

Testimony of Barbara Kahlow on behalf of the WECA
3/2/06 ZC Hearing on 2101 L Street PUD Modification (ZC # 70-16A)

I, Barbara Kahlow, am testifying tonight on behalf of the West End Citizens Association (WECA). This testimony is in furtherance of WECA President Jack Batham's February 19, 2006 letter to the Chairman stating the WECA's opposition to the proposed modification of a previously approved Planned Unit Development (PUD) at 2101 L Street, N.W. (Square 72, Lot 76) (Case No. 70-16A). This PUD was conditionally approved by the Commission in two 1973 Orders (No. 60 & 78 for Case No. 70-16 & 70-16F, respectively).

We were hopeful that our appearance tonight would be unnecessary but, to date, the Applicant has been unwilling to meet with the WECA to discuss our concerns and possible mitigation measures.

The Commission originally approved this PUD and a change in zoning from R-5-B to C-3-B based on the proposed unique architecture, including "cut-outs" (recesses) on the ground, 2nd and 9th floors, and with a community amenity of two stories of retail, including a guaranteed minimum square footage. Today's proposed modification seeks to remove the original distinctive architectural features, thus creating another "box" structure. In addition, the proposed retail would be less than currently required by the Commission's Orders. In fact, the Applicant is currently out of compliance with the required minimum amount of retail without any enforcement action to date by the City. Also, the Commission's Notice of Public Hearing states that "the development currently on the site consists of a ten-story office building with **limited retail use**" (emphasis added).

Specifically, the first 1973 Zoning Commission Order required 32,000 s.f. of retail on the 1st floor and possibly 20,000 s.f. of additional retail in the basement, i.e., a total of 52,000 s.f. of retail. The revised 1973 Order required 32,700 s.f. of retail on the 1st floor and possibly 19,000 s.f. of additional retail in the basement, i.e., a total of 51,700 s.f. of retail. The proposed modification application reveals that, currently, there is only 41,187 s.f. of retail (23,460 s.f. on the 1st floor and 17,727 s.f. in the basement), i.e., the property is currently 9,240 s.f. short of the required minimum s.f. of retail on the 1st floor. The modification application incredibly requests only 24,152 s.f. of retail on the 1st floor, i.e., 8,548 s.f. less than currently required, and zero retail in the basement level since the Applicant wants to house a private fitness center there. There are multiple fitness centers in the immediate vicinity (such as the Sports Club/LA at 22nd & M Streets). As a consequence, the WECA questions the need for this private facility. Instead, the WECA believes that the Commission should require additional retail either on the basement or 2nd floors.

Also, the WECA believes that the Commission should require additional community amenities to benefit the immediately impacted Foggy Bottom-West End area, as the PUD regulations require (see 11 DCMR §2403.13(b)). The WECA suggested to the Applicant: (a) funds for additional greenery in the West End, such as additional trees, tree box fencing, and tree box planting, and (b) a financial contribution for the development of a West End Business Improvement District (BID). Specifically, the WECA requested that the Applicant provide a \$200,000 amenity package, including \$75,000 for greenery and \$125,000 for the West End BID.

Thank you for your consideration of our views.

ZONING COMMISSION
District of Columbia

ZONING COMMISSION
District of Columbia
CASE NO. 70-16A
EXHIBIT NO. 30

10/16/06