



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

Regular Meeting Minutes

Wednesday, March 18, 2015; 7:00 p.m.

GWU Fungler Hall Room 108 – 2201 G Street NW

Call to Order

Chair Patrick Kennedy (01) called the meeting to order at 7:03 pm. Commissioners Rebecca Coder (02), John Williams (03), William Kennedy Smith (04), Philip Schrefer (05), Florence Harmon (06), and Peter Sacco (08) were present.

Chair Kennedy made a motion to adopt the agenda. Commissioner Coder seconded the motion, which was voted on and passed (VOTES: 7-0).

Community Forum

Report from PSA 207

Lt. Donald Craig, a representative for the Metropolitan Police Department’s (MPD) PSA 207, was present. He said that, after being reassigned to a different PSA, he had returned to our PSA. He then gave an overview of the recent crime statistics for the neighborhood.

Barbara Kahlow, a local resident, asked what was being done to remove the homeless encampments in the neighborhood. Lt. Craig said that he did not have any updates on the situation. Marina Streznewski, another local resident, said that she was going to coordinate a meeting regarding the homeless encampments with the various DC government agencies overseeing encampment removal and the ANC.

Report from the Office of Ward 2 Councilmember Jack Evans

Brian McClure from Councilmember Evans’ office was present. He said that he would be replacing Kevin Stogner, another staff member in Councilmember Evans’ office, in handling outreach to ANC 2A.

Report from the Executive Office of the Mayor

John Fanning, the Ward 2 Representative for the Mayor’s Office of Community Relations and Services, was present. He gave an overview of the Homeless Encampment Task Force, which was part of the Deputy Mayor for Health and Human Services’ office. He also talked about what the task force was currently doing to address the issues with the homeless encampments. He also provided the details for the Mayor’s upcoming State of the District Address.

Report on the West End Library and Fire Station Projects

Ben Sonnet, the Development Manager for Eastbanc, was present to give an update on Eastbanc's development projects in the West End. He said that the environmental remediation had begun on the Square 50 site, and that Eastbanc was hoping to get a raze permit for the site by the beginning of April, with construction set to begin at the end of May.

Report from the Ward 2 Education Network

Chris Sondreal, ANC 2A's representative to the Ward 2 Education Network, was present to provide updates on the network. He talked about the network's upcoming meeting with the DC Fiscal Policy Institute, where attendees would be learning about the school budget process. He added that the School Without Walls at Francis-Stevens had the city's fourth highest growth in demand as part of the enrollment lottery this year.

Regulatory Agenda

Consideration of a Letter of Support for Permitting Necessary to Stage the Sixth Annual "Duke Ellington Day" Concert in Duke Ellington Park (Intersection of 21st St., M St., and New Hampshire Ave.) on April 29th

Commissioner Harmon distributed a resolution she wrote on the matter.

Gary Griffith, a local resident, was present to describe the permitting process with the Department of Parks and Recreation (DPR) and to speak on behalf of the resolution.

Commissioner Harmon made a motion to adopt the resolution. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Discussion of the Commission's Actions in Response to the Zoning Administrator's Determination as to the Permissibility of River Inn / DISH's Request to Expand Operations into Public Space

and

Application to the Alcoholic Beverage Control (ABC) Board by River Inn / DISH for a Substantial Change to its Class "CH" Hotel License in Order to Permit the Installation of a Sidewalk Café

and

Application to the District of Columbia Department of Transportation (DDOT) Public Space Committee by River Inn / DISH for a Permit to Install a Sidewalk Café on Public Space

Chair Kennedy gave an update on the ANC's motion during the regular February meeting to retain counsel regarding to the DC Zoning Administrator's determination letter.

Jessica Bloomfield, the applicant's zoning counsel from Holland & Knight, was present to answer questions relating to the Zoning Administrator's determination. She gave an overview of

the process by which the Zoning Administrator's decision was made and the reasons behind the Zoning Administrator's argument.

Commissioner Williams asked Ms. Bloomfield when the Zoning Administrator's decision was made publicly available. Ms. Bloomfield said that she did not know when it was made publicly available.

Commissioner Williams said that if the current Zoning Administrator's decision was struck down through an appeals process, then the ANC would not have to pass a resolution related to the applicant's applications with the Public Space Committee or the Alcoholic Beverage Control (ABC) Board. He then gave an overview of his recent meeting with the applicant.

Commissioner Harmon said that the DC Board of Zoning Adjustment (BZA) had clearly ruled in the past that the Zoning Administrator's determinations should be made publicly available, and that Holland & Knight should have reached out to the ANC as part of its communications with the Zoning Administrator.

Michael Fonseca, the applicants counsel for Alcoholic Beverage Regulation Administration (ABRA) matters, was also present. He gave an overview of the hotel's application in front of the ABC Board. He said that the deadline to file protests in front of the ABC Board was April 13th.

Joe Geno, the General Manager of the River Inn and the Avenue Suites, was also present. He distributed a map of 25th Street that detailed what residents on the street opposed, supported, or did not provide an opinion regarding the proposal to add a sidewalk cafe. He said that he was in communication with the residents of the Claridge House, and that the building's condominium board would discuss the matter at its next meeting. He also talked about sound measurements that sound engineers from Acoustical Design Collaborative recently collected in the neighborhood near the hotel.

Commissioner Smith theorized that the process for the hotel's proposal revolved around the Zoning Administrator's determination.

Barbara Kahlow asked if the applicant could amend the ABRA application so that the sidewalk cafe's closing time for all nights was 9 pm. She argued that a 10 pm closing time on the weekends was a late closing time for a neighborhood with elderly residents. Mr. Fonseca said that he would discuss the request with the applicant.

Steve Chernowitz, a local resident, spoke in support of the proposal for the sidewalk cafe, adding that it would be an enhancement to the neighborhood.

Marina Streznewski, the President of the Foggy Bottom Association (FBA), talked about the FBA Board of Directors' concerns with the application process, adding that the FBA had joined with the ANC in appealing the Zoning Administrator's determination.

An employee of the River Inn, who is responsible for the opening and closing of the restaurant, said that there had been no complaints regarding too early opening or too late closing times, and that these instances would not happen on his watch.

Chair Kennedy made a motion to protest the applicant's ABRA application based on peace, order, and quiet, and adverse impact to property values. Commissioner Harmon seconded the motion, which was voted on and passed (VOTES: 6-0-1).

Chair Kennedy made a motion to object to the applicant's public space application based on what was believed to be an erroneous decision made by the Zoning Administrator. Commissioner Sacco seconded the motion, which was voted on and passed (VOTES: 6-0-1).

Chair Kennedy made a motion to authorize the Chair and Commissioner Williams to negotiate a settlement agreement with the applicant. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Application by the D.C. Preservation League to Amend the Landmark Designation for the Corcoran Gallery of Art (1700 New York Ave./500 17th St./1701 E St.-Case No. 13-01) in Order to Designate Portions of the Interior of the Building as Protected

Chair Kennedy distributed a resolution he wrote on the matter.

Tisha Allen, Outreach and Grants Manager for the DC Preservation League (DCPL), and Rebecca Miller, Executive Director of the DC Preservation League, were present. Ms. Allen first gave an overview of the building and the Corcoran institution. She also gave an overview of the historical components of the building, and made an argument as to why the interior should be deemed historic. She pointed out on floor plans of the building what individual spaces the DC Preservation League applied for to be deemed historic.

Commissioner Sacco asked how the historic landmarking process would affect GW's ability to renovate portions of the identified spaces. Ms. Allen said that an application would have to be submitted to the DC Historic Preservation Review Board (HPRB) for any proposed changes to the interior spaces that were deemed historic.

Two students from GW's Corcoran School of the Arts and Design were present and voiced their support for the DC Preservation League's application. An additional longtime DC resident spoke in support of the application.

Charles Barber, the Deputy General Counsel for GW, was present. He said that interior historic designations by HPRB were very rare in DC, and that DCPL's application identified an excessive number of spaces. He said that GW would support the historic designation of certain iconic spaces in the interior of the building, but not all of the ones that DCPL had applied for.

With regards to GW's upcoming planned renovation of the 17th Street Building, Mr. Barber said that GW was still developing plans that would allow GW to move the art programs currently housed in the Corcoran's Fillmore Building in Georgetown into the 17th Street building, as well as to address years of deferred maintenance on the 17th Street Building. He said that GW thus needed a greater degree of flexibility for renovating the space when it came to the possible historic designation.

Mr. Barber said that the HPRB's hearing on the matter would be March 26th. He passed out a map of the spaces that GW believed should be deemed historic. The two students from the Corcoran who were present expressed concern with certain areas of the 17th Street building that GW did not identify as historic on their map.

Commissioner Sacco expressed interest in supporting DCPL's full application. Commissioner Smith also expressed interest in supporting DCPL's full application, arguing that the building had a large historical significance.

Chair Kennedy made a motion to adopt the resolution he wrote on the matter. Commissioner Williams seconded the motion. Chair Kennedy requested a friendly amendment to clarify who was the applicant for the application. There was no second on the friendly amendment so the amendment did not pass. The original motion was voted and did not pass (VOTES: 2-4).

Commissioner Smith made a motion to support the DC Preservation League's application to the DC Historic Preservation Review Board. Commissioner Sacco seconded the motion, which was voted on and passed (VOTES: 7-0).

Conceptual Review of Proposed Renovation / Construction of the Stevens School Building (1050 21st St.-HPA 15-219)

Three representatives from Akridge, the developer for the Stevens School project, were present. They gave an overview of the project process thus far. They also gave a visual presentation of the plans for the school and the adjacent office building.

Commissioner Harmon talked about the history of the approval process for the school and the need to focus on the historic preservation of the Stevens School building during the upcoming renovation process. She distributed a resolution she wrote on the matter.

Commissioner Sacco read the enacting clauses of Commissioner Harmon's resolution aloud.

Commissioner Harmon made a motion to adopt the resolution. Commissioner Coder seconded the motion. Commissioner Smith requested a friendly amendment to update the language of the resolution based on actions already taken by Akridge as well as to include a request for Akridge to retain an architect with historical experience in this period that will draft a detailed report. The final motion was voted on and passed (VOTES: 7-0).

Application by Look (1909 K St., ABRA-077812) for a Substantial Change to its Class "CR" Restaurant License in Order to Convert the License to a Class "CT" Tavern License

Stephen Whelan, the Counsel for Alcoholic Beverage Regulation Administration (ABRA) matters for Look, and Michael Kosmides, the owner of Look, were present. Mr. Whelan gave an overview of the application for a conversion of the establishment's license.

Commissioner Harmon gave an overview of the previous security issues at the establishment.

Commissioner Harmon made a motion to protest Look's application for the conversion of their license based on peace, order, and quiet. Commissioner Coder seconded the motion, which was voted on and passed (VOTES: 7-0).

Application for a Public Space Permit Related to Building Improvements at 2501 M Street

Richard Smith, a representative for PRP Real Estate Investment Management, the new owner of the lower portion of 2501 M Street, was present. He gave an overview of the planned renovations for the lower floors of the building. He also explained that the process required submitting a public space application to the District Department of Transportation (DDOT), and that, as part of ongoing conversations with DDOT, officials at DDOT requested that the applicant remove the existing porte cochere on the property.

Commissioner Coder distributed a resolution she wrote on the matter, which asked DDOT to allow the porte cochere to remain in place.

Three executive board members from 2501 M Street's residential condominium board were present. They described the need for a porte cochere on the property and voiced their support for Commissioner Coder's resolution.

Commissioner Coder read the resolution aloud.

Commissioner Coder made a motion to adopt the resolution. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Application by Café Deluxe (2201 M St.) for a Permit to Install a Sidewalk Café on Public Space

Joe Spinelli, a representative for Cafe Deluxe's architecture firm for the project, was present. He gave an overview of the proposed sidewalk cafe.

Barbara Kahlow said that she believed the ANC should protest the public space application until the illegal backlit sign currently installed near the top of the adjacent Hilton Garden Inn building was removed.

Commissioner Harmon made a motion to not object to the public space application, contingent that the hours listed in the application were changed to reflect ABRA-approved hours.

Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Application by the Embassy of Qatar (2555 M St.) for a Permit to Install a Sculpture on Public Space

Commissioner Coder gave an overview of the Embassy of Qatar's public space application, which proposed to add a sculpture within the gates of the embassy.

Commissioner Coder made a motion to not object to the public space application, contingent on the sculpture not being lit. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 7-0).

Application by Panera (2001 L St.) for a Permit to Install a Sidewalk Café on Public Space

Chair Kennedy gave an overview of Panera's public space application.

Commissioner Coder made a motion to not object to the public space application. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Application by Starbucks (1730 Pennsylvania Ave.) to Modify an Existing Sidewalk Café Permit

Commissioner Sacco gave an overview of Starbucks' public space application.

Commissioner Sacco made a motion to not object to the public space application. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Administrative Agenda

Discussion of the ANC's Grant Policies

Commissioner Sacco made a motion to move the February 28, 2015 submission deadline for the ANC 2A Grant Fund to March 31, 2015 for the year 2015 only. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

Chair Kennedy adjourned the meeting at 10:59 pm.

Respectfully submitted by **Peter Sacco**, ANC 2A Secretary.

A handwritten signature in black ink that reads "Peter Sacco". The signature is written in a cursive, flowing style.