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October 10, 2000

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OFFICE OF ZONING
DISTRICT OF COLUMBIA

BY HAND

D. C. Board of Zoning Adjustment
441 4th Street, N.W.
Room 220 South
Washington, D.C. 20001

Re: Application No. 16618 of the Phillips Collection

Honorable Members of the Board:

The purpose of this letter is to request that The Cosmos Club be permitted to appear and participate as a party in the above-referenced application. Pursuant to Section 3106.2 of the Zoning Regulations, the following information is submitted:

1. The name of the party is The Cosmos Club, located at 2121 Massachusetts Avenue, N.W., Washington, D.C., immediately adjacent to the subject property.

2. The Cosmos Club requests permission to appear and participate as a party in this application.

3. The Cosmos Club has not yet determined whether to appear and participate as a party in support of, or in opposition to, the application. This determination will be made after receipt of all relevant information about the project, and an opportunity to fully evaluate the potential impacts of any new construction that may result from the approval of this application by the Board. The Cosmos Club will advise the Board of its position on or before the hearing date.

4. The Cosmos Club will appear either through the undersigned law firm or through a member of The Cosmos Club.

5. Party status should be granted for the following reasons:

a. The property of the Cosmos Club is located at 2121 Massachusetts Avenue, N.W., Square 66, Lot 78.

b. The Cosmos Club is the record owner of the property at 2121 Massachusetts Avenue, N.W.

BZA
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Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16618
EXHIBIT NO.37

c. The Cosmos Club immediately abuts the property owned by The Phillips Collection, which is the subject of this application.

d. The application requests variances to exceed the maximum allowable floor area ratio and lot occupancy; to enlarge a presently-existing non-conforming structure; to locate a roof structure closer to the rear of the building than what would otherwise be permitted; and to allow two or more principal structures on a single record lot. The common theme of all these requests is to allow the construction of a development which will exceed the permitted density, thus allowing a larger development than what would otherwise be permitted as a matter of right. The bulk of the new construction will directly face The Cosmos Club property. This will also logically translate to a greater number of staff and visitors to the museum, and increased traffic in the alley which runs between the Phillips Collection and Cosmos Club buildings.

Although no relief has been requested relative to the parking garage, this proposal includes the construction of a below-grade parking garage where one currently does not exist. The garage entrance will be directly across the alley from The Cosmos Club parking lot entrance. It appears that the garage will utilize valet parking, but there is no provision in the plans for a valet pick-up and drop-off area that is out of the flow of traffic in the alley. The construction of that garage would appear to be by way of excavation of the alley and resurfacing after completion. This would directly impact the ability of cars and delivery trucks to access the Cosmos Club parking lot during construction.

Section 101.1 of the Zoning Regulations indicates that these regulations establish "the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare for the following purposes: (a) to provide adequate light and air; [and] (b) to prevent undue concentration of population and the overcrowding of land . . . ." This application could result in a development which is contrary to these stated purposes.

The proposed development as set forth in the application will have a severe impact on the operations of The Cosmos Club. Based on the above, the interests of The Cosmos Club will be more significantly, distinctively, and uniquely affected in character or kind by the proposed action than those of other persons in the general public.

The Applicant has not formally discussed the plans for the project with The Cosmos Club. There are a number of outstanding issues which will require in-depth analysis. In order for such a discussion to occur with a reasonable time for evaluation and response, and possible accommodation, The Cosmos Club respectfully requests a

postponement of the public hearing. We understand that others are also requesting a postponement of the public hearing so that all interested parties can receive adequate notice and a full opportunity for meaningful participation. The Cosmos Club supports their requests as well.

For all of the above reasons, The Cosmos Club respectfully requests party status in this application.

Respectfully submitted,

WILKES ARTIS, CHARTERED

By: 
Christopher H. Collins

CHC:ljo

cc: Michael A. Cain, Esquire
(via facsimile and mail)

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