



# Advisory Neighborhood Commission 2A

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

## Regular Meeting Minutes

Wednesday, November 16th, 2016; 7:15 p.m.  
GWU’s Fonger Hall, Room 108 – 2201 G Street NW

### Call to Order

Chair Patrick Kennedy (01) called the meeting to order at 7:21 pm. Commissioners John Williams (03), Philip Schrefer (05), Florence Harmon (06), and Eve Zhurbinskiy (08) were present.

Chair Kennedy made a motion to adopt the agenda. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0).

### Community Forum

#### Report from the Metropolitan Police Department’s PSA 207

Lieutenant Zenobia McBride, the Lieutenant for the Metropolitan Police Department’s (MPD) Police Service Area (PSA) 2017, was present. She gave an overview of the recent crime statistics for the neighborhood.

Lt. McBride said that the neighborhood did experience multiple robberies during the night of Halloween. She said that a suspect was apprehended in one of the robberies. She added that there has been a recent uptick in street robberies committed by groups of juveniles.

Commissioner Harmon encouraged meeting attendees to install security cameras on their property as part of the Mayor’s security camera rebate program.

Commissioner Schrefer thanked Lt. McBride for the way in which she reported long-term crime data to the ANC.

#### Report from the Office of Ward 2 Councilmember Jack Evans

Sherri Kimbel, the Director of Constituent Services for Councilmember Jack Evans, was present. She gave an overview of her work with Commissioner Smith to address the issues regarding dumpsters that were being left out on neighborhood streets. She said that Councilmember Evans’ office was going to restart the Councilmember’s newsletter so she encouraged meeting attendees to submit topics for the newsletter. She added that Councilmember Evans’ office was going to try to secure capital funding for improvements to the 26th Street Park.

#### Report from the Ward 2 Education Network

Chris Sondreal, ANC 2A’s representative to the Ward 2 Education Network, was present. He said that network representatives recently testified at a DC Council roundtable regarding the Department of Health’s (DOH) proposal to change nurse staffing levels at DC Public Schools.

He said that the Council passed emergency legislation to prevent any nurse staffing level changes from happening until at least after the current school year.

Mr. Sondreal said that DC will be holding its annual EdFest on Saturday, December 10th from 11:00 am to 3:00 pm at the DC Armory. He added that the School Without Walls at Francis-Stevens will be holding an open house on Friday, December 9th at 9:00 am. He thanked the community for its support of the school's annual auction.

### Report from the West End Library

Kevin Osborne, the Branch Manager of the West End Interim Library, was present. He said that the library will close at 5:30 pm on Wednesday, November 23rd for the Thanksgiving holiday, and will also be closed on Thanksgiving day.

Mr. Osborne said that the library will be starting a Coffee and Conversations program in December where homeless individuals can come to the library for coffee and literature discussions. He added that the library will again serve as a day warming station this winter.

### Commissioner Updates

Commissioner Harmon gave an overview of the ANC's work regarding the ongoing Historic Preservation Review Board (HPRB) process for the Stevens School building. She gave an overview of the ANC's ongoing work to preserve the building as a school facility. She said that under Akridge's current development plan for the property, their new office building will adjoin the school building for one portion in the rear.

Chair Kennedy gave an overview of the DC Council's recent vote to reauthorize the Deputy Mayor for Planning and Economic Development's (DMPED) ability to dispose of the Stevens School property.

Commissioner Williams said he believes that Akridge's proposed museum space in their new office building is more of an art gallery, even though the original intention was for the space to serve as a museum. Chair Kennedy said that he believes that there are things that can be done within Akridge's current design that can provide more prominence for the location and foot traffic to the museum space.

Sara Maddux, a local resident, suggested that the ANC ensures that the school building is added to the Foggy Bottom Heritage Trail that is currently being planned.

### Announcements and Public Comments

Tina Boyd, a representative for the District Department of Transportation (DDOT), encouraged meeting attendees to attend the public meeting regarding the section of the proposed DC Streetcar extension between 20th Street NW and Wisconsin Avenue NW. She said that the meeting will be on Thursday, November 17th from 6:00 pm to 8:00 pm at Pinstripes, 1064 Wisconsin Avenue NW.

Commissioner Williams asked how DDOT plans to bring the DC Streetcar through or under Washington Circle. Ms. Boyd said that several alternative routes will be presented at the public meeting.

Chair Kennedy gave an overview of DDOT's upcoming public meeting regarding the Pennsylvania Avenue NW bridge rehabilitation project. He said that the meeting will be on Wednesday, December 7th from 6:30 pm to 8:00 pm at GW's Fonger Hall, 2201 G Street NW.

Marina Streznewski, the President of the Foggy Bottom Association (FBA), said that the FBA will be hosting its annual holiday party on Tuesday, December 6th at the Avenue Suites. She encouraged meeting attendees to attend the party.

#### Report from the Executive Office of the Mayor

Richard Livingstone, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), was present. He said that the Mayor is committed to supporting a smooth Presidential transition process. He said that, with regards to the food truck fire that occurred earlier in the day on the 2100 block of H Street NW, three individuals were transported to Washington Hospital Center. He said that the three individuals are currently stable with non-life threatening injuries.

#### **General Agenda**

#### Discussion Regarding DC Council Bill B21-0909 - the "Helicopter Landing Pad Amendment Act of 2016" as it Applies GW Hospital

Chair Kennedy gave an overview of the community's previous advocacy regarding the creation of restrictions on new hospital helipads that prevented GW Hospital from installing a helipad at its previous location. He said that the currently proposed DC Council bill would strike down a large part of the previous restrictions on the installation of new helipads.

Ms. Kimbel said that the bill will most likely not receive a hearing before the end of the year, so it will thus have to be reintroduced next year.

Ms. Streznewski said that she previously wrote to Kim Russo, CEO of GW Hospital, regarding the rumors that GW Hospital was seeking to install a helipad. She said that Ms. Russo wrote back saying that the hospital has been seeking to install a helipad for years.

Commissioner Williams made a motion to draft and submit a resolution to the DC Council stating that the ANC strongly suggests that the Helicopter Landing Pad Amendment Act of 2016 not be acted upon during the current Council period and that the bill is not reintroduced during the next Council period. Chair Kennedy seconded the motion, which was voted on and passed (VOTES: 5-0-0).

#### Presentation by DC Water Regarding Lead Levels in Drinking Water

Melanie Mason, Water Communications Coordinator for DC Water, was present. She gave a visual presentation regarding DC Water's infrastructure and the ways in which lead could make its way into the city's drinking water.

Ms. Mason said that DC Water does not treat the city's water itself, but rather it purchases treated water from the Washington Aqueduct, a federally-owned facility. She said that lead can be found in other places throughout the home in addition to drinking water. She described the difference between the public portion and the private portion of every home's water service line. She said that the service lines are the most common locations for lead pipes to be found in the city's drinking water infrastructure.

Ms. Mason said that DC Water will test the lead levels in anyone's home once a year for free. She said that if test levels come back as elevated than DC Water will return to do more extensive testing. She added that DC Water also has a service line replacement program for lead service lines. She said that DC Water will only replace the public portion of the line, however they can also replace the private portion of the line at the same time for a small fee paid by the homeowner.

Ms. Mason went over other methods for reducing lead water exposure in the home, including using cold water for cooking and drinking and using water filters.

Steve Charnovitz, a local resident, asked how DC Water defines the property line when many properties in the Foggy Bottom Historic District go right up to the property line. Ms. Mason said that if the home goes right up to the property line, then it will be only an approximately \$500 cost to the property owner for the service line replacement. She said that this fee will cover the cost of the contractor entering the homeowner's home to make the service line upgrades.

### **Regulatory Agenda**

#### **Updates from Washington Gas Regarding Neighborhood Concerns Related to the PROJECTpipes Project**

Doreen Hope, Community District Manager for Washington Gas, was present. She said that, in response to community concerns, Washington Gas has added a more experienced site supervisor to oversee the company's ongoing projects in Foggy Bottom. She said that Washington Gas is also working on being more respectful of properties in DC's historic districts in order to lessen any negative visual impacts as a result of the company's projects. She added that Washington Gas is also working to be more proactive regarding community relations across the city, including through the use of neighborhood list-servs to send out information to the public. Lastly, she said that the company is also using a new computer program to send out notifications to non-customer residents.

Ms. Hope said that, with regards to the Foggy Bottom resident whose flower beds were destroyed as a result of Washington Gas project work, the company's contractor is reimbursing the resident for the cost to repair the flower beds. She said that out of the approximately 100 service replacements that were made in the Foggy Bottom area, only two more replacements, both for apartment buildings, are left.

Commissioner Williams asked why Washington Gas did not convene more community consultations before the project started. Ms. Hope said that Washington Gas did meet with the ANC about a year ago but that administrative problems caused the start of the project in Foggy Bottom to be delayed.

Commissioner Williams said that the city's historic preservation and building code legislation needs to be revised in order to provide more scrutiny for utility work in the historic districts. Ms. Hope said that DC's historic guidelines do allow for meters to be placed outside of homes.

### **General Agenda (Continued)**

#### **Discussion Regarding Possible Improvements to the Playground, Dog Park, and Public Patio on 26th Street Between I Street and K Street NW**

Alan Kensek and Frank Maduro, representatives for the Department of General Services (DGS), were present. Mr. Kensek said that DGS is intending to carry out much needed maintenance to the 26th Street Park. He said that the agency has already re-fenced the entire park area, although he added that this fence is not a permanent fix, especially for the dog park.

Mr. Kensek said that on November 21st, the dog park will be taken out of commission for more extensive renovations. He said that the playground will also be receiving more extensive renovations. He gave a detailed overview regarding the plans for the park, including how DGS has responded to community comments regarding the project work.

Ms. Streznewski said that she and many local residents were very supportive of DGS' efforts to make improvements to the park. She asked about the timeline for the project. Mr. Kensek gave a detailed overview of the project timeline.

Commissioner Williams asked if the playground would be out of commission when the dog park is out of commission. Mr. Kensek said that residents would still be able to use the playground when work is being done to the dog park.

Chair Kennedy read Commissioner Smith's proposed resolution regarding the park renovations aloud. He asked if the renovation recommendations laid out in the resolution could be accomplished by DGS during the initial project phase. Mr. Kensek said that the recommendations could be accomplished.

Commissioner Williams asked to be included in the resolution as a representative on the matter, along with incoming Commissioner Marco Guzman.

Chair Kennedy made a motion to adopt Commissioner Smith's proposed resolution regarding the park renovations. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 5-0-0).

### **Regulatory Agenda (Continued)**

## Updated Discussion Regarding Needed Improvements to the School Without Walls at Francis-Stevens

Commissioner Harmon gave an overview of the issues that the ANC has discovered regarding the needed renovations for the School Without Walls at Francis-Stevens. She said that the ANC needs an update from DGS regarding the status of the renovations.

Mr. Maduro said that he will follow up with DGS regarding the status the matter.

## Consideration of a Resolution Regarding the ZC Application for a Minor Modification to the Planned Unit Development for the Hilton Garden Inn Washington DC / Georgetown Area at 2201 M Street NW

Christopher Doyle, Vice President of Asset Management for Hersha Hospitality Trust, the new owner of the Hilton Garden Inn, and Jessica Bloomfield, legal counsel for the hotel, were present.

Ms. Bloomfield gave an overview of the Zoning Commission (ZC) application that the hotel has filed, which seeks to allow the hotel's rooftop sign to remain on the rooftop. Mr. Doyle gave an overview of how the hotel needs the sign in order to maintain an appropriate profit margin.

Commissioner Harmon said she has been disappointed with the legal tactics that the hotel's legal counsel has taken with regards to the matter. She clarified to meeting attendees that the rooftop sign was illegally installed in violation of the hotel's original zoning order. She read the text of the original zoning order aloud.

Ms. Harmon gave an overview of how the hotel's legal counsel went to the Zoning Administrator without involving the ANC and convinced the Zoning Administrator to agree that the rooftop sign could be installed. She gave an overview of the ANC's appeal to the Board of Zoning Adjustment (BZA) regarding the Zoning Administrator's order and how the ANC won the appeal.

Ms. Maddux said that she was involved in the community discussions regarding the hotel's development plans from the beginning. She said that the neighborhood was very clear to the original developers that they did not want a sign to be installed near the roof, and instead that only one sign would be installed over the front door of the hotel. She said that she has hundreds of notes regarding how the neighborhood worked with the original developer to design the hotel. She said that the current hotel ownership is not following in the original developer's footsteps of working with the neighborhood to achieve the best possible product.

Chair Kennedy said that he is very frustrated at how long the hotel owner has carried out this legal process.

Commissioner Harmon made a motion to oppose the Hilton Garden Inn's Zoning Commission application. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 5-0-0).

### Consideration of a Resolution Regarding the Recent Food Truck Fire on the 2100 Block of H Street NW

Commissioner Zhurbinskiy gave an overview of the known information regarding the food truck fire that occurred earlier the same day, including the fact that three people were injured. She said that some local residents have previously raised the idea of having more inspections of the food trucks in the area.

Mr. Livingstone said that multiple DC government agencies are involved in food truck inspections, including the Fire and Emergency Medical Services Department (FEMS), the Department of Health (DOH), the Department of Consumer and Regulatory Affairs (DCRA), the District Department of Transportation (DDOT), the Department of Public Works (DPW), and others.

Ms. Maddux suggested that the ANC should send a general resolution to the Mayor asking her to task several agencies with determining what additional inspections need to be carried out. Mr. Livingstone suggested starting with the submission of a resolution to DCRA while acknowledging that other agencies are involved in the inspection process.

Commissioner Zhurbinskiy gave an overview of the resolution she composed.

Commissioner Schreffer suggested that a representative from the DMV Food Truck Association be invited to attend a future ANC meeting to further discuss the matter.

Commissioner Zhurbinskiy made a motion to adopt the proposed resolution regarding the matter. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 5-0-0).

### Consideration of a Resolution Regarding the HPRB Application to Amend the Washington Monument and Grounds Historic District

*The Commission did not take any action regarding this matter.*

### Bayou – Application for Renewal of the Establishment’s Retailer’s Class “C” Tavern License at 2519 Pennsylvania Avenue NW

Commissioner Harmon noted that Bayou does have summer garden operating hours that are later than the ANC’s standard summer garden closing hours of 11:00 pm on weeknights and midnight on weekends.

*The Commission did not take any action regarding this matter.*

### Consideration of a Resolution Regarding the Poorly-Placed Parking Meter in Front of James Monroe's Former Home at 2017 I Street NW

Commissioner Harmon said that she recently met with the Arts Club of Washington, which is housed in James Monroe’s former home at 2017 I Street NW. She said that the club has expressed concerns regarding the placement of a parking meter directly in front of the home.

Commissioner Harmon made a motion to request that the District Department of Transportation move the parking meter further east on the block to in front of the office building at 2001 Pennsylvania Avenue NW. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 5-0-0).

### **Administrative Agenda**

#### **Adoption of Past Meeting Minutes**

Chair Kennedy made a motion to adopt the ANC's regular October 2016 meeting minutes. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 5-0-0).

#### **Approval of the ANC's FY 2016 Quarter 4 Financial Report**

Chair Kennedy made a motion to approve the ANC's FY 2016 Quarter 4 financial report. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 5-0-0).

### **Adjournment**

Chair Kennedy adjourned the meeting at 9:55 pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "P. Schrefer".

Philip Schrefer  
Secretary, ANC 2A05



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December 22, 2016

Mr. Anthony Hood  
Chairman  
District of Columbia Zoning Commission  
441 4th Street NW, Suite 200S  
Washington, DC 20001  
[zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov)

**RE: Zoning Commission Case No. 07-21C – HHLP Georgetown II Associates, LLC (Successor to PerStar M Street Partners, LLC)**

Dear Chairman Hood,

At its regular meeting on November 16, 2016, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With five of seven commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (**5-0-0**), after a motion made by Commissioner Harmon and seconded by Commissioner Schrefer, to adopt the following resolution:

WHEREAS, ANC 2A participated in Zoning Commission (ZC) Case No. 07-21B – PerStar M Street Partners, LLC, in 2011 and opposed signage that would be inappropriate to the site and neighborhood context and requested in its post-hearing submission that “specific language regarding The Hilton Garden Inn sign should be made a condition of the Zoning Order. It should be above the hotel’s entrance on 22nd Street, as shown on pages A1 and A2 of the October 7, 2011 PUD Modification Submission prepared by Shalom Baranes Associates and cannot be at a different location, larger, vertically mounted on the façade of the hotel or illuminated from within,”

WHEREAS, the West End Citizens Association (WECA) participated as a “Party” in Support in ZC Case No. 07-21B, and the Applicant was clear that WECA’s support was conditioned on the Applicant’s assurance that there would only be one sign and that it would be located over the hotel entrance,

WHEREAS, 22 West, A Condominium submitted written comments in opposition to the proposed PUD on October 24, 2011, including the following comment relative to the hotel’s proposed signage:

“The October 7, 2011 PUD Modification Submission prepared by Shalom Baranes depicts at A1 and A2 a “Hilton Garden Inn” sign above the entrance on 22nd Street with a note that the “design, location and dimensions” of the signage is illustrative only and that final signage will comply with DC Construction Code requirements. While the illustrative sign may be acceptable, we oppose any signage that is at a different



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location, larger, vertical, or illuminated from within in the manner of the signs for the Marriott or Embassy Suites on 22nd Street and not made a condition of approval of any PUD.”

WHEREAS, on February 3, 2012, the Zoning Commission issued Order No. 07-21B with clear direction in its decision for one sign only, to be over the hotel entrance. Citing both Exhibits 24 and 36, the 2012 Zoning Commission order explicitly noted ANC 2A’s concerns about the signage and stated:

“The hotel sign must be above the hotel’s entrance on 22nd Street as shown [on] pages A1 and A2 of Applicant’s final set of plans (submitted as Exhibit 24) and that the sign cannot be at a different location or be vertically mounted on the façade of the hotel or illuminated from within,”

WHEREAS, the Decision portion of the 2012 Zoning Commission Order expressly states that “the hotel sign shall be above the hotel’s entrance on 22nd Street as shown on those pages and...the sign cannot be at a different location or be vertically mounted on the façade of the hotel or illuminated from within,”

WHEREAS, on December 31, 2013, Sally Blumenthal, a resident of 22 West, observed the installation of mounting brackets on the hotel façade above the highest floors in contravention of the 2012 Zoning Commission Order. In response, the hotel’s counsel indicated to Ms. Blumenthal that the brackets were for a back-lighted sign, arguing that the 2012 Zoning Commission Order approved the roof-level, back-lighted sign by citing Exhibit 36. Page 4 of that 15-page PowerPoint presentation, which was shown to the Board for 23 seconds, contains four architectural renderings, one of which purportedly depicted the hotel signage, even though, as the Board of Zoning Adjustment (“BZA”) later determined (in an appeal discussed in more detail below): “With the naked eye the existence of any signage is not evident.”

WHEREAS, ANC 2A and the community learned that on February 10, 2014 the Zoning Administrator, with no notice to ANC 2A, had issued a determination letter that agreed that this brief display of Exhibit 36 for 23 seconds at the 2012 Zoning Commission hearing supported installing under-lighted signs in locations other than above the hotel entrance – in direct contravention of the Zoning Commission’s explicit discussion of signage in the 2012 order,

WHEREAS, on April 24, 2014, ANC 2A and 22 West, A Condominium, submitted an appeal to the Board of Zoning Adjustment of the February 10, 2014 determination by the Zoning Administrator that the Hilton Garden Inn sign installed at the top of the hotel’s façade was permitted by the Zoning Order approving the PUD,



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WHEREAS, on October 28, 2014 the BZA voted 4-0 to grant the appeal of 22 West and ANC 2A as to the issuance of sign permit no. SG 1400204, overturning the Zoning Administrator’s determination and the owner’s placement of an under-lighted sign in a location other than above the hotel’s entrance, and concurred with ANC 2A and 22 West that the plain, unambiguous language of the Hilton Garden Inn PUD Zoning Order permitted only one sign at street level on 22nd Street NW. The BZA issued its written decision granting appeal BZA Order No. 18793 on November 14, 2016, making it clear that the Zoning Commission intended to approve only a sign over the hotel entrance,

WHEREAS, on October 5, 2015, Holland & Knight, on behalf of its client, PerStar M Street Partners, LLC, sought a so-called “minor” modification to ZC Order 07-21B to be placed on the Consent Calendar at the Commission’s next public meeting, arguing for a Zoning Commission minor modification order to permit the illegal signage on the under-lighted sign at the top of the hotel. On October 19, 2015, the Zoning Commission denied this request and determined to set down the modification request for a public hearing, following submission of the Applicant’s Prehearing Submission and hearing fee,

WHEREAS, HHLP Georgetown II Associates, LLC, successor to PerStar M Street Partners, LLC, has now filed a prehearing submission, seeking a modification to ZC Order 07-21B to permit the illegally installed sign on the hotel’s façade above the highest floors in contravention of the 2012 Zoning Commission Order regarding under-lighted illumination, and the hearing in this matter is set for January 5, 2017,

WHEREAS, this is a PUD case, not a matter-of-right development, which requires consideration of “public benefits” as required by ZR Section 2403.3 and ZR Section 2403.7:

“The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project” (ZR 2403.3.)

WHEREAS, similar to ZR Section 2403.3, ZR Section 2403.7 specifies that for PUDs, a project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors,

WHEREAS, under-lighted signs shining directly into neighboring residences cannot be “mitigated” and are not acceptable for the reasons previously presented to the Zoning Commission in the 2011 proceeding, which include intolerable health effects such as documented health warnings that light disturbs sleep



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rhythms and increases the risk of serious health conditions, and negatively impacts property values,

WHEREAS, the District’s policies encouraging new and more residential development require supporting residents’ livability and the adverse effects of light pollution from a sign that shines directly into resident’s homes 24 hours a day, 7 days a week, rendering homes inhabitable and providing a public health threat,

WHEREAS, the illegally placed under-lighted Hilton Garden Inn sign is inconsistent with the character of the neighborhood and not necessary for the successful operation of the hotel as demonstrated by the numerous other major hotels in the immediate area that do not have such signage (or are removing such signage in recognition of the adverse effects of such light pollution on neighboring residents) and operate successfully with street level signage that does not shine into residences. ANC 2A is not saying that there should be no signage, only signage that is appropriate for a PUD development in this neighborhood,

WHEREAS, the Zoning Commission made no specific finding in 2012 that this type of lighting is an acceptable price to pay for the other “public benefits.” It is not,

WHEREAS, HHLP Georgetown II Associates, LLC’s offer to not light the sign is insufficient. ANC 2A has had similar written agreements that are not honored and has no confidence that the hotel’s present and future owners would honor such an agreement, given the history of this particular hotel’s successive owners and their legal counsel, and their illegal installation of the sign in the first place, and then their incredible legal arguments that flashing an undiscernible exhibit that contains a sign not visible to the naked eye for 23 seconds at a Zoning Commission hearing overrides the Zoning Commission’s unambiguous language in the order prohibiting the placement of a sign at the top of the building, and

WHEREAS, this proceeding is about the integrity of the land use regulatory process in the District. The Zoning Commission's 2012 order was absolutely clear. However, without coming back to the Commission for a modification, PerStar M Street Partners, LLC simply went ahead and put up an illegal sign. The BZA ruled in 2014 that the sign was illegal, which meant that it had to come down. ANC 2A does not know when the present applicant purchased this building, but the illegality of this sign has been a known fact for over two years, and the owner has benefited from this illegality for over two years. To approve an illegal sign at this stage – whether lighted or un-lighted – would simply reward bad behavior and would send a signal that conditions in PUD orders do not have to be taken seriously if they turn out to be inconvenient. Accordingly, any modification to permit the sign, whether lighted or un-lighted at this point, is unacceptable.



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THEREFORE, BE IT RESOLVED that ANC 2A opposes the October 5, 2015 request of Holland & Knight on behalf of its client, HHLP Georgetown II Associates, LLC, for a so-called “minor” modification to ZC Order 07-21B to permit the illegally installed sign on the hotel’s façade above the highest floors in contravention of the 2012 Zoning Commission Order.

BE IT FURTHER RESOLVED that ANC 2A does not find that this is a “minor” modification to the PUD Order based on Section 3030 of the Zoning Regulations because it violates both Paragraph A of the Decision and Paragraph 43(b) of Contested Issues, which state as follows:

“(The) Zoning Commission agrees with ANC 2A that the actual signage will not differ from that depicted by the Applicant. Therefore, the Commission is adding a condition that the hotel sign must be above the hotel’s entrance on 22nd Street as shown on pages A1 and A2 of the Applicant’s final set of plans (submitted as Exhibit 24) and that the sign cannot be at a different location or be vertically mounted on the façade of the hotel or illuminated from within.”

BE IT FURTHER RESOLVED that ANC 2A urges the Zoning Commission to accord ANC 2A “great weight” and to deny the application of HHLP Georgetown II Associates, LLC for a so-called “minor” modification to ZC Order 07-21B to permit the illegally installed sign on the hotel’s façade above the highest floors in contravention of the 2012 Zoning Commission Order and urges the Zoning Commission to issue an order requiring HHLP Georgetown II Associates, LLC to remove the illegally installed sign.

Commissioners Florence Harmon ([2A06@anc.dc.gov](mailto:2A06@anc.dc.gov)), Rebecca Coder ([2A02@anc.dc.gov](mailto:2A02@anc.dc.gov)), and Patrick Kennedy ([2A01@anc.dc.gov](mailto:2A01@anc.dc.gov)) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy  
Chairperson

CC: Christopher Collins, Counsel for the Applicant  
Jessica Bloomfield, Counsel for the Applicant  
Christopher Doyle, Vice President, Asset Management, Hersha Hospitality Trust



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Sally Blumenthal, President, 22 West, A Condominium

Sara Maddux, President, West End Citizens Association

Barbara Kahlow, Secretary-Treasurer, West End Citizens Association

Marina Streznewski, President, Foggy Bottom Association



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December 12, 2016

Ms. Melinda Bolling  
Director  
Department of Consumer and Regulatory Affairs  
1100 4th Street SW  
Washington, DC 20024  
[melinda.bolling@dc.gov](mailto:melinda.bolling@dc.gov)

**RE: Request for Additional DCRA Inspection of Food Trucks in Response to Recent Food Truck Fire in Foggy Bottom**

Dear Ms. Bolling,

At its regular meeting on November 16, 2016, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With five of seven commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously to adopt the following resolution, which was introduced by Commissioner Zhurbinskiy and seconded by Commissioner Williams, by a vote of (5-0-0):

WHEREAS, Foggy Bottom is home to a vibrant array of food trucks,

WHEREAS, ANC 2A recognizes the value that food trucks bring to our neighborhood, including providing increased food options to students and boosting our local economy,

WHEREAS, ANC 2A supports ensuring the safety of all members of our community, including food truck employees,

WHEREAS, numerous community members have expressed concern about DCRA enforcement of regulations as they pertain to food trucks,

WHEREAS, on November 16, 2016, a fire occurred at a food truck on H Street between 21<sup>st</sup> Street and 22nd Street NW, injuring three food truck employees, and

WHEREAS, this is an opportunity to ensure that all food trucks are properly equipped so as to prevent fires and be in compliance with all DC regulations governing food trucks.

THEREFORE, BE IT RESOLVED that ANC 2A asks DCRA to conduct an inspection of food trucks in the neighborhood in order to ensure safety and to collaborate with other relevant agencies that enforce food truck regulations regarding this matter.



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BE IT FURTHER RESOLVED that ANC 2A expresses its wishes for a speedy recovery to those injured in the fire, and will work with the DMV Food Truck Association as necessary to promote public safety while continuing to recognize the benefits that food trucks provide to our neighborhood.

Commissioners Eve Zhurbinskiy ([2A08@anc.dc.gov](mailto:2A08@anc.dc.gov)) and Patrick Kennedy ([2A01@anc.dc.gov](mailto:2A01@anc.dc.gov)) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy  
Chairperson

CC: Donise Peace, Department of Consumer and Regulatory Affairs  
Richard Livingstone, Mayor's Office of Community Relations and Services