ADVISORY NEIGHBORHOOD COMMISSION 2F
Government of the District of Columbia
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Commissioners
2F01 Cary Silverman, *Chair*
2F02 Jim Brandon
2F03 Miriam Trimble
2F04 Helen M. Kramer, *Vice Chair*
2F05 Thomas M. Funk, *Secretary*
2F06 Bob Hinterlong, *Treasurer*

April 14, 2004

VIA FACSIMILE 202.727.6072

Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, NW, Suite 210 South
Washington, DC 20001

Re: BZA Application No. 17145:
Variance for Interim Use of Old Convention Center Site;
Request for Extension for the Recommendations of
Advisory Neighborhood Commission 2F

Dear Chairman Griffis and Members of the Board:

On behalf of Advisory Neighborhood Commission 2F ("ANC"), attached please find a revised "Former Convention Center Site Interim Use Resolution." The revised resolution includes minor modifications to provide additional flexibility to the Washington Convention Center Authority (WCCA) in setting parking rates for the interim use parking facility and was approved by the ANC (5-1-0), at a publicly-noticed meeting on June 2, 2004, with a quorum present. The ANC's support of the above-referenced application is contingent upon the WCCA's acceptance of the terms and conditions of this Resolution, which supercedes the Resolution previously submitted to the Board.

Thank you Mr. Chairman and members of the Board for your consideration and for according great weight to our views.

Sincerely,

Cary Silverman
Chairperson, ANC 2F

Enclosure

BZA
Case No. 17145
Exhibit No. 42

Board of Zoning Adjustment
District of Columbia
CASE NO. 17145
EXHIBIT NO. 42

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FORMER CONVENTION CENTER SITE INTERIM USE RESOLUTION

THIS AGREEMENT ("Agreement") made this 2nd day of June, 2004, will be executed when signed by all the parties, and is conditional to Advisory Neighborhood Commission 2F's support of the request by the Washington Convention Center Authority and the District of Columbia Office of Planning, for zoning relief for the Former Convention Center Site. This agreement by and between the Washington Convention Center Authority ("WCCA"), the DC Office of Planning ("OP"), the DC Department of Transportation ("DDOT"), the Metropolitan Police Department ("MPD") and Advisory Neighborhood Commission 2F ("ANC") is evidence of the intention of the signatories to abide by and enforce, the terms of the Agreement.

WITNESSETH

Advisory Neighborhood Commission ("ANC") 2F Resolution, in regard to the proposed Former Convention Center Site ("the Site") Interim Use ("the Plan"):

WHEREAS, the ANC has been approached by the Washington Convention Center Authority ("WCCA") for its recommendation in the matter of its Application to the Government of the District of Columbia Board of Zoning Adjustment ("BZA"), No.17145, pursuant to 11 DCMR § 3103.2, for a variance to allow public events and a temporary (3 to 4 years) all-day commuter parking lot at the site of the former convention center under subsection 1702.7(c), in the DD/C-3-C District at premises 900 Ninth Street, N.W., Squares 344, 373 and 374, all lots;

WHEREAS the ANC is very concerned about any negative impact of the Plan on the surrounding residential neighborhood as to traffic flow, parking shortages incurred by mismanagement or overflow during events, truck parking, vehicle impounding on the site, abandoned vehicles, noise issues, event crowds, bus fumes, traffic control plan and implementation;

WHEREAS, ANC 2F recognizes the unique opportunity for enhancement of the community inherent in both the plan and the later redevelopment of the Site, and desires to partner with WCCA in such redevelopment;

WHEREAS, the term *Interim Use* is defined as the three or four year period between the completion of the demolition of the former convention center and the eventual re-development of the site, during which time the Site will be used as a parking facility and for public events; and

WHEREAS, the ANC's support of WCCA's BZA application (#17145) for zoning relief is conditioned upon the execution of this Agreement.

NOW THEREFORE, BE IT RESOLVED that ANC 2F calls upon WCCA and any of its lessees, contractors and assigns, and for the purpose of enforcement of the terms herein, OP. DDOT, and MPD to adhere to the following conditions for the Site:

1. The recitals set forth above are incorporated herein by reference.
2. The term "Commuter" shall be replaced with the word "Visitor", in all the site's signage and written promotions.
3. At no time shall more than fifty (50) percent of the Site be used for display purposes at a public event, thereby providing parking for such event.
4. The Site shall not be used as a staging area for Convention Center events.
5. The Site shall not be used for parking more than 30 buses at any given time.
6. There shall be no bus idling on the Site. Buses must turn off their engines while parked, and turn them on only immediately prior to leaving the Site.
7. The Site shall not be used to park semis or tractor-trailers.
8. The Site shall not be used by the Metropolitan Police Department or any other entity as a vehicle impounding lot.
9. Abandoned vehicles shall be promptly towed away.
10. The Site shall be kept clean at all times, employing its own cleaning crews for routine cleaning. Mandatory cleanup shall commence immediately after the conclusion of any and all events held at the Site.
11. The Site shall be equipped with adequate illumination, to be ON whether the site is being used or not.
12. The Site shall not be open for parking when a parking attendant is not present.
13. The Site shall employ its own 24-hour security with continual surveillance, beyond MPD patrols.
14. The Washington Convention Center Authority shall use its best efforts to ensure that the parking lot will be used for short-term parking by persons visiting downtown to shop or patronize downtown restaurants and other destinations. Short-term parking will be encouraged by the use of parking rates that encourage short-term parking and discourage long-term parking for downtown workers.
15. In the event that short-term parking does not generate sufficient revenues for WCCA to meet its financial obligations associated with the operation of the parking lot, WCCA may revise its parking rates to generate the parking revenue necessary to meet those financial obligations, including debt service payments to any bank that provides financing for the construction of the parking lot.
16. The Site's parking facilities shall be open 1 hour before and at least 2 hours after any Convention Center public activity.

17. The organization selected to program special events on the old convention center site shall provide notice to ANC 2F of any proposed special event. The notice from the event organizer shall be given to ANC 2F in sufficient time to; 1) allow ANC 2F to comment and make recommendations to minimize any adverse impacts of the event on ANC 2F; and 2) allow the event organizer to act upon ANC 2F's comment and concerns, if any, in the planning of the event.
18. The ANC shall be given an opportunity to review and make recommendations to WCCA, the City Council, and the Mayor's Office regarding redress by WCCA or others for adverse impacts on the neighborhood resulting from or relating to any activity at the site, whether or not such activity is legal, or whether or not such activity is approved or sponsored by the City Council, the Mayor's Office, or WCCA.
19. The Washington Convention Center Authority and any of its agents or assigns will accord GREAT WEIGHT to Advisory Neighborhood Commission 2F's recommendations for such redress.

BE IT FURTHER RESOLVED that ANC 2F calls upon the Council of the District of Columbia and the Office of the Mayor to ensure that this resolution is implemented.

The foregoing RESOLUTION, along with a traffic control plan was passed by Advisory Neighborhood Commission 2F (4-2-0) on April 7, 2004, and amended by ANC 2F on June 3, 2004 (5-1-0) at publicly-noticed monthly meetings with a quorum present.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first above written.

Tom Mobley, WCCA General Manager and CEO

6/1/04

Cary Silverman, Chairperson of Advisory Neighborhood Commission 2F

Dan Tangherlini, Director of the DC Department of Transportation

Charles Ramsey, Chief of the Metropolitan Police Department

Shook, Hardy & Bacon L.L.P.
www.shb.com

TO	PHONE	FAX
THE HON. GEOFFREY H. GRIFFIS, CHAIRMAN BOARD OF ZONING ADJUSTMENT		202-727-6072
FROM	**IT #**	**MATTER #**
CARY SILVERMAN	1829	SHBX.00001
	DATE	
5 2 Pages Transmitted	JUNE 7, 2004	

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COMMENTS: Former Washington Convention Center Site, App. #1745
* On BZA 6/8/04 Agenda *

fax

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