COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C 20001

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January 9, 2001

Ms. Sheila Cross Reid, Chair
Board of Zoning Adjustment
441 4th Street, NW Room 210
Washington DC 20001

RE: Case 16618 (Phillips Collection)

Dear Ms. Reid:

As a result of widespread citizen concern -- from residents, the Dupont Circle Citizens Association, and ANC 2-B -- I have looked at the proposed expansion of the Phillips Collection in the residential neighborhood around 1600 21st Street, N.W. The proposal would increase the FAR and the below ground usable space by some 70 percent. I agree that the requested variances and special exceptions are inappropriate and should be denied.

For any area variance, an applicant must show a practical difficulty. In this case I find it hard to believe that the Phillips Collection is unable to utilize its property, especially since I continually hear about the success of the Phillips and its excellent work in the arts. The fact that the Phillips wishes to expand is worthy, but does not, *per se*, warrant variance relief.

For both variances and special exceptions there must also be a showing that there will be no harm to the zone plan or adverse impact to the surrounding property owners. However, the proposed expansion will engender additional traffic significantly detrimental to the neighborhood. Enlarging the space for parties, corporate conferences, weddings, and other receptions will be deleterious to an already difficult traffic and parking situation. Buses, and catering trucks needed to service the new non-exhibit uses, will exacerbate the problem.

In addition, the Phillips' proposal would convert a 15 unit multi-family building to commercial use. This is contrary to the zone plan, as well as the comprehensive plan's goals to promote and protect affordable housing.

The Zoning Regulations permit uses such as the Phillips Collection to co-exist in residential neighborhoods because the public policy seeks to promote such non-profit uses in the city. But the regulatory framework seeks to carefully control these non-residential uses in "R" zones so as to protect the integrity of the residential zone. Sometimes it is difficult to find the best balance, but in this case it is my view that the proposal tips the balance too far against the residents and other property owners. The Phillips proposal is not of-right, and since it does not meet the tests for relief, it should be denied.

Sincerely,

Phil Mendelson

BZA
Case No. 16618
Exhibit No. 142

Board of Zoning Adjustment
District of Columbia
CASE NO.16618
EXHIBIT NO.142