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Re: BZA Application No. 16618

Gentlemen:

Enclosed please find a copy of the written testimony submitted by Virginia Watkin of the Cosmos Club at the public hearing yesterday. Also enclosed is a list of conditions to be included in the Order, if the Board approves the application. These conditions were also submitted to the Board at the public hearing. The Applicant has agreed to the inclusion of these conditions if the Board approves the application.

Very truly yours,

Christopher H. Collins

CHC:ljo
Enclosures

cc (w/encls.):
Board of Zoning Adjustment ✓
Virginia Watkin
William Caldwell

#219130/03449043

BZA
Case No. 16618
Exhibit No. 63

Board of Zoning Adjustment
District of Columbia
CASE NO.16618
EXHIBIT NO.63

(By hand at top: Testimony of Virginia Watkin for the Cosmos Club)

I am a member of the Board of Management of the Cosmos Club and am testifying on behalf of the Club to conditionally support the application by the Phillips Collection now pending before this Board. The Cosmos Club, a Washington institution since 1878, has owned and occupied the building at 2121 Massachusetts Avenue since 1952. Thus we have co-existed with the Philips Collection in Square 66 for almost half a century, sharing, along with other neighbors in the square, Hillyer Court alley, which runs from Florida Avenue on the west to 21st Street on the east. In addition to their physical proximity as neighbors, the Cosmos Club and the Phillips Collection share an abiding commitment to the arts. Indeed many of our members were admitted to the Cosmos Club on the basis of their meritorious original work in the arts, and of course the Phillips Collection is nationally and internationally recognized as an outstanding small art museum where visitors can experience modern art in the gracious home of the renowned collector Duncan Phillips. Many Cosmos Club members are members and supporters of the Phillips Collection.

The Phillips Collection has applied for special exception and variance relief in order to expand its facilities to create an internationally recognized Center for the Study and Appreciation of Modern Art to allow the Phillips to deepen its educational mission and create new connections and new audiences outside the walls of the museum. This Center is designed to complement and extend the Phillips core competencies - - its extraordinary art collection, its outstanding special exhibitions, and its unique ways of communicating the content and meaning of both. The expansion is also intended to ensure that the Phillips Library and Archives are accessible, adequately housed, provide for scholarship, and have sufficient space and resources to accommodate their future needs. Finally, we understand that the museum accreditation body, the American Association of Museums, is placing increasing emphasis on the educational component of an

accredited museum's activities. A major purpose of the expansion proposed by the Phillips Collection, for which it needs a favorable ruling by this Board, is to enable the Phillips to meet the AAM standards and maintain its accreditation as a museum. For these reasons the Cosmos Club supports the pending application of the Phillips Collection with the conditions I will now address.

The Cosmos Club has extensively reviewed the plans submitted by the Phillips Collection for the proposed project in order to assess their impact on the Club. Representatives of the Club have had a number of discussions with representatives of the Phillips Collection, and as a result of those discussions the Phillips has agreed to amend its plans. We understand that those amended plans will be part of the record in this case and will be part of any approval that may be granted by this Board. The Cosmos Club has agreed to support the Phillips Collection's application based upon a set of conditions to be submitted to the record in this case, and we request that these conditions be made a part of any order that is issued in this matter.

Before closing my testimony I want to note that the Cosmos Club is aware that many of our neighbors have serious issues with the proposed expansion of the Phillips Collection, but we understand that they and the Phillips have engaged in negotiations to deal with those issues. The Cosmos Club has resolved its issues with the Phillips Collection, and we sincerely hope that the neighbors and the Phillips will be able to resolve their differences. Thank you.

PROPOSED CONDITIONS FOR INCLUSION IN

BZA ORDER NO. 16618 OF THE PHILLIPS COLLECTION

1. The project shall be constructed in accordance with the plans submitted with the application, as amended by the revised drawings for the project, dated November 28, 2000. The revised drawings indicate changes from the application drawings for the loading area, surface parking area, sculpture garden courtyard, garage ramp and garage layout. The revised plans also indicate that the south wall of the below-grade parking garage will not extend south of the existing south wall of the existing Goh Annex.

2. No architectural elements, whether for decorative or functional purposes, will be added to the plans for the project which would impede the ability of trucks to fully utilize the three service bays shown on the revised plans when parked in those service bays for loading or unloading purposes.

3. During construction of the addition, Phillips will keep the north-south segment of the public alley easement open while the east-west segment is closed during excavation, and keep the east-west segment of the public alley easement open while the north-south segment is closed during excavation. The public alley easement extends from 21st Street west along the alley to the Cosmos property, then north to the north side of the Carriage House. It is the intent of this provision that excavation by Phillips in the public alley easement will be undertaken in such a way to ensure continued unimpeded access through the alley system in Square 66.

4. Phillips will (and will so order its caterers and other suppliers to) restrict the number and size of vehicles using its loading area so that when parked in the service

bays for parking, loading or unloading purposes, the vehicles shall be entirely within the boundaries of the service bays and shall not extend into the public alley easement. There shall be no more than three vehicles using the three service bays shown on the revised drawings at any one time. No loading or unloading shall occur in the staff parking, as shown on the revised drawings. The maximum length of any vehicle using the service bays shall be 24 feet. Vehicles shall not park or stand in the public alley easement waiting for other vehicles to complete loading or unloading activities. Loading and unloading activities shall not impede free vehicular circulation in the public alley easement. Phillips will not allow loading or unloading activities to occur in any event after 10:30 p.m. or before 7:30 a.m., seven days a week.

5. Phillips will not allow valet parking, loading, unloading, standing or staging to occur in any part of the alley system in Square 66, including the public alley easement, except with prior approval of the Cosmos General Manager. Phillips will require off-street valet parking for all events for more than 70 persons, and will require off-site valet parking once its parking garage is full.

6. Phillips will identify the location, configuration and dimensions of the existing public alley easement on the site plan drawing that is submitted with the building permit application for the project, with the following notation within the public alley easement: "This area subject to Public Alley Easement recorded in the Land Records of the District of Columbia on December 31, 1987 as Instrument No. 73431, as amended."

7. The parties will meet, through designated representatives, on a regular basis at least quarterly, as well as when the need arises, to discuss issues which may arise

between the parties, with the intention of seeking in good faith a mutually agreeable resolution to those issues.

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