

West End Citizens Association

Washington, D.C.

Boundaries: 15th Street on the East • Potomac Park on the South
Rock Creek and the Potomac on the West • N Street on the North

February 28, 2023

The Honorable Anthony Hood
Chairman
DC Zoning Commission
441 4th Street, N.W. – Suite 200-S
Washington, DC 20001

Re Opposition to ZC 06-11Y/06-12Y (BXP 2100 Penn, LLC – Modification of Consequence of PUD Square 75)

Dear Chairman Hood:

The West End Citizens Association (WECA) was granted Party Status in Opposition for the 2100 Penn PUD in Square 75 on October 12, 2017 (Exhibit C to ZC 06-11Y/05012Y): ZC Order 06-11O/06-12O, p. 2. The proposed Modification of Consequence (ZC 06-11Y/06-12Y) has not yet been heard by ANC-2A and the WECA was served a snail-mailed copy on February 21, 2023. In addition, we have been told that BXP also intends to remove the required day-care facility in a second not-yet-filed 2100 Penn PUD Modification.

The WECA objects to the current proposed Modification -- which the WECA believes is a Modification of Significance -- on multiple grounds as well as this not-yet-filed day care PUD Modification. The most important ground for objection to the current proposed modification is that BXP is proposing to move an existing student-oriented retail (The GW Campus Store currently in a nearby Square) to the 2100 Penn PUD retail space which the community understood would be devoted to **new additional** community-oriented retail, including hopefully a grocery. BXP's attorney for this case David Avitabile sent WECA officer Barbara Kahlow the following e-mail (highlighting by the WECA) on February 23rd:

From: Avitabile, David <DAvitabile@goulstonstorrs.com>

Sent: Thursday, February 23, 2023 4:13 PM

To: barbara.kahlow@verizon.net

Cc: 'Sara maddux' <saramaddux69@gmail.com>

Subject: RE: ZC Case No. 06-11Y & 06-12Y - Modification of Consequence - 2100 Pennsylvania Ave, NW

Hi Barbara,

I've shared your concerns with BXP and GW. Sean from Boston Properties will be reaching out to set up a meeting with you to discuss the proposal (and a couple of other items) shortly. ...

You are right that we had discussed food-related uses (food hall, market, café, or restaurant) as some of the potential desired uses for the corner retail space at 2100 Penn, but it was just a potential type of use and we always said that it could be any range of a variety of retail, service,

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or eating and drinking uses, including soft goods. See, for example, page 11 of our initial statement from April 2017, which Exhibit 1 of the record in case 06-120

“The retail space, totaling at least 30,000 square feet, will permit the Applicant to attract neighborhood-defining retail opportunities. The I Street frontage will include a glassy double height retail space totaling approximately 17,000 GSF (including an additional 13,000 GSF of contiguous, below-grade retail space) **targeted for a high-end food market, café and dining**, but could also be attractive to a soft goods or fitness-related concept. The remaining retail space, on both I Street and Pennsylvania Avenue, will target fast casual dining, boutique fitness, daycare, and other convenience-related retail that will maximize the retail/merchandising opportunities afforded by the ceiling heights in the retail spaces, particularly along I Street.”

The ZC 06-110/06-120 PUD Order in its Decision Section (p. 29) states:

“3. The Project shall include a mixed-use building including uses permitted in the MU-9 and MU-30 zones, provided:

- a. The Project shall reserve the areas marked as ‘Retail’ on pages A103-A105 of the Plans for uses in the following categories: arts, design, and creation; daytime care; eating and drinking establishments; entertainment, assembly, and performing arts; retail; and general or financial service use (provided, however, that financial service uses shall not be located along the Project’s I Street ground-floor frontage);
- b. The Applicant may adjust the location of the daycare facility within the Project over the life of the Project.”

The WECA believes that the current proposed Modification of Consequence -- mentioning only changes in the signage (the WECA opposes the huge, proposed lettering) and removal of the 21st Street retail entrance -- is instead a Modification of Significance and requests the Commission to schedule a public hearing to hear all arguments in opposition to moving an existing (i.e., not new retail) student-oriented retail use into this PUD. For your information, the George Washington University (GWU) published articles of the intended GWU Campus Store move before any input from the Foggy Bottom-West End community or review by the Commission. Thank you for considering the WECA’s request for a public hearing.

Sincerely,

/s/

Sara Maddux
President

Cc David Avitable, Esq., for BXP/GWU
Foggy Bottom and West End ANC-2A
John George, President, Foggy Bottom Association

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Certificate of Service

I hereby certify that on February 28, 2023, copies of the foregoing document were delivered electronically to the following:

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