I was involved in that, we did successfully solicit neighborhood members that were not members of the church to the Miriam's Kitchen board. Those people cycled out of membership on Miriam's Kitchen board and the Miriam's Kitchen board became made up mostly of people from the different churches and organizations that take turns volunteering at the Kitchen. But that has always been the way that a nonprofit board is run.

REV. WIMBERLY: Could I make one other comment? There is a very big issue here, which is--it's kind of like where do you draw the line. We have also, at ANC meetings, as well as in private communication, had people complain about the Ethiopian congregation being present in our building. We have people who have complained about our Narcotics Anonymous

group.

Where does one give veto power to the community over our programs?

VICE CHAIRMAN BOASBERG: We understand the questions are difficult.

Mr. Parsons.

COMMISSIONER PARSONS: Will there be a period of time when the church is effectively out of business, out of service, while it's being moved block-by-block?

MS. ZICKLER: No. As I included in my testimony, the building plan calls for the IMF to construct the office and meeting facilities first, and we would still have the other building. Then, after those facilities are constructed, then the stone-by-stone and pew-by-pew and stainglass window moving of the sanctuary would occur.

Our hope is that we would be able to conduct worship services in the completed section of the building, if we can get approval for that. If we can't, we would have to have our worship services temporarily in our neighboring facility.

COMMISSIONER PARSONS: Thank you.

VICE CHAIRMAN BOASBERG: Any other questions?

Thank you very much.

REV. WIMBERLY: Thank you.

VICE CHAIRMAN BOASBERG: Are there any other parties, not individuals but parties in the case, who are in support of this? All right. Hearing none, then we will now hear from any individual persons, any individual persons or groups or organizations, who would like to testify in support. If there are, please come forward

Have you had a chance to be sworn in? I don't know what time you got here.

REV. BUSBY: No, Mr. Chairman. I was outside.

VICE CHAIRMAN BOASBERG: All right. Is there anybody else who wishes to testify in support? All right, you two gentlemen raise your right hands so you can be sworn, please.

(Witnesses sworn.)

Give us your names and address and make sure your red button is pressed so the mike is on, so we can record you. Thank you.

Good evening, sir.

REV. BUSBY: Thank you, Mr. Chairman. I am Gregory Mark Busby, Senior, pastor of the Church of the Redeemer, a Presbyterian Church in northeast D.C. I have

been pastor of that church for the last two years, beginning September of 1989. I am also a resident of the District of Columbia, residing at 4918 3rd Street, N.W., in D.C.

I do not have a prepared statement before me, which is dangerous for a minister, whenever they prepare to speak before a commission or anybody.

I will simply not reiterate what has already been said but simply to speak in favor of the IMF and Western's proposal. There has been a lot of rhetoric in the community and its various media components that the Western Presbyterian Church is derelict in its duties as far as a Christian church is concerned.

As a media beneficiary of the interest money that Western has been able to use towards ministry, I want to make that an emphatic No and be on the record as such.

You have heard it said that Western has been able to use some of these moneys to support two Ghana churches in terms of supporting Christian community outreach in that community. Indeed, we all know that the Gospel proclaims us to take God's word throughout the world, and that is good. But also, more importantly, Western has been able to support the ongoing educational benefits of a young woman who belongs

to their church at Barber-Scotia College in Concord, North Carolina.

We are familiar with the United Negro College Fund slogan that "A mind is a terrible thing to waste." I think that Western's use of this money in this appeal is specifically significant with respect to the African-American situation and the blight of African-American colleges and persons who graduate from said institutions.

But to bring it more closer to home, we at Church of the Redeemer have a program called the Elementary Scholars After School Program. It was started in 1983 and is established as an after-school tutorial program to help elementary school kids with their school work, as well as providing services for them until their parents can pick them up from getting off of work.

We have not been able to get that program off the ground in the last seven-odd years of its existence, until 1990, when John Wimberly approached us with the idea of being of some assistance to our program. Through their efforts, we have been able to hire a full-time van driver. We saw our attendance at ESASP increase by 15 percent in March of this year, and this past fall we have seen our attendance grow to

over 35 percent.

The young man we have hired to drive our van had not only served in terms of transporting these young persons to our church safely from their schools, but he serves as a tutor, a male role model to provide leadership and also guidance through respect and not only homework, but a male role model, which is again sorely needed in the African-American community.

Certainly I am not going to sit up here and argue the pros and cons of zoning or what have you, but simply to be on record as in support of our sister church and respective Presbyterian churches in this Presbytery.

VICE CHAIRMAN BOASBERG: Thank you very much.

Any questions? Thank you.

We're not questioning the good works that the church does or will do with the money. That's obviously not an issue.

MR. DAVIS: My name is Ed Davis. I live at 21st and F, or 20th and F, rather. I work at the State Department so I both live and work in the neighborhood.

I often find myself going down by Western, which by the way I'm neither a member of Western nor do I work for

Miriam's Kitchen. I have become interested in reading some of the things in the paper about this issue and it really does concern me because Foggy Bottom is an area that does have a homeless problem and this is one of the few things that is being done to deal with it.

I believe that the zoning issue is not really the issue that people are arguing about. What they are trying to do is clearly deal with--the issue of concern to them is the feeding program in the church. I feel that this is a problem mainly in perception but not in reality.

I live in what is probably the closest apartment building to Western. I have never had trouble with anyone in the area of Western, with any of the homeless in the area of Western. As a member of Foggy Bottom, I can clearly say I have had trouble elsewhere in the neighborhood. But there is clearly an understanding there that I do not necessarily find elsewhere.

I also think that one of the things the neighborhood needs to consider is whether or not they want to deal with someone as reasonable as John Wimberly and a church over the feeding program, or do they want to have it go into the IMF, where they will be dealing with a major bureaucracy to

get any major changes in it, stuff that they're unhappy with. I don't think you can do more than offer a six-block move, which necessarily doesn't somehow mandate the need for a security guard. That has been offered.

Like I said, this is a program that clearly works. Some of the zoning things strike me as ludicrous because you are exchanging a parcel--you're basically exchanging one ugly urban building that's already been destroyed for a nice church at one site, as opposed to--If you look at the slides, what makes the green space, the trees, which stay in the design change.

In general, I feel that this church is a very responsive. I do not see any necessary problem resulting from the feeding. As I said, I go through that neighborhood all the time.

VICE CHAIRMAN BOASBERG: Thank you.

Any questions? Thank you, Mr. Davis, Reverend.

MR. DAVIS: I'm sorry, but I also have a petition of 82 people who live in the neighborhood that I would like to put into the record.

VICE CHAIRMAN BOASBERG: Okay. Thank you, Mr. Davis.

Now, are there any other persons--we're not going to

have cross-examination of individuals, unless there's a severe problem. You could submit it in writing, I think.

(Commission conferring.)

I am informed that the parties--I'm sorry, Mr. Netler. I don't think your case falls or rises on the testimony, but if you feel strongly about it, you can submit something to us and give the other side a chance to comment in seven days.

Okay. Are there any other persons in support, any other individuals who have come down tonight to testify in support of this program? Yes, sir.

Have you had a chance to fill out--

MR. HANSON: Yes, sir.

VICE CHAIRMAN BOASBERG: Okay. If you would just give us your name and address, that would be helpful.

MR. HANSON: Yeah. Bob Hanson. I don't see Mr. Kasten, Kohl or Wellstone or Durenberger here, but that's where I'm from, Minnesota and Wisconsin.

I would like to eat anywhere, you know. I don't want to eat with "critters", like roaches or rats at any soup kitchen or restaurant. But I have been to this place and it's not quite up to par as far as the number of people

there and the seating space. It's a little overcrowded, like Zacharia's Place next to the King Library. I would rather be eating in Topeka, Kansas, but that's out of the question right now.

I am running for President of the United States, by the way, and I did work at a mission, the Union Gospel Mission in Knoxville, Tennessee in 1982 during the World's Fair.

Getting on to the younger generation in California, I would like to be out there because of the warmer weather, where my second cousin is the archangels--Michael, John, Paul and Douglas. Hopefully I could invite them here for Christmas. I would like to take them to a nice place, and I think Miriam's is a nice place. But as I say, it's a little overcrowded.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you for coming down tonight.

If we can hold our applause, you can all applaud at the end, if you're still here.

Are there any other persons in support? Any other individuals who have come down tonight in support?

All right. Seeing none, are there parties in opposition? Miss Kahlow, are you taking a gender privilege here? Have you discussed this with Mr. Lamb?

(Laughter.)

Mr. Lamb, what's going on here? This is a decidedly sexist approach to this case.

Miss Kahlow, would you introduce yourself, please?

MS. KAHLOW: I am Barbara Kahlow. I am cochairman of Citizens for a Responsive ANC-2A. I'm on the executive board of the Foggy Bottom Association but I am not speaking for them tonight. Mr. Lamb will be.

I have lived in the Washington, D.C. area since 1968 and I am currently an owner in Foggy Bottom/West End.

I endorse the testimony of the ANC in opposition to the several and significant deviations from current zoning that are requested. Specifically, I have greatest concern about the change in zoning from residential to commercial; second, about the enormous increase in density. I want you to note that the 10.1 for the phase three addition is 44 percent over the maximum 7.0 FAR, so we're not talking about a small increase in density. We're talking about an enormous one.

Third, the increase in height from the maximum allowable height of 90 feet in R-5-C to 130 feet, even OP states "the resulting height relationship is not ideal".

Fourth, the overall increase in FAR, worth over \$40 million, for which there are essentially no commensurate/real amenities offered to the immediate community; five, the proposed alley closing, for which there are essentially no commensurate/real amenities offered to the community; and sixth, the lack of any real amenities. The deluxe sidewalk, which we just learned today that 70 percent is on public land, is made of marble with benches and plantings at a cost of \$7-9 million. This is not only not a real amenity, but it is also grossly inadequate in relation to the economic benefits which would accrue to the applicant.

Like Mrs. McCarthy, I go through citing some of the DCMR sections. It says that your job, in approving the increases in density and building height, that they need to provide amenities that are superior and, most importantly, "The applicant shall have the burden of demonstrating and justifying". I and Citizens for a Responsive ANC-2A strongly believe that applicant has in no way met this burden of proof.

Currently, Square 120 houses both a park and a church, both of which OP says "provide spatial and architectural relief for the immediate community and the city." The restoration of the exterior of the church and the provision of the park were part of the amenities package in phase two, for the conditional approval of phase two. The residents of Foggy Bottom/West End love this setting and wish to individually landmark the Western Presbyterian Church since it is one of the loveliest historical buildings in our area. We treasure the church and strongly want it to stay in its current location.

This is not a "NIMBY". This is not an afterthought. We just didn't have the money to put together an application before this. It is something we have wanted to do since it was originally identified in the 1982 survey, where we hired a tracer to find all of our treasures.

There would be other substantial and deleterious environmental and social impacts, besides the absence of spatial and architectural relief, since the church currently provides feeding of and social services to certain homeless persons, most of which we understand do not live in Foggy Bottom/West End.

I would like to refer to one sentence in Council-member Jack Evans' letter to you. "Over the last several years, this community"--talking about Foggy Bottom "--has become the site of eight separate homeless encampments beneath the Whitehurst Freeway. In addition, the District of Columbia government operates trailers for up to 108 women and men directly across from the Watergate complex. The residents are overwhelmed by the current situation and are living in fear. The Foggy Bottom community is therefore already greatly impacted and cannot absorb a daily feeding program for all these homeless individuals."

The new location for the church in a totally residential area I consider many blocks away is totally inappropriate for such a feeding program, and the dispersal of the homeless at this new site provides a safety threat for residents, especially the many elderly that happen to be next door at the St. Mary's Court Home for Older Persons. In total, the proposal would have an adverse impact on the quality of life of all of us in ANC-2A.

PUDs which permit reasonable deviations from current zoning should only be possible if there are commensurate amenities to the immediate community. A sidewalk of \$7-9

million, which is less than 25 percent of the \$40 million increase in economic value to the applicant, doesn't count it. I believe this makes a mockery as to the City Council's intent behind PUDs.

Even OP recommended only conditional approval, and it went through some stuff we have already heard about, talking about the net effect and the new problems that this move would create.

On October 22, I participated in the IMF-arranged meeting of parties that was called at your request. I was sorely disappointed that the IMF not only offered no changes whatsoever, but also followed up with a totally nonresponsive reply to the community's constructive avenues for consideration. We had ideas; they said no.

In conclusion, we request that the Commission deny the requested PUD. However, if you do approve, we have some conditions which you will see noted in my statement.

Lastly, I understand there is something odd in the docket, and if you would please remove it, it is not from me.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you, Miss Kahlow.

Go ahead, Miss Stowell. We'll take you as a duo.

You're the other co-founder?

MS. STOWELL: I am, indeed. I am Kerry Hart Stowell. I'm a resident of Foggy Bottom, on the board of the Foggy Bottom Association, editor of its newspaper, and a member and co-founder of Citizens for a Responsive ANC-2A.

When I was a youngster, we traded playing cards. The boys collected sports heroes and the girls some pretty pictures and some Disney characters. I am still trading. I trade in stocks, currencies, real estate, and anything else that will keep me going.

One of the things I learned early on about trading was that you must deal with the principals. This evening there are only two principals who are able to cut a deal, and one intermediary to help perhaps. The two principals are, one, the IMF, and the other, the Foggy Bottom community.

I believe we have spent far too much time allowing other parties, the Western Presbyterian Church and Miriam's Kitchen, to be at the discussion table and part of the testimony.

Let's talk about an amenity package. An amenity package is much like the old trading card days. You take this card away from me and then you give me that card in

exchange.

Counsel for the IMF, in an informal, off-the-record meeting with the community representatives who are parties, asked, quite frankly and specifically, for the community to tell the IMF what the community wanted and what it thought was a fair amenity. The community representatives told the IMF that the Foggy Bottom community would like to have the area at 24th and G Streets given to the community as a park. That is an amenity.

Directly after the meeting, the meeting that was off the record, we received correspondence from the IMF counsel saying that it was out of the question. I'm not sure it's the IMF counsel's right to decide what is a fair amenity and what is not. An amenity must have an equal quotient somewhere along the line to make a trade possible.

A sidewalk that is half owned by the city is not an amenity. A large meeting room for international visitors is not an amenity for Foggy Bottom residents. It is for you, the Zoning Commission, to decide what is or is not an appropriate amenity.

We seldom have the chance to pick up green space in northwest Washington. It just doesn't happen very often.

We have the opportunity at this time to benefit from a vacant piece of land. The IMF wants a big building and we want some open space in return.

It sounds like a good trade to me, but that's for you to decide.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you very much.

Are there any questions from the Commission?

COMMISSIONER SMITH: I was following everything up until your testimony--

MS. STOWELL: Up until I started to speak?

COMMISSIONER SMITH: Yes, on the trading. Somehow now I'm lost.

You indicated that you wanted a swap, or you wanted a park at 24th and G Streets.

MS. STOWELL: That's correct.

COMMISSIONER SMITH: Given that this is the first I've heard of this, that's why I'm asking the question.

Has this been discussed as an amenity?

MS. STOWELL: Among the residents of Foggy Bottom? It has not been brought before your Commission before, that is correct.

COMMISSIONER SMITH: This is new. Okay. I just wanted to be clear, if I was reading this correctly.

Number two, I would like to ask Miss Kahlow, that was not in your testimony and you're in the same organization; is that correct?

MS. KAHLOW: What I said in my testimony is that we offered--the community offered constructive avenues for consideration. We talked about our priorities and this was one of them. I decided that Mrs. Stowell would speak about it.

COMMISSIONER SMITH: Okay. So you're both on the same wavelength, is that correct?

MS. KAHLOW: That's correct.

COMMISSIONER SMITH: Why was the organization of Citizens for a Responsive ANC-2A formed? I mean, does it have something to do with the representation of the ANC?

MS. KAHLOW: Not now. If you look at the bottom of page 2--

COMMISSIONER SMITH: Not now. When was the organization formed?

MS. KAHLOW: It was formed the summer before last, and I have a sentence in my testimony that says we felt there

was a widely-held view that there was a need for change in representation before the Zoning Commission to ensure the preservation of residential character. The new ANC happens to agree with us on that aspect.

COMMISSIONER SMITH: The new ANC. So your organization was formed when?

MS. KAHLOW: Not this summer; the summer of '90.

COMMISSIONER SMITH: Now, the ANC did not testify about this park exchange.

MS. KAHLOW: That's because it was an off-the-record conversation, and they were represented by counsel and we were not.

COMMISSIONER SMITH: Okay. So you understand I'm trying to get this together to see--because you're all representing the community and I'm hearing different things here. So I just wanted to be very clear as to what--

MS. KAHLOW: Mr. Smith, I don't think they're different. I think they're additional. We are not inconsistent. The community is speaking together.

COMMISSIONER SMITH: This is additional, as I see it, because it hasn't been mentioned before as a part of the package. I mean, it's not a problem. I just want to be

clear on what is being proposed here.

Thank you.

VICE CHAIRMAN BOASBERG: Commissioner Parsons.

COMMISSIONER PARSONS: Well, I'm presuming--and maybe I shouldn't--that what you're saying is that the church, if it was to move, should move elsewhere.

MS. STOWELL: I don't think we said anything about the church. It's simply not under discussion.

(Laughter.)

COMMISSIONER PARSONS: I'm not sure that's rational. I'm really not. What you're saying, as I understand it, is that IMF builds the building before us and the property they have acquired becomes a park and the church which exists in your community is of no concern?

MS. STOWELL: No, I don't think that's a fair way of--

COMMISSIONER PARSONS: I think you need to embellish that somehow. I mean, what are your feelings about the church? Your organization has participated in some nomination of it, I think, as a landmark, and at the same time you are saying that you're willing to allow this building to go forward if somebody contributes a park to the community in

exchange.

MS. STOWELL: That's correct.

COMMISSIONER PARSONS: I'm very confused as to what it is you're saying.

MS. STOWELL: As well you should be.

MS. KAHLOW: In that discussion--and perhaps we didn't have the whole context--we were pointing out the different things that mattered to us a lot, green space being one of them, the historic preservation being another.

It would be wonderful if we could have the entire church, every single brick by brick, not just what they're suggesting, which is the sanctuary, but the entire church moved into a lovely setting downtown. We would even consider it someplace else in Foggy Bottom.

What we're saying is we want real amenities. We want historic preservation, we want green space.

COMMISSIONER PARSONS: What if the IMF was to find another piece of property that might be vacant in your community and acquired that as a park and allow the church to move to the location in question?

MS. STOWELL: Well, you know, I would think any of these things are open for discussion.

VICE CHAIRMAN BOASBERG: They'll take it up. I'll let you know.

COMMISSIONER PARSONS: Well, I'm trying to get at what we're after here. Are they really after a new public park in the community or are they after getting rid of this church? Because the way I read it, they're trying to get rid of a church.

MS. KAHLOW: No, that is not an accurate representation. I think that historic preservation, Mr. Parsons, is absolutely key. We love that building and we want it in toto, stone by stone. We would like it in it's current setting because it's beautiful, which is what I stated. If we can't have it in its current setting, we would like it somewhere else in an appropriate setting.

In addition, though, when we think about PUDs, when people are getting big benefits--and this was the trading card analogy--they're going to get an enormous benefit and we should get a benefit. One thing we care about, besides historic preservation, is green space. We offered that place because it was an available green space. We can look at another green space. The point is, we care about historic preservation and we care about green space. We think we

should get an amenity of fair trading value.

COMMISSIONER PARSONS: What is it, from an historic preservation standpoint, that makes the location selected for the church, the relocation, improper? Is there something about that site that is inappropriate for the church, other than the program that was described?

MS. KAHLOW: The church historically has served the people downtown. We have had a First Lady involved, Eleanor Roosevelt. It was for the people downtown.

I work a couple of blocks away and I go there and sit in that park at lunch. I go to that church. I wouldn't go if it's six blocks away. I don't know that anybody else would. It is a downtown church. It has a beautiful history and it's a beautiful building.

COMMISSIONER PARSONS: Is there any other location that you can think of in Foggy Bottom that would be more appropriate?

MS. KAHLOW: I, myself, have ideas, but we haven't discussed that in total with the community. I do think there are some other places. I'm speaking personally, only for myself, not for my organization and not for anyone else. I think there are some other possibilities, yes.

COMMISSIONER PARSONS: Thank you.

COMMISSIONER SMITH: Just one more question.

Did your organization have as part of the amenity package the preservation of the church and that it would still be an historic structure even if it was in another location?

MS. KAHLOW: I think that--My understanding of the historic preservation laws is--and I could be incorrect--is that every single stone, the entire building, stone-by-stone, it would be landmarked and they couldn't move it just as a couple of stones and a sanctuary. It's the entire building.

It would be much better in that setting. I think that the Mayor's agent--you all know this better than I do--would have to agree to something if they landmarked the building to move it. But obviously, we prefer it in its current setting.

COMMISSIONER SMITH: Let's say they did, and let's say that somehow there was a park or some additional open space thrown in. Is the only remaining objection the feeding program?

MS. KAHLOW: I'm unclear. You're saying if we had an amenity of equal value?

COMMISSIONER SMITH: Let's say the church moved and then there was a park.

MS. KAHLOW: And then they could build their big building? I'm trying to understand the question.

COMMISSIONER SMITH: I'm trying to find out your organization's position on the church moving and the park and feeding program connection.

You mentioned the feeding program--

MS. KAHLOW: I mentioned it would be a negative amenity.

COMMISSIONER SMITH: Okay. Well, we weren't talking about it as an amenity. Okay. I think I have it.

MS. KAHLOW: I would only add one thing to what you're saying. I serve on the Mayor's task force on homelessness. I'm one of the two representatives from Ward 2. It is something we feel strongly about, which is serving the homeless and serving them downtown. We have had that and, as was pointed out, there is a great need. We want to continue to have the homeless served downtown. That is something important to us in Foggy Bottom.

VICE CHAIRMAN BOASBERG: Any other questions? Mr. Parsons.

COMMISSIONER PARSONS: Miss Kahlow, you mentioned in your testimony that a possible amenity might be that the IMF subsidize a homeless feeding program in an appropriate commercial area.

MS. KAHLOW: I quoted the Office of Planning. That was their statement.

COMMISSIONER PARSONS: I'm sorry. I thought that was your statement.

VICE CHAIRMAN BOASBERG: Okay. Thank you very much for coming.

Is there cross-examination by any party? Yes, Mr. Quin.

MR. QUIN: Very short, Mr. Chairman.

Miss Kahlow, just for the record, I want to make it clear that the site--and maybe this was Miss Stowell's testimony--that the site at 24th and G is the same site that the church now owns. Just confirm that for the record. I just want to make sure that's clear in the record.

MS. STOWELL: I was talking about the property at 24th and G and you're asking me to confirm whether the church now owns that. I don't have the papers to tell you yes or no.

MR. QUIN: Is that the same site that the church is

planning to go--

MS. STOWELL: That's right, yes.

MR. QUIN: Thank you.

The second question really goes to Miss Kahlow. It was my understanding, Mr. Chairman--this is sort of a house-keeping matter--that the--

VICE CHAIRMAN BOASBERG: Are you questioning me, Mr. Quin?

MR. QUIN: No, I'm asking Miss Kahlow but I'm looking at you.

VICE CHAIRMAN BOASBERG: I'll listen.

MR. QUIN: The question was, at the meeting that we had on the 22nd, it was my understanding that Mr. Netler requested that our discussions not be made a part of the record, and there have been certain discussions that have dealt with that here today.

I would like to file for the record our response, which you referred to. Would you have any objection to that?

MS. KAHLOW: Yes, I would. I think what you have already filed distorts what happened there. You put together an agenda, which you inserted in the record, none of which took place, as you know. I think it would be fairer if we

only put in what really did happen.

MR. QUIN: Mr. Chairman, we will proffer for the record--

VICE CHAIRMAN BOASBERG: Well, you may submit whatever you like. We understand there wasn't a great deal of constructive vibes at the meeting.

MS. KAHLOW: We had a lot of ideas.

VICE CHAIRMAN BOASBERG: Fine. I'm sure.

Are there any other questions? Yes, Reverend, would you come forward, please.

REV. WIMBERLY: Just one quick question.

I'm glad that you think our church is a treasure and that you love it, that you want to preserve it. Have you, in the past, ever made a contribution to help preserve or maintain that building?

MS. KAHLOW: I'm sorry, I'm an Episcopalian and as Mr. Quin knows--we go to church together--I give very heavily to the Episcopalian Church, but I don't give to the Presbyterian Church.

REV. WIMBERLY: So you have never given anything to help preserve and maintain Western Presbyterian Church?

MS. KAHLOW: I will be.

REV. WIMBERLY: Thank you.

VICE CHAIRMAN BOASBERG: Are there any other questions? Again, I think it's not necessary to go extraneously on some of these issues in question. Again, we understand that matters are hotly contested and that parties disagree rather strongly about it. But it doesn't help us to try to either embarrass witnesses or to try to ask extraneous or answer extraneous questions. So I will try to keep us focused on what is before us.

Now, the next party is the Foggy Bottom Association, Mr. Lamb. I'm going to ask you to concentrate specifically on where you feel matters have not been said before, where you feel matters that have not been said before. If the matter has been covered adequately by the last two parties, I wish you would simply associate yourself with them and see if you can point us to something new and different because we have a rule on repetitive testimony.

So, with that stricture, we will let you talk. Just give us your name and association.

MR. LAMB: My name is Chris Lamb. I am the president of the Foggy Bottom Association, a nonprofit organization incorporated in the District of Columbia. I am

also a resident of Foggy Bottom and have lived in this community for almost ten years.

The Foggy Bottom Association was initially incorporated in 1959. Attached to this statement is our articles of incorporation.

Per the Foggy Bottom Association by-laws, the objectives of the organization are to further the civic, cultural, social and economic welfare of the Foggy Bottom/West End community, to preserve and enhance the residential character of the community, and promote historic preservation in the area.

The boundaries represented by the Foggy Bottom Association are--

VICE CHAIRMAN BOASBERG: We've got those. Go ahead.

MR. LAMB: The Foggy Bottom Association has approximately 500 members. These are all dues-paying members. Almost all of the residents--almost all of our members are residents of Foggy Bottom/West End. Members live in all areas of Foggy Bottom, including individual homes, condominiums and rental units.

Many members of our community will be directly impacted by this PUD. At least three buildings are within two

or three blocks of the IMF, and many buildings are affected by moving Western Presbyterian to Virginia Avenue, including Potomac Plaza, Potomac Plaza Terraces, Watergate, and other homes within the Foggy Bottom historic district.

In addition, many residents of the Foggy Bottom community enjoy the open space and park currently located at the site of the proposed PUD. The Foggy Bottom Association is strongly opposed to this PUD. Our board voted unanimously to oppose the IMP proposal and we strongly endorse the ANC-2A resolution.

Let me go over three aspects of the applicant's proposal. One is the mini-park. The IMF would close the mini-park within Square 120, which was a condition of past zoning approval for the phase two PUD. The park is an important amenity to the Foggy Bottom community and we feel that if the IMF wants to eliminate this amenity, they should replace it with another park of equal value within Foggy Bottom.

I do not think the proposed landscaping under the IMF PUD is a quid pro quo for the existing park.

Secondly is the Western Presbyterian relocation. This relocation is contingent upon approval of the PUD. We feel--and I won't go into the testimony that I provided you--

that this program, the feeding program provided by the church, will provide a deleterious effect on our community. We are not sure why one benefit to the developer should be given when it's going to be an equally deleterious effect or negative effect on our community. I won't go into that because I think it's been covered before.

But I did want to comment about the Association's attempt to work out an alternative solution with the parties, as you have requested. I actually went down and volunteered at Miriam's Kitchen in August, when this issue first really came to the forefront. I don't think it's a poorly-run program. However, I do think it's right for a commercial setting.

At the time I told the director of the program, Anna Proctor, that I would like to meet with the board to go over concerns of the community. I didn't hear from her. Subsequently, our Association--this was before the September 23rd zoning hearing--we passed a resolution urging getting the Foggy Bottom Association involved with the dialogue with all parties.

Subsequently I talked to Reverend Wimberly and a meeting was set up between Western Presbyterian, Miriam's

Kitchen, members of the Foggy Bottom Association board, and there were some members of the task force who were present.

At the meeting the president of Miriam's Kitchen, Bev Blackwell, provided us with a handout called "Concerns and Responses", which I have included in my package. I just want to go over some of the concerns that they raised and kind of our response.

One was the dispersal issue. We are concerned that when the program moves, the homeless are going to disperse into the residential aspects of our community. My main point was how do you define dispersal. Western Presbyterian is saying the homeless are not in their immediate vicinity, they're not on 19th Street or G Street. The question is, when they move to the new site, and yes, they're not in the immediate vicinity, but they go a couple of blocks over to our historic district, does that relieve him of his responsibilities? I mean, sure dispersal by his definition, everything is okay, but by our definition, which is what is the impact on our community, you know, he has not really addressed that concern and we need to establish objective measures to determine when dispersal has proved to be a burden on the community.

The second thing is the security issue, which is the impact of having the additional--if there are additional homeless as a result of this program in our community, are we going to have excessive panhandling, perhaps burglaries? Foggy Bottom is in Sector 1 of the 2nd District Police force, and believe me, I'm on the citizens advisory council and we are the--have the biggest crime problem in 2-D. In fact, we get 46,000 calls every year. Many of these relate to burglaries and we're concerned about the increase of crime in our area.

When I addressed this to the church and to Miriam's Kitchen, well, maybe they're saying we'll provide a security guard in those three hours to perhaps walk a beat right around the church. Well, what's going to be the impact on our community in terms of the rest of us and the rest of the blocks that are in Foggy Bottom?

We talked about the relocation of the church. My interpretation of what the church and the kitchen has been saying is that they really don't want to move and they never have moved off that position. We feel that we want to help serve the homeless in Foggy Bottom. We're not opposed to a feeding program. There are already various programs operating

in our community. But what we want is either the program to remain at a site as commercial because we feel that's where it's best located. But I think when we talk about the program moving to our community, and Reverend Wimberly saying he'll close it down, he never defined the criteria for closing the program or the specific measurable standards that would have to be maintained in order to stay open.

He wants to act as an independent body, a church-- and I'm not trying to get in the way of a church business-- but it seems to me that any individual organization has to respect the rights and concerns of the community as they relate to issues of public safety.

If he is saying, "Gee, I'm willing to listen to reasonable people", I'm not sure what that means. But if the church moved and the program moved, and we were kind of left to his definition of "reasonableness", then we're no better off than--we might as well not have any agreement at all.

The other thing is that there was a daily feeding program at St. Paul's Parish, which is located at 24th-- between 24th and 25th and K. They ran this program for a couple of months a few years ago. I'm told that it was a

disaster and they had to close it down.

You know, my response to Reverend Wimberly is why don't you go talk to those folks and see, you know, what mistakes they made, what were the problems, and maybe this isn't the right setting or maybe you need to do things a little differently and say "well, I'll look into it." I haven't heard back. So I think the board of the association has generally tried to address these issues head on but have not met with these issues being addressed concretely.

I think there's a couple of other points on the zoning, which is the third area I would like to address.

VICE CHAIRMAN BOASBERG: Anything in addition to what the other groups have said.

MR. LAMB: Yes. I think I will skip the first part, which is--But I wanted to look at the visitors center. On November 13, IMF submitted a memorandum about the visitors center and the programs they provide. The memorandum notes that 40,000 visitors used the facility during 1989 and '90, a mailing list of 9,500 names is used to promote events, and that an expanded facility would enable the IMF to offer the use of the auditorium to community groups such as ANC and the Foggy Bottom Association. I just want to comment about that

amenity, that that really offers to us--at least my perception of that.

With all due respect to the IMF--and I appreciate their offer--the auditorium is just not convenient to the residential community and would not be appropriate to use for our meetings.

Secondly, I have lived in the Foggy Bottom community for ten years and I have never received a mailing or notification of any events at the visitors center. And even as the president, I have never received a notice. In fact, the former editor of the Foggy Bottom News, who ran the paper between '85 and '90, told me that getting a current calendar of events from the IMF for publication in the Foggy Bottom News was extremely difficult and, as a result, we really were never able to publicize their events.

The IMF claims that there are 40,000 visitors. The question is, they don't keep any statistics on who these are, whether they're out of town people, whether they are guests of the IMF, or if they're folks from outside of the District. In other words, we really don't know how many people in our community of Foggy Bottom, or even in the District, attend their events. We really can't say this

facility is truly an amenity. We can't really measure that as an amenity.

The IMF has provided you with an impressive list of their calendar for the past year, but if you look at it closely, you will find that most of their events are offered at 11:30, 12:30, 1:00, 1:30 and 2:00. I'll tell you, I work, and it's not a convenient time. So I'm not sure who they're really addressing this to.

Some of the events are offered at 6:00 o'clock, which is when I generally eat dinner.

The other thing is, I noticed in October of 1991 there was one event that I thought was convenient to the general population, and that was at 7:30 on a Friday night. This event was entitled, "Surya ki antim kiran se, Surya ki pehli kiran tak", which is a play entirely in Hindi. Unfortunately, I don't speak Hindi.

I think the important thing is, if you look at the majority of the events offered, it's basically for the international community. It's for someone with an advanced degree in economics, and for someone who doesn't work during the day. While there may be exceptions, I don't think it's fair to say that the events are targeted for the average resident of

Foggy Bottom or the District of Columbia.

That is not to say that the program is now worthwhile. I think it is. It just can't be considered a significant community benefit.

I also want to touch on a couple of other quick issues, which historic preservation is a very important part of the mission of the Foggy Bottom Association. I would just say we think there are three important aspects to the stark merit of the building. One is the age of the church--

VICE CHAIRMAN BOASBERG: We're not going to discuss the history of the church tonight, but we will certainly note that.

Why don't you go on, Mr. Lamb.

MR. LAMB: The other thing that's been brought up in the past is that the community has known about this proposal for several years and hasn't really done anything about it, that it's only kind of a last ditch effort to stop the church from moving or whatnot.

The IMF, in a memorandum, cites 11 meetings that have been held with the community, that note that nine of these meetings have been held in the last six months, and six of those nine meetings which I have attended, the community has

voiced very firm opposition to the PUD.

I also attended the June, 1989 ANC meeting, which is the second meeting on the IMF list, and our concerns again were brought up at this meeting. In addition, I attached two articles from the Foggy Bottom News in June of 1989 and February of 1990, where again we raised these concerns. So all along we've had problems and have communicated that publicly and privately to the IMF and to the church, and I don't think they've been adequately addressed.

In summary, we urge you to reject this proposal because we feel like there is historic merit to the church, the feeding program is not adequate for the new location, the mini-park is going to cause--should be replaced by another park, and I think there is significant value to the zoning changes that should be weighed against other public benefits, which we don't really see.

Just to give you a quick summary, kind of demographic data from the 1990 Census, about who we are in Foggy Bottom. The majority of our residents are women; approximately a third of the area residents are over 60; a majority of our households are single persons households; and a majority of our occupants are renters.

We're not rich, NIMBY-type people. We are actually older, single, women by and large, who have a real concern about what's going to happen to our community. We tried to, at least the Foggy Bottom Association, has tried to deal forthrightly with the parties, so I don't feel like our concerns have been addressed and would urge you to oppose this application.

VICE CHAIRMAN BOASBERG: All right. Thank you.

It was very well prepared and I know a lot of the organizations have spent a lot of time on this and I think you've been as fair as you possibly can and have spent a good deal of time pinpointing the issues for us, which we deeply appreciate.

Is there any substantial difference you have with the ANC and their approach to this? Is there any point that you differ on substantially?

MR. LAMB: I wouldn't say, no.

VICE CHAIRMAN BOASBERG: Is there any substantial difference with Citizens for a Responsible ANC? You don't have to associate yourself with everybody, but do you generally work together with them?

MR. LAMB: The people who appeared are on our board. However, we've never discussed the amenities they put forward

at our board meeting, which is to take the site at 24th and G and put it into a park. It's never been on the table before the board.

VICE CHAIRMAN BOASBERG: Okay. There are a number of constructive suggestions which have been made here. I'm sure there are certain constructive things which can be done. One of the things that you and the ANC might be thinking of is those things that are constructive, without reading lists or notification or things like that. Obviously, there are things that maybe can be dealt with and in your submission to us, it might be possible to give those to the other side and have their comments to us.

We understand very much the seriousness of the case. We understand the population, which is a year or two older than you are, Mr. Lamb. We are very grateful for your concerns that have been expressed so well by you and, indeed, by the ANC as well.

Are there any other questions of Mr. Lamb?

COMMISSIONER SMITH: Yes. I'm not clear, not as clear as you are.

I'm looking at the dispersal memo and in reading your testimony, I can't--there is no beginning and end here as

to who asked the questions. I mean, you haven't said anywhere in here who asked these questions.

MR. LAMB: I asked the questions. They're in--

COMMISSIONER SMITH: Did you include the questions that you asked?

MR. LAMB: In my testimony?

COMMISSIONER SMITH: Yes. In other words, you gave us a document saying Miriam's Kitchen's concerns and responses, but you didn't give us the questions.

MR. LAMB: Oh, no. That was what they gave to us. We didn't give them the questions. They--

COMMISSIONER SMITH: Who asked the questions?

MR. LAMB: They gave us this document at the beginning of the meeting.

COMMISSIONER SMITH: In response to what?

MR. LAMB: Basically they had attended meetings at the ANC. Perhaps Reverend Wimberly would be better--

COMMISSIONER SMITH: No, I'm saying somebody had to ask these questions.

MR. LAMB: They summarized those concerns from what they had heard from the meetings.

COMMISSIONER SMITH: Okay. So this was in response

to meetings?

MR. LAMB: Yes, at the various ANC meetings in particular, July, August and September.

COMMISSIONER SMITH: Is there anything in this document, these concerns and responses, that takes into account the other homeless people in the area, in the trailers, who do not participate in this program? In other words, is the church being asked to be responsible for homeless people wandering around six blocks away?

I mean, I'm trying to get the context. Do you understand what I'm saying, Mr. Lamb?

MR. LAMB: Yes.

COMMISSIONER SMITH: What are you asking them to respond to? Is it just their people--Yes, I see your head nodding, Miss Kahlow.

Are you asking them to just respond to the people that are served at their program, or are you asking them about the entire neighborhood homeless population?

MR. LAMB: No, just the people that are served by their program.

COMMISSIONER SMITH: And how do you identify those?

MR. LAMB: How would I identify them?

COMMISSIONER SMITH: I mean, how do you know who they are?

MR. LAMB: I don't.

COMMISSIONER SMITH: Okay. So it was a general question. That's what I'm getting at.

MR. LAMB: Yes, sir.

COMMISSIONER SMITH: So some of these people that you have registered a concern about may not be participants in the church program; is that a fair statement?

MR. LAMB: Some of the homeless residents currently in Foggy Bottom may not be a participant? Is that your question?

COMMISSIONER SMITH: Yes. In other words, some of the people who may be nondispersing or in the dispersal issue may not be a part of the program; is that a fair statement?

MR. LAMB: Well, there are existing homeless people in Foggy Bottom who are not using--I don't know. It's possible, yes.

COMMISSIONER SMITH: Then you made a statement about the church doesn't want to move. I heard the church testify that they voted three years ago that they would do that. I'm trying to--

MR. LAMB: I'm sorry. The church wants to move, and it wants to move with the feeding program.

COMMISSIONER SMITH: Okay. Thank you.

VICE CHAIRMAN BOASBERG: Okay. Let me suggest that the number of angels on the head of a pin is probably much easier to answer than questions of dispersal and security and some of these other things. Again, maybe we should concentrate on mechanisms and good will. I don't know how you get good will, but certainly mechanisms might be possible to mediate and monitor between neighborhoods.

We had an instance on Connecticut Avenue in the high-rent NIMBY district, where we did have a committee of the residents and the apartment house which went in to try to work out things during construction, the construction site, the noise from the construction, the dust. It was impossible to say how much dust, how much noise. But the committee seemed to be of good faith and the resident were legitimately chosen from the neighborhood. Legitimate representation is difficult even for the Soviet Union, but I'm sure that we can conquer that. A legitimate representation with a committee working together might help do that, so maybe that's something you might want to propose.

Anyway, we thank you. Are there any questions of Mr. Lamb? Yes, Mr. Quin.

MR. QUIN: Mr. Lamb, just for the record, when was the first time that the Foggy Bottom Citizens Association considered action on the historic preservation landmark application?

MR. LAMB: I only took over as president in June of this year. I believe that this church was on the survey that we had done in '82 and '83. Going back, I guess it was on the survey that was done as part of the buildings or facilities that were considered to have historic merit.

MR. QUIN: That was not my question.

MR. LAMB: I'm sorry.

MR. QUIN: My question was, when did you consider joining in or filing the landmark application? What date?

MR. LAMB: We filed on September 23rd and--it was in September.

VICE CHAIRMAN BOASBERG: I'm going to stop it at that because it's really out of our ballpark. That question I'm sure you'll answer before the Historic Preservation Review Board.

MR. QUIN: Good. If that's your ruling, I will

certainly accept it.

VICE CHAIRMAN BOASBERG: On this question. Thank you.

Any other questions? All right. This is the responsible ANC.

MR. NETLER: This is the ANC, not the--

VICE CHAIRMAN BOASBERG: Since last year it's been responsible.

(Laughter.)

MR. NETLER: Mr. Lamb, as far as you know, from the presentation that's been made by the IMF and the proposal they submitted, is the homeless program and any aspect of any church program a part of the amenities being offered by the IMF for this Planned Unit Development?

MR. LAMB: I'm sorry. Is the homeless program--

MR. NETLER: Is the homeless program an amenity that the IMF is arguing as part of its--

MR. LAMB: No.

VICE CHAIRMAN BOASBERG: Any other questions? All right.

Are there any other parties who would like to question this poor man? (Laughter.) Not citizens, just

parties. All right. Thank you, Mr. Lamb. We put you through a hard time and we again value your testimony and the work that you do on behalf of the citizens. It is extremely valuable to us.

Now, are there any other parties who haven't testified--not persons, but parties--who haven't testified? All right. Seeing none, are there any persons who are in opposition to this proposal, any persons who came down tonight, individuals, would you come forward?

I'm sure you've been here all night, and I'm sure you were here the night when we had this testimony. Again, because of our time limits, we're not going to accept repetitive testimony. You may ally yourself with others who have spoken and adopt other positions; that's no problem at all. We would like you to say something that hasn't been said tonight because of our time limits.

With that admonition, we're going to hear--we would like to welcome all of you, but we would like to have new testimony or new ideas that haven't already been so ably discussed by the parties here.

We will have three people up here. That's fine. Why don't we go from left to right, if that's all right. Ma'am,

if you will identify yourself and your address, you may proceed. Good evening.

MS. HEALY: My testimony given in person here is in opposition to the proposed feeding program at 2401 G Street sponsored by the Western Presbyterian Church.

My name is Mary E. Healy. My address is the Potomac Plaza, 2475 Virginia Avenue, N.W., Apartment 329. This is a cooperative apartment in which I have been a resident owner since September 7th, 1957, 34 years. I'm a native Washingtonian, as were my parents before me.

The Potomac Plaza led the community in rehabilitating and restoring the Foggy Bottom community. We were the first building built as a cooperative in the city. For many years, prior to 1957, Foggy Bottom was known as a slum area, having been allowed to deteriorate badly, resulting in residents moving out right and left, mostly to Maryland and Virginia, and no new people moving in.

Being a native and of salary-earning age in 1957, and well known in both city and federal governments, I was approached by both the city and the National Park Service of the Federal Government to encourage residents not to move out and to try to get people who had already moved to come back,

to come back or stay in Foggy Bottom, to become a part of saving this area.

I believed in the future for our city and I believed in the officials who were wooing me, so to speak. Together with several other responsible residents, and several who were not residents, we went to work on this problem. Believe me, it was a big problem and a hard job.

We worked together with the government officials and with the developers of Potomac Plaza and Potomac Plaza Terraces and eventually the Watergate, developing plans for parks, traffic flow, trees, good public transportation supporting facilities. We got all kinds of promises for good things to come. We were successful with our friends and relatives to get all kinds of people to move from their houses and back into Foggy Bottom, many of them into the Potomac Plaza and the Potomac Plaza Terraces.

We worked long and hard. The city could never have paid us for the work we did to make Foggy Bottom one of the best areas in the city in which to live. We never asked for anything except to give us a good, in-town, residential safe area in which to live.

The city honored most of its commitments until about

15 years ago, when we started losing residents to developers for hotels and for office buildings, with occupants leaving mostly out of the District alone to go to Maryland and Virginia.

Along with this came traffic problems, loss of services, et cetera. Then we got city streets, parks and doorways filled with the homeless and eventually got more than our fair share of homeless shelters.

Again, the exodus of the taxpaying residents out of the city started. Thus, those of us staying within the city became the bearers of heavier financial burdens. We were being pressured to house more homeless in shelters, and the final blow is the current pressure to move a homeless feeding program from a commercial area right into a heavily residential part of Foggy Bottom, an area where a great majority of the residents are elderly, many disabled, and a great many live in senior citizens residences directly across the street from the proposed feeding area.

It is bad enough to have homeless people on grates, in what limited green space we have, in large encampments from the State Department to the river, and scattered all over the Bottom. Now this feeding program of a couple hundred people.

Enough really is enough.

We, as residents of this area, can't do any more to help. The city, as our government, must help us to protect ourselves. The IMF can't get all the "goodies" in this proposal. They must bear their share of the problem in the city. The Western Presbyterian Church cannot think of only one ministry. They must consider the rest of us. We are a part of the total ministry who must continue to live in this area. They can't leave us holed up in our homes like prisoners, afraid to go out on the street.

We also know that all of the homeless are not solid citizens just down on their luck and needing a helping hand. There are many mentally disabled people on the streets, many people who are in trouble with the law, and many people who are shiftless and don't want to work and pay their fair share of the upkeep of the city.

I went to work when I was 15 years old. I worked until 1972 when I was 59 years old. I worked for a living for 44 years. I have been very heavily involved as a volunteer, with no pay, for the past 19 years working with the mentally disabled, senior citizens, hospitals, educational scholarships, civic association projects, parks, the ANC, and my church. You

name it; I helped with my time and my money. But I have had enough. I will not be pushed out of my city, my home, or made a prisoner in my home because I'm afraid to go out.

I bitterly oppose the feeding program supported by the Western Presbyterian Church being placed in our Foggy Bottom residential area. I ask your help in not approving such a move.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you.

Any questions? (Applause.)

We understand your feelings in this. It is unnecessary to have applause. We understand your feelings. It will speed up the hearing a lot to hear views rather than noise. Thank you very much.

MS. LAUDA: Good evening. My name is Ramona Lauda. I have been a resident of Foggy Bottom for five years. I have also worked for the past 16 years at 19th and G, one block from the Western Presbyterian Church.

I am, and I speak tonight, as president of Potomac Plaza Terraces, Inc. We are located at 730 24th Street, N.W., immediately adjacent to the property which I will refer to as the AAUW, American Association of University Women property.

I am strongly opposed to the approval of the PUD application. By turning down this PUD application, the Zoning Commission will prevent the massive building from arising at 19th and H, will prevent the destruction of the green space adjacent to Pennsylvania Avenue, and will, most important to PPT and to our neighbors present here tonight--and who have come out throughout the summer to many, many government forums, to the ANC, to the Zoning Board at an earlier hearing, and to the Planning Commission--most important to us is ensuring that the residential area of Foggy Bottom preserve its safety and the quality of life which we have in our homes at the present.

Let me tell everyone in the room a little bit about Potomac Plaza Terraces. We have eight floors of efficiency, one-bedroom, and about two combined two-bedroom apartments. Most of our residents are either elderly, retired women, single working persons like myself, or students.

The first floor of Potomac Plaza Terraces contains doctors' offices which serve, among others, cancer patients, pregnant women, and persons with AIDS.

I have approximately 65 letters which were written to me as president from residents of PPT, which I would like to give to the Commission. All of them object to the re-

location of Miriam's Kitchen next door to us.

VICE CHAIRMAN BOASBERG: All right. They will be accepted in the record.

MS. LAUDA: The opposition is based on the fact that we, as residents of Foggy Bottom, have seen what having approximately 250 homeless people, deliberately attracted to our block five days a week, would do to our building and to the quality of our life and our own personal feelings of safety and well-being.

Also, immediately across the street from our building is a place called St. Mary's Court. It is, as I understand it, public housing for the elderly and many of them are not only physically incapacitated by age but they are mentally incapacitated as well. A number of our elderly residents go to St. Mary's frequently for lunch and for social interaction with their friends.

I have been told by a number of people they would be afraid to walk outside our door if this homeless program were to come to our block. The homeless program people at the location where it currently is, at 19th and H, begin to assemble, as I understand it, at approximately 6:00 a.m. They would be doing the same thing on our block, on 24th Street.

Our first floor has glass windows, but our second floor has balconies which are no more than ten feet off the ground. It would be very easy for people to climb to those balconies.

We have at present one desk clerk who is our only security guard. We also have behind our building a small kiosk where our parking attendant, who is a female, would be stationed alone at the corner of the parking lot, out of line of sight of anyone.

All of these people have expressed to me, as their president, a fear and a discomfort with any proposed location of the homeless program in the immediate neighborhood. Furthermore, as testimony after testimony at the public hearings has said, we are constantly accosted by the homeless on our way to work, on our way home from work, in the normal course of going to the store, going to the library. It is constant and daily.

My most recent encounter was last evening, when I came off the Metro and went to 7-11 for a gallon of milk. I was accosted going into the 7-11 and coming back out.

The economic ramifications to my cooperative would be extreme, and as I understand it, the purpose of a Zoning

Commission is to ensure that any decisions that it makes are in accord with the neighborhood that would be affected. No one has mentioned the effect of a relocation of the Western Presbyterian Church and it's programs on the parking and the traffic in my neighborhood. It was just stated that the Ethiopian Church alone has 250 members. As I understand it, there are approximately 80 parking spaces coming with the church, were it to build. How the other cars could be accommodated in an area already strained by the traffic created by the Kennedy Center, by commercial restaurants and by George Washington University, which at night attracts many people and cars from the suburbs, is beyond my comprehension.

I can also speak as president for the last two years about any relationship we have had officially with the IMF or the Western Presbyterian Church. We have not had any overtures from them to try to resolve problems we've had regarding, first of all, the closing of the American University women building, which was left to sit derelict until we finally, after repeated phone calls and attempt to talk to the church and the IMF, finally approached them through our lawyer. Only then did they begin to mow the grass; only then did they go behind the building and lock it so that transients who had

—

moved in could not continue to stay there.

We required them to do an extermination of vermin before demolition. The demolition, as people in this room who lived through it can attest, was extremely disruptive. We are not happy that in the future they will be proactive in dealing with concerns raised by us, by our neighbors at Potomac Plaza, or by the community.

There are so many issues, and in the interest of time I don't even know where to start. I have heard so many misrepresentations at all the meetings I have gone to. It's my belief that had I not been able to bring forward the reversionary interest in the 24th and G AAUW site, I do not, in my heart, believe that the IMF would have let the community know that a contingency does exist, as clearly set forth in the letter to Jackson and Campbell, which is PPT's law firm, from Fulbright and Jaworski, which was dated October 24, 1990, and which states that in the event that the necessary government permissions are not obtained, that the site, the AAUW site, will revert back to the IMF.

A number of things have extremely disturbed me at these hearings, one of which is the IMF saying to Mr. Lamb a few minutes ago "Why did you not file for historic status on

—

the church sooner?"

As I know some of you are sympathetic, often the public cannot comprehend that our elected officials will let our history and our historic buildings and sites be destroyed by development. Perhaps we didn't come forward earlier because we never thought that the church and its beautiful little green park would ever be destroyed because that was one of the conditions of the last PUD application, that it would stand forever and be a rewarding part of Foggy Bottom.

Again, I work at 19th and G. I know that little park. I've had lunch in that little park. The only thing comparable to it in the neighborhood is the Octagon House, which is again an historic and preserved little building which is surrounded by the American Institute of Architects. We need our history in this city; we need our green space in Foggy Bottom. But we also need the residential area, which basically starts at 23rd Street and goes west to Rock Creek Park.

We have not objected up until now to having Miriam's Kitchen in Foggy Bottom because it was in the commercial part of town where there is so much security at the World Bank, the International Monetary Fund, Pepco, and George Washington

University, that that part of town could take the daily onslaught of hundreds of people, many of whom take drugs and/or alcohol daily, and many of whom are extremely disturbed and aggressive.

Speaking as a woman, I feel personal fear from these people and I have reason--Miss Healy did not mention it, but she was mugged and still has physical effects from it. I know people who have been mugged. I have heard screams from my apartment late at night.

I will conclude because in the interest of time we couldn't go into everything that's been said. But I hope that the merits put forth by our side tonight with regard to the PUD and the inadequacy of the proposed amenities will prevail and that you will vote not to approve this PUD.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you, Miss Lauda.

Any questions. All right, thank you. Next, please.

MS. CLARK: I am Joan M. Clark. I have lived in Foggy Bottom for 15 years. I am here tonight as the president of the board of directors of Potomac Plaza Apartments, at 2475 Virginia Avenue, N.W. I speak on behalf of the governing board and an overwhelming majority of its occupants.

We are deeply concerned about and strongly opposed to the proposed relocation of Miriam's Kitchen to the new site of the Western Presbyterian Church.

Now, in the interest of time, I will not belabor the points about security and personal safety and hygiene and so forth. I would, however, like to touch upon the problem of dispersal, which has been mentioned at a recent ANC meeting by one of the representatives from the Western Presbyterian Church, which maintains that the Kitchen patrons disperse after breakfast.

Regrettably, this has certainly not been our real and factual experience in our area, especially since January, 1990, when the trailer accommodations for over 100 homeless were opened behind the Howard Johnson's. This facility opens at 7:00 p.m., provides nighttime accommodations, and is evacuated and locked at 7:00 a.m.

While some of those persons do go elsewhere, a significant number spend the day in the neighborhood, panhandling, trespassing, and harassing passersby.

There is no question that the homeless need to be fed, have a suitable opportunity for personal hygiene, and clothed and assisted with health problems. We do not believe

that the solution to their needs will be met by adding more homeless persons to the Foggy Bottom residential area. We therefore suggest that it remain at 19th and H at IMF, or that another site be found in a commercial area close to 19th and H Streets, N.W.

The relocation of Miriam's Kitchen should not be in a stable and relatively safe residential neighborhood. Perhaps some portion of the generous endowment of the \$4 million by the International Monetary Fund to the Western Presbyterian Church should be utilized to locate the kitchen elsewhere.

I would also like to state for the record, since Reverend Wimberly mentioned it, that we did have a meeting with him and the board of directors on May 31, 1989, at Potomac Plaza. At that time he was accompanied by Jeff Goodman, the church's lawyer, who works with Fulbright and Jaworski, David Cox, the architect of the church, and Maxine Walker, a Foggy Bottom resident and 25-year church member.

We had a very frank discussion of the various programs of the church, some of which Reverend Wimberly mentioned this evening, but I would like to make the point that at that time several board members expressed to the church representatives that there was considerable concern

among the PPA residents about the feeding program and resulting possibly in bringing to the neighborhood, on a permanent basis, large numbers of homeless people who would occupy park and lawn areas.

Various of our elderly residents, who are most concerned about their safety in walking the neighborhood in the evening and early morning hours, about foodstuffs, trash and personal belongings accumulating in the park and lawn areas and about safety and health conditions generally. That was before, I would like to stress, the trailers were added to the Howard Johnson area, and moreover, I think we've had a considerable influx of the homeless and their encampments around various bridges and freeways and parks.

I would like to thank you, Mr. Chairman, and Commissions for the opportunity to present our views tonight.

VICE CHAIRMAN BOASBERG: Thank you very much, Miss Clark. Any questions? All right. Thank you very much. We appreciate your testimony and appreciate your coming down at this late hour.

The next three witnesses, would they please come forward? I'm not trying to rush it. Your concerns are heartfelt and sincere and we intend to listen to them. I'm con-

cerned about your welfare as well.

Who would like to go first? All right, Miss Tyler, we'll let you go first. Give us your name and briefly summarize your testimony and consideration of the points that have already been made tonight. We would very much appreciate it. Thank you.

MS. TYLER: My name is Maria Tyler. I have lived in Foggy Bottom since 1962. I'm also an ANC Commissioner.

My testimony will be brief. I would just like to state that the facts before us simply do not warrant the approval of the PUD. \$40 million-plus is being asked, and in return we get virtually nothing else but negatives.

The negatives have already been elaborated on during this evening. I would just like to stress that the past amenities are being eliminated, and that is very important, through a massive building and concrete blocks around it.

I would also like to mention that as far as the proposal to expand the visitors center further, I would like to say that it is my feeling that no matter how much that visitors center is going to be expanded for the neighborhood, it cannot possibly even out the enormous disequilibrium that now exists between what is being asked for in terms of building

rights and the negative impacts that are associated with it.

I would like to make one final point, and that is speaking as a former staff member of the Fund. I feel sure that the construction of the proposed IMF building will not resolve the logistic problems of the IMF. While it may be a goal of the IMF to bring its staff, which is now working in rented places outside of the main building, back to the headquarters, it is a known fact that this will not be achievable even at the present time with the new proposal.

Additionally, the IMF will very soon need very important additional space even for its core staff, with the expansion of the IMF's responsibilities as a result of the significant increase in membership. It thus makes no logical sense to approve these enormous excess building rights resulting in an ugly sight when very soon the IMF will be looking for another building to construct or to rent. The city and the community would pay a serious price that would not resolve the IMF's problems.

I would like to quote Commissioner Parsons, a statement he made during the public hearing on February 28, 1980. "They, the IMF, know that if they buy the church, we have no interest in giving additional densities. Why buy the

church? If you have an enormous space need, go somewhere else and build."

In short, the PUD, as presently proposed, should not be approved. Thank you very much, Mr. Chairman.

VICE CHAIRMAN BOASBERG: Thank you. Are there any questions?

Yes, ma'am. Good evening.

MS. PARSONS: Good evening. I'm Irene Parsons and I have lived at 2522 I Street, N.W., for 22 years.

I have been going through my testimony and marking out everything that's been covered, or I'm trying to, so I will just try to pick up on a couple of points.

VICE CHAIRMAN BOASBERG: Sometimes the easiest way is to go without your text and just say what really is in your heart. Sometimes that helps.

MS. PARSONS: All right.

Well, as you know, the IMF plans to destroy an attractive park, tear down and move a beautiful church, and build a monstrous building. This action was voted against by the United States Representative to IMF. I read that in the Washington Post some time ago.

It was criticized in the Congressional Record as a

foolish and ridiculous spending of money, and it was described by the pastor of the church as like "winning a lottery".

With regard to St. Mary's Court building, I would just like to tell you that it is directly across the street from the proposed site and it provides subsidized rental housing for over 100 low-income elderly and disabled people. It was built through the Housing and Urban Development program on land which is rented from the District of Columbia. I was living there at the time.

A lot of people object to low-income housing in many areas, and I never heard an objection from anyone. I saw people reaching out with helping hands as the people came to that building to live. The community has welcomed them. We have a beautiful relationship with them. The manager is a fine lady and she likes the community.

They also have in the Iona House a nutrition program. There is a large cafeteria at this St. Mary's Court. It's all glass, the entire first floor. The Iona nutrition program has lunch every day for the elderly in the area, and they come from all these buildings, like Potomac Plaza and all. They walk over there. They like to walk around the street and sit over there in front of that building.

Now, this mix of people that would be brought in, that is now eating at Miriam's Kitchen, would be mixing these elderly and disabled. They would be across the street. I can tell you, I've heard tonight--I was surprised to hear it. I didn't bring a lot of my material, and probably don't need to. But I can tell you that that is not true, that they've had no problems. How anyone could sit here and tell you that, in the face of the record, is beyond me.

I, myself, when I heard about it--I don't like to go on what I hear. I like to see for myself. I took off up there early in the morning, the next morning, after I heard we were going to have an ANC meeting about it. I saw a number of people loitering there that had eaten breakfast. They stayed around there and were still there at 11:00 o'clock when I left.

One of them frightened me. They were very aggressive, panhandlers, and just loitering around and throwing out huge chunks of bread on the street and around the bushes, presumably to feed squirrels or pigeons or something. But the never next day I read about how much it costs the District for rodent control and things like that.

I went around the building and they have 20 security

officers that the IMF has, that stand around those buildings. At that time there was one at each door. I talked to those people, just fell in a conversation with the officers, the security officers. They told me of numerous instances of aggressive violence and assaults that happens there, and calls to the police.

I was very discouraged and very upset about thinking of that program being moved over there where all these elderly people are, and in my own area where we're having crime from the shelters, the trailers and all.

I enlisted the help of a retired D.C. police detective because I didn't want to be making statements anywhere that didn't have merit or wasn't confirmed by someone else. He visited this kitchen on several occasions and he confirmed the reports of assaults and violence, the police calls and problems there. He stated that he considered that kitchen to be comparable, as far as crime was concerned, to that which the District designates as a high crime area, with the number of calls that have gone to the church, about the people there at the kitchen, from that address of the church.

Now, with further regard to all of them being nice and quiet and disperse quickly, and they tell them if they

don't they won't be able to come back or whatever, I'm sure you know what is going on in the world. The Post, just last Saturday, had an article--I'm glad I found it in my folder--about the Mayor's meeting, in which they discussed the problems of the homeless. They said that half of these who are homeless were severely mentally ill and also addicted to drugs and alcohol. It goes on to tell about the District of Columbia--this is by David Broder and Spencer Rich.

VICE CHAIRMAN BOASBERG: Okay. Why don't you just submit it and we'll read it.

Are there any other things, Miss Parsons, because you've hit a lot of high points in your testimony.

MS. PARSONS: No, but I'm telling you that I agree with Mary Healy about being frightened in our community.

I live next door to a George Washington professor and his wife, and within the past two months they have had their door broken into at night, coming up to their bedroom and stealing watches and their VCR and things, and his wallet. They have come three times to his house, and the last time they went around and broke out a window. The police have indicated--We called our Councilman's office, Evans, about the crime that's going on.

VICE CHAIRMAN BOASBERG: I understand. Is there something you want to summarize because we want to go on. I don't want to shut you off, but we are--

MS. PARSONS: But I think it's important for you to know, and I appreciate it. But it's important for you to know that this is not a group of people that you would want to mix in with the elderly people that are there, and the low-income housing as well as the apartment buildings there.

VICE CHAIRMAN BOASBERG: Thank you very much.

MS. PARSONS: I thank you for listening to us. I hope that you will reject this application for the benefit not only of our community but for the city.

VICE CHAIRMAN BOASBERG: Thank you.

Yes, sir.

MR. BECKINSTON: My name is Alan Beckinston, and I am president of the board of directors of the Plaza Condominium. We are a small 51-unit building at 800 25th Street.

I attended the last hearing back in September and listened to the landscaping proposal, and was very troubled by it. I finally figured out what was wrong, what didn't ring right with it. It occurred to me that the IMF really didn't need to come before this Commission to relandscape their

existing property. They have proposed that as an amenity, and yet, if they had not purchased the church property, they could still go ahead without a rezoning. Permits, perhaps; but a rezoning hearing, no.

Looking at it, I guess, from the bottom up, if I owned a house out near the District line and I want to put an apartment in a garage because things are tough and I need the money, and I come to you and say, you know, it's a single-family neighborhood but I really need this deal, and you say well, what are you going to do for us; why should we do that? I say, Ah, but I've got a couple of scraggly rose bushes that I planted 15 years ago, and I've got some overgrown azalias, and I will pull those out, I will plant two specimen dogwoods and two Bradford pairs, and not only that, I'll put a park bench right by the sidewalk, and then I will call it a park-- What's the IMF term? --a park environment that is "participatory".

(Laughter.)

Just like the IMF, I will also--I also have a letter from my next door neighbor, a letter of support, because he wants to do exactly the same thing.

I don't think you would grant me that rezoning.

You would probably laugh me right out of this room, and quite rightly, too. But yet we sit here, soberly and somberly, and seriously consider the IMF proposal to relandscape their property and to give them a quarter of a million square feet more of office space that they can build.

The whole concept is sort of interesting and has a number of ramifications. I don't know what we should call it-- maybe "trees for terrazzo" or "benches for bricks" or whatever. But I guess, in a way, we're really sort of lucky that the IMF stopped with the relandscaping. If they had wanted to clean the facade of their building, they probably could have asked for another 100,000 square feet under this same concept. You know, who knows what washing windows is worth--25- or 50,000 square feet.

(Laughter.)

But we both know that that's not a valid argument because that's happening to what already exists. The IMF doesn't need to come here to tear out overgrown bushes or repair damaged walls, get zoning approval to clean the facade or wash their windows. They can do that all on their own without any rezoning. So where is the amenity?

In fact, I think the operative word is "self-

serving", and that's exactly what the IMF's relandscaping proposal is all about.

It is said we live in an age when image and perception is all that matters, and form is much more important than content. I wonder if that isn't what's happening here. We are all tremendously impressed by the fact that the IMF is an important international organization, spending vast sums of money, employing extremely talented lawyers, architects, landscape planners. They have developed thick files of documents and large rolls of pretty plans. But, gentlemen, if you look through the smoke and mirrors, the "emperor has no clothes". Even under the extreme discretion allowed in PUD zoning, it's inconceivable that relandscaping can count as a public benefit that would confer on the applicant the right to build an additional quarter of a million square feet of office.

In listening to the argument tonight, there is--

VOICE CHAIRMAN BOASBERG: Would you summarize now?

MR. BECKINSTON: Yes, before I get the "hook".

(Laughter.)

It would seem, in listening to the argument tonight, that there are really two issues. One is a strict rezoning

issue and the other is much more of a social issue. The social issue, obviously, cannot be resolved tonight or even in the short space of time that the parties have had since the initial zoning proposal was made.

It would seem, however, that there is sufficient evidence to reject the rezoning proposal solely on zoning technical grounds which would also then give the parties perhaps time to resolve the social issues.

I thank you for your time.

VICE CHAIRMAN BOASBERG: Thank you very much, Mr. Beckinston. Any questions? All right.

Are there any other witnesses, any other persons who have come down to testify? If there are, would you please come forward. Any other persons in opposition who have come down.

All right. Let's start with you, ma'am.

MS. OLSEN: I guess I'm on the hot spot.

VICE CHAIRMAN BOASBERG: Could you just give us your name.

MS. OLSEN: Okay. My name is Kirsten Olsen. I live at 950 25th Street--that's the Claridge House, at the corner of 25th and K. I live with my mother and we share a

place. I'm getting a little old for that, but what the heck.

I've lived there for about ten years. I went to GW, so I'm very familiar with the area. Of course, I'm very familiar with the whole area since I have transversed it pretty much all the time.

I, too, have been going down my list and striking off things, so I'm probably going to leap around a bit, so hang with me.

One thing that hasn't been addressed, that they brought up at the last Zoning Commission meeting, was that IMF's amenities to its employees are the same as amenities to the community. I'm not sure about the zoning regulations, but I find that unacceptable, especially since most IMF employees do not reside in the Foggy Bottom area. The IMF does not contribute financially to the city, though it does rely on city services and all of our tolerances, and because, frankly, Foggy Bottom is not going to benefit from having another office building.

On that note, about the landscaping, I would feel they would have to do landscaping anyway. But on the visitor center side, personally, I have been there twice in ten years. So I certainly don't consider that an amenity from personal

experience. .

Also, I feel it's very important to keep the church and the open space there because I frequently go down to the Mall, so I can be in a nice surrounding. We have lots of parks and, of course, the Mall. When I go down through that area, like if I'm going to the White House or someplace up in that area, I do stop at the church and I do use that park. I use the park across the street from it. You know, if there is a big block there, nobody's ever going to go down there. I think not only are you going to be running into a crime problem, but you're destroying the essence of downtown Washington, which is famed for its parks and things.

On the security issue, of moving the homeless feeding program to the Foggy Bottom area, in personal experience, I'm a single woman and there's something that I don't know if you guys have to deal with, but I have to park on the street. Most people, in fact, park on the street at one time or another. I come and go at all hours by myself. I can't always call somebody to have them meet me. So it's a big concern to me that there's going to be lots of people out there even more than there are now--and there are already quite a few now. In fact, I don't even go to our parks hardly any more,

at Washington Circle or down by the river because there are lots of people there and they either hassle you for money or they come up and hit on you.

They're not terrible people, but you can't tell which ones are harmless and which ones aren't. So when the Reverend said that "I try to control my people and I tell them this and that", you know, he has never given us any indication of what that means or if he's going to be able to control that sort of thing, so you have to assume kind of the worst case scenario. And there have been a lot of worst case scenarios. I was attacked in New York City.

Also, I have been to several ANC meetings on this topic, and at no time at those ANC meetings--the Reverend did show up at the last ANC meeting, but at the other meetings, even though there was a lot of people from the community there, over 200 and something in one case--there's been a lot of interest in this issue--there has never been an appropriate representative to speak to us.

Now, the other woman that did appear with the Reverend did speak at one of the meetings I was at, but she said she didn't have any information for the questions we were asking.

I would also like to add that we have no additional money for security in Foggy Bottom. The average rent is \$712. That's hardly rich. In addition to the elderly, for which we have a very high population, we also have a lot of children, or a fairly good number of children. We have 77 children that reside in the area--I have some statistics from the 1990 census--that are under 16. We have a playground and we also have a daycare program. They use the area. Of course, moving that sort of program into our area is going to not only impact us but the kids.

VICE CHAIRMAN BOASBERG: Could you summarize?

MS. OLSEN: Okay. I'm trying to here. I've got so many notes everywhere.

VICE CHAIRMAN BOASBERG: You can submit those in writing. The Commission reads, believe it or not.

MS. OLSEN: Well, I guess that's it. I'll just summarize by saying that's it, and thank you. I'll go home now.

VICE CHAIRMAN BOASBERG: Thank you.

The next person, and if you would add anything new, it would help us a lot.

MS. ROWE: Thank you. I will make this very brief.

My name is Joann Rowe. I live at Potomac Plaza Terraces, which will be adjacent to the demolition area that's taking place. I have lived in Washington all of my life, a third generation Washingtonian. In fact, everybody keeps saying "Tell them, tell them that you come from southwest Washington", where decisions were made about zoning then which now the city considers to be the worst decision that was made, and probably no place else in this city has ever followed that decision.

But I don't want to tell you about all of that. There are three or four thoughts that came to my mind as people were talking. When the Mayor came down to the Foggy Bottom Association and many of the residents of the neighborhood discussed this problem with her, and discussed the potential problems that would come about by this move, she can be quoted as saying, "I am very happy that people are coming forward to help those less fortunate in the city. However, I am not in favor--" this is a quote "--I am not in favor of anyone going off doing their own thing." This comment was made in reference to what is taking place here.

I just would like to mention another question that came up about the feeding at St. Paul's Church. I am a native

Washingtonian and I lived the first 13 years in southwest. I live the next 15 years in southeast and northeast, and the rest of the years have been in Washington, D.C. at 14th and K Street. I live one block--in fact, on the same block as St. Paul's Church.

When they started their feeding center, it went strong for about a year. It caused so many problems in the neighborhood, of stragglers for hours during the day, in the evenings, parking themselves physically on my car so that I could not even go into my open parking spot to move the car. A poor man who was mentally ill, who put himself on the street outside of St. Paul's and screamed for hours every day, every weekend, which we heard right next door in the neighborhood. That was St. Paul's feeding, which they eventually had to stop.

Then you go over to 24th and Virginia right now at the Remington Hotel, the Remington Apartments that have been built. They have actually even cut their trees now to almost the top because of the homeless and those without any place to go who have been sleeping on the first floor balconies, defecating on the first floor balconies--

VICE CHAIRMAN BOASBERG: I don't want to cut you off,

but we're not going to talk about--it's not relevant to us tonight as a zoning issue.

MS. ROWE: Mr. Chairman, this is, to us, very relevant, because the bottom line is the security of our neighborhood.

VICE CHAIRMAN BOASBERG: We understand, and there has been lots of testimony on that. I'm just trying to get through so that we can--

MS. ROWE: Okay. And I'm just trying to summarize those few incidents that have taken place.

Even recently, I was up at Tower Records and sitting down on one of the chairs. A guard came to me and said, "You know, you can't sit here for very long." This is in the shopping center outside of Tower Records. I said, "What are you talking about?" He said, "Well, you know, we have to discourage people from sitting here, because if we don't, we will have people sleeping here for hours." So this is even a concern to the businesses in the neighborhood. That is my bottom line.

It's a real security problem. We do live in the neighborhood. It is a residential neighborhood. We are paying our taxes. We have been law-abiding citizens. I do think there

is a point where it would be nice if the city would listen to us, also.

Thank you very much.

VICE CHAIRMAN BOASBERG: Thank you.

Yes, sir.

MR. MEYERS: My name is Robert Meyers. Up until a couple of years ago, I was a Presbyterian minister for 30 years. I live at 213 North Cleveland Street in Arlington, Virginia.

You know, Mr. Chairman, ladies and gentlemen, life is made up of compromises. You said to say something tonight that is different. I would like to offer a compromise.

What can we give the IMF? How can we satisfy the legitimate concerns of the citizens of Foggy Bottom? How can we satisfy the heartfelt concerns of a ministry like Western Presbyterian Church?

I would like to offer some compromises for all parties tonight. First let's look at the church. Now, I believe in the church. I'm a born again Christian. Somebody says the church is like Noah's Ark; if it wasn't for the storm on the outside, we couldn't stand the stink on the inside.

Now, what the problem is with Western is for 100

members to spend \$20 million on a church. That's what I object to.

Now, what's the alternative? They boast of Miriam's Kitchen, which is a real problem here for all of us, myself included. Miriam's Kitchen is not financed, controlled or supervised, nor is there one member of Western Presbyterian Church on the board of directors. The only thing that Western Presbyterian Church does is to let them use the kitchen and the dining room for a couple of hours from Monday through Friday.

So what can the church do? Let that board of directors take that \$65,000, which comes from corporations and businesses and other churches and foundations, and transfer that to another church in a residential area--excuse me, in a commercial area, where there is no threat to the standards and lifestyle of its citizens.

Now, the other thing I would like to say is that I'm in favor of the IMF buying this piece of property. I mean, \$24 million is a lot of money. You know, like I say, I would sell my wife for \$24 million. Take that \$24 million and invest it. They could get \$2-3 million a year in interest alone, and they could finance projects in dozens and dozens of

countries around the world and finance practically every feeding station in the District of Columbia. One-hundred worshipers--and there were only 72 there last Sunday--building a \$20 million church--say 100 worshipers, to give them the benefit of a doubt--that equals \$200,000 per worshiper.

Now, we live in a world of hunger and poverty and disease and unemployment. I don't think Western Presbyterian Church has ever been hungry. Most of them, 80 percent, do not understand the economics of this.

I'm sorry to say, as a born again Christian, that the Christian church is the poorest in its resources than any other group in our society. Eighty percent of church property in America is used less than one percent of the time.

So in my closing remarks, let Western Presbyterian Church sell to the IMF and IMF put up something of a more modest nature. Let there be some green areas where they can eat lunch at noon. Have Western Presbyterian Church take that \$24 million and set up a foundation. John Wimberly can be president of the foundation and use that money, rather than putting it in bricks and mortar. So I'm hoping we can come to a compromise and I'm hoping that what I've said tonight is something different that no one else has done.

Then the IMF will be satisfied, the Foggy Bottom citizens will be satisfied, and the church.

One thing in closing, Mr. Chairman. If Western does not want to sell and they want to stay in Foggy Bottom, why don't they buy a mansion, like the Church of the Savior like Gordon Cosby did 20 or 30 years ago? He does more work for other people in spreading the Gospel and helping people than 20 or 30 other churches in the District of Columbia. But what did he do? He bought a big mansion and he gutted it, and you can see a hundred people in there, offices, a little dining room where they can eat and what have you.

If they want, build a \$2- or a \$3 million church, but not a \$20 million church.

Thank you.

VICE CHAIRMAN BOASBERG: Thank you. I appreciate it. Any questions? All right. We appreciate your staying this late.

Yes, sir.

MR. GRAHAM: My name is Bob Graham. I'm an ex-professional killer. I used to be in the Marine Corps. The people who are homeless in our group run in packs, even in the daytime. They scare me, and I'm not getting any younger.

Ever since I got out of the Marine Corps, I've been an architect, with some prestigious firms, too. So I have helped produce smoke and mirrors. You've seen an awful lot of smoke and mirrors.

I have been president of one building this lady represents, and president of the board where the other lady represented. That means I own an apartment in one building just about a hundred feet away from the front door of the church. And in the other apartment, I'm only about 40 feet away from the front door of the church. So I have started to take an interest in that church.

Now, I have seen the homeless--and you don't care about that--but all they want is booze and dope. They give them blankets and they throw them away. They throw away their sweaters every day.

I want to talk about the church. They have a perfect right, according to zoning, to be there. But I don't like the way you have to listen to two sides of this. The preacher calls them evangelical. I've listened to their carrying on and I call them "holy rollers".

Is that clear?

VICE CHAIRMAN BOASBERG: Okay. Is that your testi-

mony?

MR. GRAHAM: Yeah. There's not going to be any peace when all this transition takes place.

VICE CHAIRMAN BOASBERG: We're just a mere zoning commission. We're doing our best on zoning issues. There are a lot of other issues that we talked about, and we realize they are heartfelt.

Are there any other persons who wish to talk? All right, thank you.

Now, there is an opportunity--We very much appreciate all of your good will. I don't know how many of you are going to stay around here, but let me just thank all of you for coming. We very much appreciate your testimony.

There is on the agenda an opportunity for the applicant, is there not, Miss Robinson, to have rebuttal. Did you wish to avail yourself of that opportunity orally or in writing, or both?

MR. QUIN: I think, Mr. Chairman, we do have--We did file for the record the responses on the landscaping, and we are prepared--there have been a lot of statements about what's there now and what's proposed. I can handle part of that in just a quick closing statement.

I would like to know if the Zoning Commission would like to have the three witnesses because there have been substantial statements about the visitors center, for example, that I think are totally inaccurate. Mr. Yves Geiss is here, who can describe that quickly. We have Mr. Brad Fisk, the architect, who can talk about the changes in the plan and the landscaping and the differences between what is there now and what is proposed, as well as the lighting plan.

I'm not sure whether you want to hear that tonight. It is five after 11:00.

VICE CHAIRMAN BOASBERG: I understand. We have given the other side a great deal of time. If you think you could summarize it in your eloquent style--and I know how well you write, and we would certainly be able to consider that. Would the Commission like a few moments on this? Mr. Parsons.

COMMISSIONER PARSONS: As far as the landscaping and lighting plan, I think that's vastly improved from the previous submission. I don't need any explanation of it, but maybe my colleagues do.

COMMISSIONER SMITH: No.

MR. QUIN: Then I would like to just summarize then, and we would like to reserve the right to file what we

would have filed in rebuttal and put that in the record.

VICE CHAIRMAN BOASBERG: Oh, sure.

MR. QUIN: What I would like to do is just cover several points, just briefly, about the case which I think need to be presented to the Commission.

You know the history of this case because you have in the record the various orders of the Zoning Commission as it proceeded, and there has been a lot of discussion about what the approval was originally and I think the record is absolutely clear what the Commission did originally, in terms of the height and the property line approval for the concept. The Fund depended on that and went forward with that approval.

It came back in for Phase II, and to state that the Zoning Commission's order, which was a split vote, that the Zoning Commission's order, in fact, said that the area that's there now, that is used principally as access to the visitors center, is to be there in perpetuity is simply not an accurate statement of fact or law. If you look at Condition 15, I urge you to read that, and also the recommendation of the Office of Planning in that particular case.

There are two very important factors that seem just to be overlooked in this whole process by the neighbors

who testified in opposition. They are principally the D.C. land use plan, the Comprehensive Plan, and the Federal element of the Comprehensive Plan.

The gentleman started using an example of a garage being converted to an apartment. But if the Comprehensive Plan had called for apartments in that area, what would you do? It seems clear to me that in this case we're talking about high-density commercial and we're talking about consolidating an international organization, which both are absolutely essential to comply with the Comprehensive Plan.

I am not going to take long now--in fact, I think most of the points have been covered. But I do want to discuss one other aspect that has been brought up by some of the witnesses.

It seems to me the entire case really relates to the feeding program of the church. I'm not going to speak for the church because I think Reverend Wimberly did everything he could to tell you what he's trying to do with the community. This is his community just as much as it is everybody else's community. I think he is quite willing, and has indicated that he's quite willing to work with the community to try to condition and work with the community.

Now, the other point I want to talk about is the landscaping versus the existing situation, and I'm not going to go into detail, only to show you and look at the record at what the existing situation is.

That existing situation is not in any way a relaxing bucholic setting. That accessway--and here are four photographs which I would like to pass up to you now that show what this really is. It is an area that is open, that is true. But the actual usable space is very small. The principal use of it is concrete or granite in terms of the access down below. I would just like to submit those for the record.

VICE CHAIRMAN BOASBERG: All right. They will be accepted.

MR. QUIN: If you look at the comparison between what is proposed and what we have today, I think you'll find a vastly different and more contributing open and interactive landscaped area.

Because of the time I will not go any further in my closing statement. We would like to reserve the opportunity to submit a closing statement in detail and to cover some of the factual issues that have been raised in the hearing

tonight.

VICE CHAIRMAN BOASBERG: Thank you, Mr. Quin.

Are there any questions? Fine.

What I would like to do for a moment, if I may, I would like to get counsel and the representatives of the various responsible and otherwise parties to come forward. Is Reverend Wimberly still here? He's not here.

MR. DIXON: Mr. Chairman, I'm a member of the church and I could convey any thoughts you might have to Reverend Wimberly.

VICE CHAIRMAN BOASBERG: Okay. Why don't you give me your name, sir.

MR. DIXON: My name is Ray Dixon.

VICE CHAIRMAN BOASBERG: Thanks a lot, Mr. Dixon.

What I would like to do is set up a schedule. We are going to leave the record open for a little bit. Obviously, there is nothing that this Commission that would be improper for the Commission to force any kind of settlement on the parties. The parties have tried to meet and they have been unsuccessful in meeting. All of you certainly have reasonable positions. The IMF needs a reasonable space to expand and the church wants to be in control of what it feels is

its duty, and the neighborhood feels that it has a legitimate interest; indeed, all of the interests are legitimate and all would like to be accommodated.

We, as a Commission, will make a decision because that's our job. We will have to make a decision, and it's obviously not a decision that's going to please everybody. But it may displease some more than others, so there is at least some incentive to try again to sit down and to try and at least come up with some kind of constructive ideas, some of which have been mentioned here this evening, I think the kinds of constructive proposals that might help.

I would like to give you a week. I realize there's a certain time incentive here. I would like to give you a week to see if it wouldn't be possible to have you all sit down. Then I would like to give you ten days to give us your--any additional ideas that you might have that are concrete, not to talk about the plan and the zoning and the homeless and that sort of stuff because those issues have been drawn. But if there are any suggestions that you might have for bridging the gap, we would like those to be submitted within ten days.

Then we would give the other side ten days to react to those. I don't know if that's going to help or not, but it

seems to be perhaps a small price to pay to see if it's possible. I know these issues are terribly difficult to resolve, but it does seem to us, as public officials, that we should make every effort to try to ask you all to see if it isn't possible to even come up with--even if it's some kind of outreach committee or something that might help.

But whatever you agree on. With that, unless there are any objections --

MR. QUIN: No.

MR. DIXON: Could you set some specific dates, Mr. Chairman?

VICE CHAIRMAN BOASBERG: I'm going to do that. I just want to see if you get the idea.

Mr. Smith.

COMMISSIONER SMITH: This is one of the few times in hearings that I've been in, since I've been on the Zoning Commission, that I am very, very concerned, about some issues that are really separate and apart from this hearing purpose.

I have listened to Mrs. Healy and Miss Lauda and Miss Olsen, et cetera, et cetera, and I did not hear throughout this whole hearing a word about the deinstitutionalization of persons which, in effect, was never fully carried out, never

properly planned and carried out, and dealt with, that we have heard for hours and hours really about--which really takes away from some of the other things we ought to be talking about.

I'm just saying that I am very concerned about that, and have been for many years. I hear your cries for help, but I just want to say to you that this should not be confused with the issues and the merits of the case because that is an issue that I would hope we all start to deal with in the future, so that we can resolve it and get some kind of safety and comfort for the residents of this community. I am very concerned about that and just wanted to let you know that.

VICE CHAIRMAN BOASBERG: Thank you, Mr. Smith.

Let me just now go into the formal part of this, ladies and gentlemen. Thank you for--

MR. QUIN: Mr. Chairman, could I just ask one question for the record?

Mr. Smith, at the last meeting, for the record, asked the question of whether there would be any advice on the relationship of the issue between the church and the Fund. I don't know whether anything has been done on that or not, whether there was a request for Corporation Counsel advice or

not. I'm not pressing for it, but I would like to know if that has been done or whether you intend to do that.

VICE CHAIRMAN BOASBERG: I'm not aware of any request that we've made to other agencies or Corporate Counsel--

MS. ROBINSON: We have not made a request of Corporation Counsel. It was something that the Commission had determined it would make a decision on.

VICE CHAIRMAN BOASBERG: I don't know if we need to do that. We may have to do that after the hearing. I think we've got enough material in front of us.

The record of this case will be closed except for information specifically requested by the Commission. Now, that information at this point consists of only two things that I'm aware of. One is an opportunity for the parties, other than the applicant, to comment formally on the landscape plan, the material that was submitted to them yesterday which they may not have had a chance for early review. So that is one thing.

The other items would be constructive suggestions that the parties might have, which perhaps would emanate from a discussion for any kind of resolution of their differences. Those are the two parts.

Now, would 14 days from now be enough to accomplish that?

MR. QUIN: The only other question, I had asked for the opportunity to file for the record our closing submission.

VICE CHAIRMAN BOASBERG: Yes, and that is--Yes, you may do that anyway.

What I want to do, I want to make sure there's an opportunity to respond. So let's have three things, then, that will be filed within 14 days: any comments that the parties may have on the applicant's landscape and visitor center submission that was submitted under date of November 13; that's (a). (b) is any suggestions the parties may have to resolve their differences, and (c) is the applicant's closing statement.

Those will be submitted to us within 14 days of today.

MR. NETLER: That's Thanksgiving day. Do you want it 13 days, the day before Thanksgiving, or--

VICE CHAIRMAN BOASBERG: Okay. Let me ask the parties so that it doesn't interfere with Thanksgiving. Do you want to do it before or after? It doesn't matter to me.

MR. QUIN: After.

VICE CHAIRMAN BOASBERG: Do you want to do it the Tuesday after Thanksgiving?

MR. QUIN: The Tuesday after would be fine.

VICE CHAIRMAN BOASBERG: What would that date be, Miss Robinson?

MS. ROBINSON: It would be December 3rd.

VICE CHAIRMAN BOASBERG: All right. By December 3rd, those three items that were mentioned.

Then, in response, would ten days be enough to respond? If the parties would hand-deliver their materials-- Would any of the parties have a problem in hand-delivering these materials to the other parties on the same day? This is so we don't get into the mail and "I didn't get it, it's late, and nobody knows where I live." All right. So that would be December the 12th that the response to any of those items that were submitted, to give each party a chance to respond.

Again, those are the only things the Commission is interested in receiving. We think the other matters have been very well argued and submitted.

Now, the parties in this case are also invited to submit proposed findings of fact and conclusions of law. Any

parties submitting proposed findings and conclusions should do so by--what do you want on that? Is there a--

MS. ROBINSON: It should be the same day as the last submittal, and then the record can be closed.

VICE CHAIRMAN BOASBERG: December 12th. Is that all right? All right, you shall do so by December the 12th.

Parties are reminded that findings of fact should not include findings stating how witnesses testified. The findings should be those findings that the party believes the Commission should make based upon the testimony and other evidence in the record. Citations to the transcript are appropriate and encouraged. To assist parties in preparation of these findings of fact and conclusions of law, a copy of the hearing transcript will be available for viewing in the Zoning Secretariat, and it may be purchased as well.

After the record is closed, the Commission will make a decision at one of our regular monthly meetings, and you are welcome to call staff to find out when that meeting might be. As you well know, the Commission proposes, if we do approve, that it must also be referred to the National Capital Planning Commission, which will take final action at a public meeting following receipt of NCPC's comments.

Now, if there are any things that are confusing, especially the church's representative, if you need any help, Miss Robinson of our staff will be happy to help you.

Let me again thank all of you, the residents, the Governors of the Bank, who perhaps don't have these procedures in their home countries, or maybe have better procedures--if you do, let us know. Thank you all very much for coming down tonight.

The hearing is closed.

(Whereupon, at 11:20 p.m., the Commission was adjourned.)