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Chairman Geoffrey Griffis and Commissoners
BZA – 441 4th StNW, Wash., DC

Re: Case No. 16920
Bass?Art Gallery

I am Richard Suisman and live with my wife Ingrid at 1611 st St. Carol Ridker and we rach own half the building. I have sat as a zoning commissioner in another city for 8 years so I have seen zoning cases from both sides. I often favored development.

I lead with 2 others the battle with the Phillips from Sept 2000 through June of 2001.

I will not rehash the long, arduous, expensive battle with the Phillips, but refer to it only to show that this is a residential neighborhood of owners and renters who care deeply about preserving its quality.. I think only one of you sat on that case the resolution and terms of which are on file with you. Your records will show that we were commended by the Chairman and members of the BZA for reaching a comprehensive agreement. The BZA never had to vote- other than receive -the agreement granting the Phillips some of the relief they requested.

The neighbors involved- mostly owners of residential property on 21st St and Hillyer Place - were upset about the prospect of losing 15 moderate rental income units. After 18 months and 9 mediation sessions an agreement was reached with the Phillips concerning their expansion. We employed 2 lawyers, a public relations, and a transportation expert. Over 25 neighbors voluntarily paid for the high cost. Most of those 25 are opposed to further encroachment on 21st St. Upon completion by the Phillips there will be an addition of 30,000 sq ft of non residential and a loss of 6,000 sq feet of residential in this already fragile neighborhood.

The agreement which was filed with the BZA in June 01, has 58 items. They include an enforcement mechanism, a reduction from 40,000 to 30,000 sq feet, a height reduction, a tight restriction on the number of events, the hours, the number of people who can attend events A liaison committee was established between the Phillips and the neighbors to review and enforce the agreement and to monitor the construction which may start in Feb 03. This committee meets at least quarterly and I feel the relationship between the neighbors and the Phillips is now excellent. I mention the agreement to show that although we were deeply opposed to any expansion we faced reality- the Phillips could expand 'by right'. This is very different than the Bass case which is by Special Exception. Had the Phillips not been granted approval to expand first, I, for one, would probably not have opposed the Bass application.

But I feel we are now at or beyond the tipping point concerning, traffic, parking, and most important the maintenance of families- owners and renters -in the neighborhood.

I believe our group , in poker terms, knows when to raise, to stay, and when to fold. Unanimously we have agreed that this situation, unlike the Phillips, is not amenable to mediation or compromise.. We currently reside in a neighborhood already overwhelmed by non residental uses- 2 Embassies, the Cosmos Club, the Cosmos Club parking lot, 15 existing galleries and the Phillips.

This Board is appointed to make decisions but also to listen to concerns of neighbors and advisory groups. We have the support of the ANC2b, the Dupont Circle Citizens Association with over 1000 members, the Office of Planning, and the only 2 Councilman we asked for support. Surely all this advisory support which recognizes the importance of maintaining residential neighborhoods should have impact on your decision.

We ask this Board to refuse the petition so as to keep the neighborhood from becoming predominantly non residential.

BZA
Case No. 16920
Exhibit No. 53

Richard Suisman

Board of Zoning Adjustment
District of Columbia
CASE NO.16920
EXHIBIT NO.53