

GALLAGHER'S PUB
3319 Connecticut Ave., N.W.
Washington, D.C. 20008

January 19, 1988

Mr. Lindsley Williams, Chairman
District of Columbia Zoning Commission

Re: Zoning Cases No. 86-26
and No. 87-36C

Dear Chairman Williams and
Members of the Commission:

As residents since 1976 at 2926 - 28th Street, N.W., and as owner/operators since 1972 of Gallagher's Pub at 3319 Connecticut Avenue, N.W.; and as owners of this real property at 3319 Connecticut Avenue since 1986, we wish to be recorded as favoring the retention of C-2-A Zoning for 3319 Connecticut Avenue and the immediately surrounding area.

At the same time, we wish to be recorded as favoring the currently pending PUD and Zoning Application in Case No. 87-36C for 3501 Connecticut Avenue, N.W.

This is our first appearance or letter in any zoning matter.

The reasons for our very determined support of these positions are set out in the attached statement. I would like to be listed as a witness to appear at each of these hearings.

We also wish to convey to you and to the Commission our grave concern that the Cleveland Park Historical Society and an ANC 3-C Commissioner have circulated throughout Cleveland Park residences a most misleading and crude drawing of the rendering for the PUD. The drawing they so circulated (as attached) is an insult to the rendering of architect David Childs; and its widespread circulation in Cleveland Park last week has resulted in understandable opposition to the PUD by residents who rely on the Cleveland Park Historical Society for accuracy and truth in its flyers.

In considering the presentation to be made before the Commission by CPHS and ANC 3-C, and in questioning their witnesses, please take into consideration the manner in which they have misinformed the residents of Cleveland Park about the scale, design, set-back, landscaping of the proposed plan (as shown in the attached rendering, which appeared in the December 14, 1987 issue of the "Washington Business Journal").

ZONING COMMISSION
District of Columbia

ZONING COMMISSION
Case No. 86-26
District of Columbia
CASE NO. 86-26
EXHIBIT NO. 217

Wm 1/21/88

Re: Zoning Cases No. 86-26
and No. 87-36C

The Commission's attention to these important matters
will be appreciated by this neighborhood business establish-
ment.

Respectfully submitted,

Virginia H. Gallagher
Virginia H. Gallagher

Conan Gallagher
Conan Gallagher

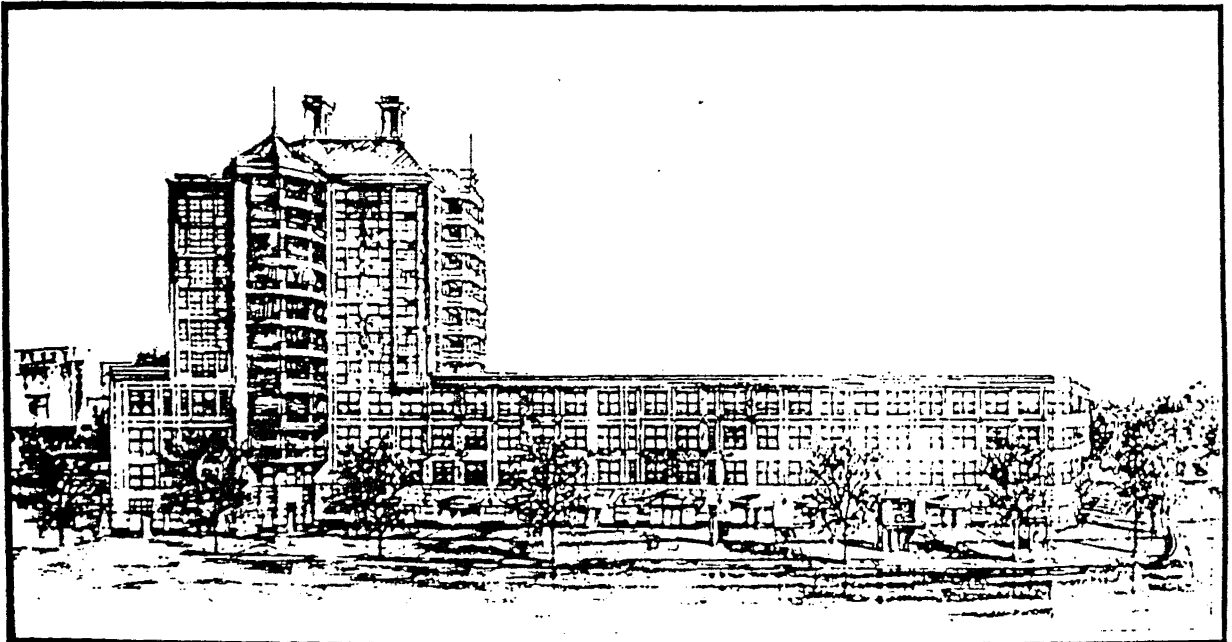
Attachments:

Statement of Gallaghers
Copy of Cleveland Park Historical Society Flyer
Copy of "Washington Business Journal" of 12/14/87
showing PUD rendering.

COMPARE WITH

"THIS" is CPHS Flyer!

3501 Connecticut Avenue, N.W.



This Drawing is DECEPTION! See our choice
Proposal of
Architect
DAVID
CHILDS

THIS?

(sketch based
on developer's
proposal as
represented in
The Washington
Business Journal
Dec. 14, 1987)

- 11-story condo tower
- 5-story block-long MASSIVE office bldg. (not so)
- 217,000 sq.ft. with limited parking (only 32 spaces for the apt. tower!)
- Bigger than most K St. buildings!



OR...

This?



- renovated for neighborhood shopping
- additions in keeping with neighborhood scale
- sufficient parking

FIND OUT WHAT YOU CAN DO TO PREVENT
THE ROSSLYNIZATION OF YOUR NEIGHBORHOOD. COME TO A

TOWN MEETING

When: Saturday afternoon, JAN. 16, at 2 pm.

Where: Cleveland Park Library Aud.

Who & What: Councilman Jim Nathanson, CPHS Pres. Tersh Boasberg & Save Our Supermarket Chair Margaret Hare will report on developer's plans to change the quality of our neighborhood, and our plans to fight back.

For more info. contact Cleveland Park Historical Society, Exec. Dir. Kathleen Wood, 244-1276.
To join please send \$25 to CPHS c/o Membership Director, 3224 Highland Pl, NW, DC 20008.

Washington Bus. Journal
12-14-87

2-C- Coo No 87-36C

Park and Shop dispute could take 3 years to settle

continued from page 1

developer can include residential by building more space than would be permitted ordinarily.

"I don't see how anybody could object to it. It's a beautiful design. It looks like it was meant to be there," said Bobby Abbo, owner of the Roma Restaurant down the street and president of the Cleveland Park Business and Professional Association.

Many have objected, however.

The most vocal dissenter of Daniels' plans has been Tersh Boasberg, president of the Cleveland Park Historical Society. Boasberg has opposed all of Daniels' previous design efforts for the site, on which she holds a purchase contract.

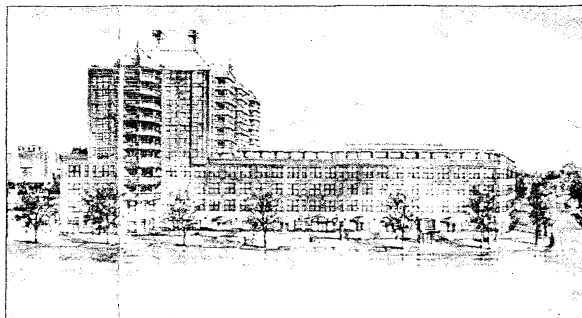
"We have some very strong ideas about what we'd like to see on that site," he said.

The 285-acre Cleveland Park neighborhood is bounded by Wisconsin Avenue to the west, Woodley Road and the Klinge Valley to the south, Macomb Street and Connecticut Avenue to the east and Tilden and Rodman streets to the north. After strong campaigning by Boasberg, a preservation zoning attorney, it was designated an historic neighborhood in November of last year.

The designation means that any building plans for commercial or residential developments must be approved by the D.C. Historic Preservation Review Board.

Boasberg also has applied for rezoning with the Zoning Commission of the entire Cleveland Park area in an effort "to protect the underlying historical nature," of the Park and Shop, he said.

Boasberg declined to elaborate on what the Historical Society would like to see on the site until the zoning issue is resolved, except to say any project should "retain as much of the integrity and character of the building as possible and emphasize residential and retail uses." The Commission



Rendering of design Daniels plans to submit to city agencies

is set to start hearing the case Jan. 14.

"Cleveland Park is primarily a residential neighborhood," he said. "We are opposed to the erection of large-scale office buildings in a historic neighborhood. We don't want to see the Wisconsin Avenue projects come over here. The Park and Shop is meant to be a low-density, local neighborhood center."

What critics don't understand, Abbo of the Roma said, is present day economics.

"The district has put such a high price on the land, you have to build up (to make it economical)," Abbo said. "Since the metro was built, rents have gone up, insurance rates have gone up and one after the other, stores are being forced out. We have the metro, but we have none of the benefits. There is no traffic."

"This building will bring customers to the area — what we all need and are desperately looking for," added Abbo, who has lived in Cleveland Park for all of his 42 years. Abbo's father opened the Roma in 1930, the same year the Park and Shop was started.

The Park and Shop, built by Shannon & Luchs of D.C. after the stock market crash of 1929, is one of the earliest examples of off-street parking, according to architectural historians. Originally, it housed a drug store, two groceries, a restaurant, laundry, car wash, gas station and several small shops.

The Cafritz Foundation has owned it since 1983; founder Morris Cafritz bought the property with two partners in 1963.

The gas station and car wash were torn down during the Metro construction in the late '70s and the quality of stores gradually eroded. The last generation of retail shops — a used furniture store, a ceiling fan shop, video store and children's store — pulled out nearly two years ago, and the Park & Shop has stood vacant.

Daniels holds a contract on the site and will take possession after the plan passes through the Zoning Commission and the various other agencies that must add their stamp of approval.

In mid-January, the commission will decide whether to set a hearing date. It's

expected a hearing will be called.

At the hearing, which will most likely stretch more than one day, residents, preservationists and the developer will hash it out. Then the commission would have to hold another meeting and vote whether to accept the proposal.

Simultaneously, the plan may be going through a similar dissection in the historic review process. Daniels expects the hearings to take the better part of a year.

If all goes well, she hopes to have it built two years after approval. Daniels hasn't decided if the residential component will be condominium or rental units, but she does hope to donate 20 percent of the stock to low- to moderate-income elderly. She also is not certain what rental rates

The most vocal dissenter of Daniels plans has been Tersh Boasberg, president of the Cleveland Park Historical Society.

will be charged in the office building, but current asking rates in the area fall between \$23 to \$26 a square foot, she said.

She is currently talking to a number of neighborhood, service-oriented shops such as a dry cleaner, a small savings bank, a hardware store and men's and women's clothing stores. Plans to include a grocery have been shelved since Brookville Market is set to open nearby in a couple of weeks. Nor does she want any fast food restaurants or movie theaters. She hopes to have 13 to 20 stores in all.

Abbo said the neighborhood sorely needs this kind of retail. "The houses here cost a million dollars, but I can't buy a shirt in Cleveland Park. I have to go downtown to buy a shirt."

WASHINGTON
BUSINESS
JOURNAL

DEC 14, 1987

New office plan escalates dispute in Cleveland Park

BY HEIDI C. DANIEL

The turf war over Cleveland Park's Park and Shop center escalated another notch last week.

Pat Daniels of D.C.-based Urban Group Inc. filed a planned unit development application Friday with the D.C. Zoning Commission. Her application conflicts with an earlier rezoning filed by opponents to office development of the site.

The 50,000-square-foot site at 3501 Connecticut Ave. N.W., above the Cleveland Park Metrorail stop, currently holds a dilapidated shopping center.

Daniels wants to build an 11-story, 217,000-square-foot mixed-use project with 24 percent devoted to residential use. The building, designed by David Childs of Skidmore, Owings and Merrill, includes 111,000 square feet of office space on three floors, 40,000 square feet of retail at street level, 61 residential units in a seven-story tower atop the office level, and underground parking for 254 cars.

Under the existing zoning, housing is not profitable. But by filing under the planned unit development classification, a

See PARK AND, page 29

BEFORE THE DISTRICT OF COLUMBIA
ZONING COMMISSION

Re: Zoning Cases
No. 86-26 and
No. 87-36C

STATEMENT OF VIRGINIA H. GALLAGHER
AND CONAN GALLAGHER
IN OPPOSITION TO DOWN ZONING UNDER CASE NO. 86-26 and
IN SUPPORT OF APPLICANT IN CASE NO. 87-36C

We are Virginia and Conan Gallagher, residents and home owners at 2926-28th Street, N.W. within walking distance of our business, Gallagher's Pub at 3319 Connecticut Avenue, N.W., which we established in 1972. Almost all our employees come to work by Metro. The Cleveland Park Metro station is a block and a half away.

We support wholeheartedly the Statement of Bobby Abbo, President of the Cleveland Park Business and Professional Association, of which we are members.

When we purchased our restaurant (formerly Cafe Polonaise), we established a family corporation, of which we are sole stockholders. The corporation leased the premises at 3319 Connecticut Avenue. Conan and I held a right of first refusal to buy the property should it be offered for sale. This one story building was then and is now zoned C-2-A, has no basement, and occupies 100% of the lot. C-2-A is the classification for Community Business District "to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the City outside of the central core" (S.720.2 Title 11 Zoning)

In 1986, we were advised by the absentee owners of this property that it was being sold, and that if we did not match the selling price, we could not expect an extension of our lease, and we would not be able to sell the business after paying rent and notes for 14 years.

With assistance of local counsel, we made several applications for a substantial first trust loan and sought to raise the rest of the purchase price by forming a limited partnership, with participation of an employee and patrons.

ZONING COMMISSION
CASE No. 86-26

EXHIBIT No. 2

2. Statement of Gallaghers

The C-2-A Zoning of this property, and the uses permitted thereunder, were noted in the loan appraisal report, and were critical to the final approval of the required 1st trust commitment. Closing on the loan enabled Gallagher's to continue operating in Cleveland Park as a small full-service restaurant, which showcases the talents of aspiring young local musicians and singers, all in a wholesome family atmosphere.

Had the property not qualified for that business loan, we probably would have lost the business in which we had invested our life savings and our energies - 8 to 15 hours a day - for about fifteen years.

We are relating this personalized story here because it is typical of families who open neighborhood small businesses with limited capital and strong commitment to customer service, who plan to hang in for the long run with the hope of acquiring the real property and developing it and the business to their full potential.

Had our loan appraisal report contained a note that this location was due to be downgraded from C-2-A to C-1, I have grave doubts that Gallagher's could have obtained the required loan commitment in commercial banking channels.

Since Gallagher's occupies 100% of its lot and has buildings abutting on both sides, downgrading our present zoning from C-2-A to C-1 will not enable us to build to three stories as was indicated in the Cleveland Park Voices distributed to Cleveland Park residences recently. Any such zoning downgrading would, as we understand it, increase the burden we would have to carry before Zoning in an application to add a storage room, a few more seats, or even a small upstairs (2nd floor) apartment.

Though we have recently been told by the President of the Cleveland Park Historical Society that we should avoid use of the term "Down-zoning" in the context of this Hearing because he assures us that CPHS is not requesting C-1 Zoning here, Statements made in the Cleveland Park Voices belie such verbal assurances.

3. Statement of Gallaghers

Unless citizens take time to study carefully the applicable provisions of the D. C. Zoning Code, they could not be expected to know that so many business uses now permitted as of right under C-2 Zoning are not permitted as of right under C-1.

C-1 does not so permit:

- a catering establishment
- a film exchange
- a dental laboratory
- an interior decorating shop
- a photographic studio
- a picture framing studio or shop
- an antique store or shop
- a dry goods store
- office supplies and equipments sales
- pet shop
- musical instruments and accessory sales,
- etc.

In terms of having retail and business services conveniently located within walking distance of the neighborhood postal sub-station and the new Brookville Market, downgrading zoning in this area from C-2-A to C-1 is surely counterproductive. In time such a step can only lead to a diminution of choice of services for this community as well as deterioration of the existing businesses, which like Gallagher's endured the blasting, breaking of windows and other horrors during the long years of Metro tunnel construction under our stores, hoping that eventually the new Cleveland Park Metro Station would give business here a boost and would stimulate clean-up and improvement to the area surrounding the Metro Station.

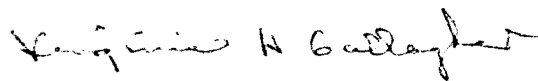
As redesigned by architect David Childs, the new proposal for 3501 Connecticut Avenue, as a mixed use, well designed building, at the Metro Entrance, with over 250 parking spaces, is a project long over due here.

4. Statement of Gallaghers

We hope the Commission will consider the opportunities for employment, uniquely accessible to Metro, the walk to work option new office space will offer to Cleveland Park residents, and the needed tax revenues to be added to our city's troubled tax base.

Thank you for considering our views and experience.

Respectfully,

A handwritten signature in cursive script, reading "Virginia H. Gallagher".

Virginia H. Gallagher

A handwritten signature in cursive script, reading "Conan Gallagher".

Conan Gallagher