

April 13, 2011 and April 25, 2011 Minutes

**Foggy Bottom and West End  
Advisory Neighborhood Commission 2A  
Meeting Minutes  
April 13, 2011  
Heart House  
2400 N Street, N.W.**

**Call to order**

Chair Rebecca Coder called the meeting to order at 7:18 and declared a quorum present. Commissioners Coder, Malinen, Corson and Harmon introduced themselves. The draft agenda was adopted with the following changes:

- the matter of George Washington University's proposed changes to Square 55 was moved to first place on the agenda;
- the matter of expanded hours for the Foggy Bottom 7-11 was postponed until April 25;
- a resolution on a conflict of interest by the chairman of ABRA was added to the agenda;
- three public space applications were added to the regulatory agenda;
- a proposed payment to Hunton & Williams for legal services was added.

Commissioner Irizarry joined the meeting at 8:30 PM.

**General Agenda**

Commissioner Coder announced a special meeting to be held on April 25 at the Fairmont Hotel. She also announced the annual Duke Ellington birthday celebration scheduled for April 29 at Duke Ellington Park.

Sherri Kimbel, representing the office of Councilmember Jack Evans, announced the suspension of trash pickup on Emancipation Day (April 15) and drew attention to the special election scheduled for April 26.

Officer Clemmons gave the public safety report. Only one robbery occurred in the last thirty days in PSA 207, in the 2500 block of Pennsylvania Avenue, N.W. A suspect was caught. Two burglaries took place at GWU, plus one theft from an automobile, compared to ten during the same period in 2010. Small electronics continued to be snatched from inattentive pedestrians and Metro riders. He again urged citizens to be aware of their surroundings.

Commissioner Corson reported a break-in at the parking garage of The Griffin, 955 26<sup>th</sup> St., N.W.

**Regulatory Agenda**

Commissioners Coder and Malinen reported on a hearing held by the Office of Zoning on GWU's

Science and Engineering Complex planned for Square 55. Discussion focused on the issue of a second entrance to the Foggy Bottom Metro station, which the University has argued is more appropriately planned for Square 77, not Square 55. Commissioner Malinen pointed out that the ANC's position is delineated in its earlier actions. Commissioner Coder moved that the chair be designated to respond to the University's position on Square 77. The motion passed by a vote of 4-0.

Commissioner Coder recognized Michael Akin, who will soon leave his position as GWU's vice-president for government, international and community relations, and praised his work in that capacity for creating “a positive working relationship with the neighborhood.” Mr. Akin introduced Brittany Waddell who will continue to represent the university in community affairs.

Commissioner Harmon reviewed the issue of Stevens School and in particular the search for a viable educational mission for a redeveloped school there. She introduced Don McGovern, who presented a set of PowerPoint slides recapitulating the conclusions of the Stevens Visioning Committee of parents, neighbors and educators. Mr. McGovern briefly summarized them as the preservation of an educational mission for this historic structure, with a “structured pedagogy” that complemented the nearby School without Walls, Francis-Stevens School and George Washington University's graduate school of education; it should be an elementary school with “a robust afterschool program” and utilize the autonomy conferred by the charter school mechanism to create an educational focus that will attract students from the entire city as well as the neighborhood. Such a focus was still to be determined but could include an international baccalaureate program, STEM (science, technology, engineering, math), the arts. The same redevelopment model now underway with the West End library and firehouse could serve to fund Stevens School redevelopment.

Mr. McGovern summarized his research on the charter school movement, its history in the District of Columbia and its potential and pitfalls. His committee will deliver a report to the ANC in June recommending choices among alternative charter school operators and will propose neighborhood representation on the charter board of directors. He pronounced himself “passionate about charter schools” and deemed them an essential component of educational reform. In response to the comments of Commissioner Coder, he conceded that a high rate of failure was a characteristic along with prominent successes.

Commissioner Corson did not take part in the discussion which followed. The prospective issue of a quorum was moot, as Commissioner Malinen pointed out, since no action was taken on Mr. McGovern's presentation.

Commissioner Harmon thanked Mr. McGovern for his work on the Visioning Committee. Comments from members of the public focused on the issue of whether or not the school could be revived as a public school, given the current lack of enthusiasm among school system officials for such a solution, and whether or not Mr. McGovern's committee's report would provide specific guidance for developers interested in acquiring the property surrounding the school. He stated that it would not.

Referring to the appearance of the Marine Corps Marathon organizers before the March 16 meeting, Commissioner Coder moved to send a letter of support to the Mayor's Special Events Task Force. The motion passed by a vote of 4-0.

Commissioner Coder further moved a letter supporting renewal of the Golden Triangle Business Improvement District's as a DPR Friends of the Park program for Duke Ellington Park, which passed unanimously. **Appendix 1**

Commissioner Coder presented the Voluntary Agreement negotiated with the owners of Bayou, 2519 Pennsylvania Ave., NW. Commissioner Corson noted that the agreement did not require ANC approval and carried with it its own mechanism for enforcement. The Commission also considered postponed liquor license applications from the Wine Specialist Store and from the American Foreign Service Club, both of which the Commission took no action given there was no objection.

## **Committee Reports & Administration**

Commissioner Coder presented a draft position description for the executive directorship and for a pay rate of \$900 per month gross, which were adopted unanimously. She announced that the current executive director would be leaving the position as of April 30. **Appendix 2**

Commissioner Malinen presented the FY 2011 budget as circulated in the February and March meetings. He explained line items and raised the issue of whether or not the ANC would gain office space in the new West End Library. The budget was adopted unanimously.

On motion of Commissioner Coder, the minutes of the January 19 meeting were adopted unanimously as were the February 16 minutes, with the elimination of Appendix 2 in the draft.

The business postponed from the March 16 meeting having been dealt with, the Commission turned to new business.

## **General agenda**

George Banker presented plans for the Army 10-Miler races to be held on October 9, 2011 and asked for a letter of support. On motion of Commissioner Coder, a letter of support was adopted by a vote of 4-0.

## **Regulatory agenda**

The owners of Acott Ventures, LLC, operators of the Shadow Room night club at 2131 K St., N.W. appeared in support of their application for a substantial change in their liquor license in order to create a summer garden in front of their premises. Discussion focused on the role of smoking in the outdoor space, the location of the "rope line" of patrons waiting to get into the club and on episodes of unruly behavior by patrons that disturbed neighbors' tranquility. On motion of Commissioner Harmon, the Commission voted to protest this application on the grounds of the threat that the proposed outdoor seating area represented to the neighborhood's order, safety and property values, and designated her to represent the ANC before the ABC Board. Commissioner Irizarry having joined the meeting at this point, the motion passed by a vote of 5-0. **Appendix 3**

Commissioner Harmon introduced a resolution in support of the redevelopment of Stevens School. After discussion that focused on ways of presenting the project to Mayor Gray and members of his administration, the resolution passed by a vote of 4-0. A copy of this resolution is included in these minutes as **Appendix 4**. Commissioner Corson recused himself during this discussion and withdrew from the commissioners' table.

Commissioner Harmon introduced a resolution calling attention to conflicts of interest on the part of ABC Board chair Charles Brodsky in the conduct of official business. Discussion focused on the implications of Mr. Brodsky's actions on ABRA cases of specific interest to this ANC and on city-wide policies on liquor licenses. The resolution passed by a vote of 5-0. A copy of this resolution is included in these minutes as **Appendix 5**.

Rosemary Salguero and Andre Barlow, representing the owners of Circa at Foggy Bottom, appeared in support of their application for a liquor license and the need for a stipulated license that would enable the restaurant and bar to begin operations on schedule. Discussion focused on the record of other units of the company in Dupont Circle and Clarendon and on the reasons for delayed action on an application originally submitted in February. The space required for extensive outdoor seating was determined to fall within the property line of the building owner, Boston Properties; no amplified music is planned for the outdoor space. A letter supporting the application for a stipulated license was adopted by a vote of 5-0. **Appendix 6**

Representatives of Washington Suites Georgetown appeared in support of a new liquor license for a tavern to be added to their premises at 2500 Pennsylvania Ave., N.W. They explained that the new facility was being added as “an amenity for guests” as part of a “repositioning” of the hotel as Avenue Suites. Drawings of the proposed tavern show that it utilizes existing lobby space and does not require public space. Commissioners voted to support the application by a vote of 5-0. **Appendix 7**

Commissioner Coder presented three public space applications: from Claridge House, regarding a new canopy, part of a lobby refurbishment, and for outdoor seating at Caribou Coffee and Litestars on L Street and 1200 New Hampshire Avenue. The ANC took formal action of no objection on Claridge House, and none for the other two.

Commissioner Harmon reported an additional bill for \$2,000 from Hunton & Williams for legal services in connection with the ANC's protest of the Shadow Room/ Sanctuary 21 additional liquor license. Commissioner Coder moved making a payment of \$2,000 toward this amount. The motion passed by a vote of 5-0.

## **Administration**

Commissioner Malinen presented the financial report for the second quarter of FY 2011, covering the months of January through March 2011.

The executive director presented a records retention schedule that adapts District of Columbia policies on records retention to the needs of an ANC. He explained that this would be useful in culling and preserving records now stored in the West End Library in anticipation of having to move and store them during the library's redevelopment. Discussion focused on the value of records that duplicate those held by other DC agencies. Commissioner Coder moved adopting of the schedule, which passed by a vote of 5-0.

The meeting closed with expressions of appreciation for the executive director's service during the past eighteen months.

There being no further business, the meeting adjourned at 9:53 PM.

Appendix 1 (Golden Triangle BID / Duke Ellington Park)

April 14, 2011

Jesus Aguirre  
Director  
DC Department of Parks and Recreation  
3149 16<sup>th</sup> Street, NW  
Washington, DC 20010

Dear Mr. Aguirre:

This letter serves to advise you that at ANC 2A's duly noticed, regularly scheduled meeting on April 13, with a quorum present, the Commission voted unanimously to support the Golden Triangle Business Improvement District (BID)'s application to be a part of the Friends of the Parks program as the official community group to represent the triangle park located at the intersection of New Hampshire Avenue, 21<sup>st</sup> and M Streets, NW (recently named the Duke Ellington Park).

Golden Triangle BID has done a tremendous job with past upkeep of the park and the ANC appreciates the organization's commitment to continuing to help beautify the West End. The Commission asks that the Golden Triangle BID be open to working with neighbors in the future if there should be interest in erecting a statue in honor of Duke Ellington at the site.

Please let me know if you have any questions concerning this matter.

Sincerely,

Rebecca Coder  
Chair

Cc: Kathy Zarate, DPR Partnerships Coordinator  
Leona Agouridis, Director, Golden Triangle BID

## Appendix 2 (Executive Director Position Description)

### POSITION DESCRIPTION, EXECUTIVE DIRECTOR, ANC2A

The position is a part-time position and compensation is set at \$900 per month gross (\$805.81 net after taxes), reflecting an anticipated average of 36 hours per month at \$25 per hour. In extraordinary circumstances, the ANC can engage the Executive Director for additional hours at the same rate of pay, provided that this step is approved by resolution of the Commission.

#### **Duties**

The executive director will attend all ANC meetings, normally held on the evening of the third Wednesday of each month, with the exception of August.

In consultation with the Chair, she will prepare the draft agenda, make copies of the draft agenda and all other documents to be used at the meeting and distribute these to commissioners in advance; she will post the draft agenda in the *Foggy Bottom Current*, the Foggy Bottom Alert listserv and the ANC2A website.

The executive director will arrange for the meeting location and see that the room is set up appropriately. She will consult in advance with all persons making presentations to the ANC and assist in the distribution of any materials provided by presenters to the commissioners and members of the public attending the meeting.

During meetings, she will take brief but inclusive and accurate notes of the discussions among the ANC commissioners and by members of the public for use in preparing the minutes. She will further assist at meetings by calling the roll when requested by the Chair, recording motions made by commissioners and recording the votes of each commissioner and acting as a point of contact for members of the public who wish to submit written positions or have their names recorded in association with their statements during meetings.

The executive director will prepare draft minutes within one week of the meeting, then circulate these to the Chair and to the Secretary by e-mail. Upon receipt of comments from these officers, she will then circulate the draft minutes to other commissioners in advance of the meeting.

Upon approval of the minutes by the ANC, she will post the minutes and any attachments or appendices on the ANC2A website and file a paper copy in the ANC files.

The executive director keeps the ANC's financial records, prepares checks for authorized signatures, pays bills and other expenses and prepares reports for the ANC treasurer to submit to the commission and to the DC auditor.

She manages the ANC's communications by answering telephone messages within 24 hours and forwarding messages to the appropriate commissioner when appropriate within one business day. She picks up mail in the ANC2A box at West End Library, scans the mail and documents and forwards scanned mail to the appropriate commissioner when necessary.

She drafts correspondence with agencies of the District of Columbia government and with other

organizations having business with the ANC under the guidance of the Chair and appropriate commissioners. She makes copies and emails documents for commissioners' use.

She monitors the ANC2A website to make sure that its information is current and accurate.

The executive director provides telephone and email service and stores current ANC2A files in her private residence. She purchases and stores all necessary office supplies and is reimbursed for such purchases when appropriately documented.

She may on occasion, be asked to present testimony before the City Council, if a commissioner is unable to do so, or to attend meetings on behalf of the Commission .

She monitors the ANC records stored in West End Library and stores or disposes of these records in accordance with the records retention policies of the District of Columbia government.

When the executive director's personal travel or indisposition interferes with or delays the execution of these duties, she notifies the chair in advance and makes appropriate alternative arrangements.

**Skills and knowledge required**

Ability to communicate diplomatically, orally and in writing, including via electronic media.

Familiarity with Microsoft Word, Outlook, PDF conversion and Excel basics.

Ability to take concise and accurate notes.

Ability to summarize briefly the content of discussions.

Ability to create and maintain a filing system.

Ability to follow instructions.

Ability to meet deadlines.

Ability to use local transportation or his personal vehicle for ANC purposes as required.

Ability to work independently with limited supervision.

Appendix 3 (Shadow Room)

April 24, 2011

Mr. Charles Brodsky, Chairman  
Alcohol Beverage Control Board  
2000 14th Street, NW, 4th Floor, Suite, 400S  
Washington, DC 20009

**Re: ABRA-075871 Acott Ventures, LLC, t/a Shadow Room, 2131 K St, NW  
Summer Garden Substantial Change Application**

Dear Chairman Brodsky and Members of the Board:

At its regular, duly noticed meeting on April 13, 2011, the matter of the substantial change application for the liquor license of Acott Ventures, LLC, came before the Commission. With a quorum present, ANC 2A voted unanimously (5-0) to protest the application based on adverse impact on the peace, order, and quiet of the neighborhood, impact on residential parking, and vehicular and pedestrian safety, and impact on residential real property values. The Commission further voted to designate Commissioner Florence Harmon, in whose single-member district the applicant's business is located, to serve as the ANC's representative in this matter.

At this meeting, as at earlier meetings where the Shadow Room was discussed, neighborhood residents and commissioners offered their rationale for protesting the application. The deleterious effect of this business on the peace, order and tranquility of the neighborhood are well-documented both by police records and citizen complaints. The traffic and noise generated by the Shadow Room, especially on weekends disturb the peace and quiet of the vicinity. This disorder further has a negative impact on property values, particularly in the apartment houses and condominiums that border the shared alley on the west and north and also on nearby properties such as the historic townhouses of Schneider's Triangle.

Applicant stated at the ANC 2A public meeting on April 13, 2011 that smokers from their nightclub presently occupy the area where they seek to place the summer garden in front of 2131 K Street, NW. However, Applicant did not present any plan to address concerns that this dislocation of the smokers presently in front of the Applicant's nightclub will move the smokers into the alley and adjoining neighborhood, which will cause additional disturbances to residents.

At the time of the original issuance of this license, the Applicant gave assurances that it would act to prevent any negative effects of the establishment on the surrounding residential community. Given the record that has accumulated in the interval, such assurances are no longer creditable. We therefore urge the Board to deny this substantial change application.<sup>1</sup>

---

<sup>1</sup> Recently, the same owners sought New License No. ABRA-083267, a Retail Class "CN" nightclub license to expand the hours and occupancy of this location at the basement of 2131 K Street, NW, under the name of Panutat, LLC t/a Sanctuary 21 when ABRA records demonstrate that the basement of 2131 K Street is subject to the Shadow Room Retail CN license (No. ABRA-075871). In granting

Sincerely,

Rebecca K. Coder  
Chair

Cc: Florence Harmon, SMD 2A-06  
Cc: Steven Acott, Applicant Contact

---

the Panutat, LLC Retail CN license, ABRA ignored its own regulations and orders, when it was clear that the basement of 2131 K Street, NW was subject to the Shadow Room Retail CN license, and the incorporated ANC voluntary agreement for the Shadow Room license.

## Appendix 4 (Stevens School)

April 14, 2011

The Honorable Victor Hoskins  
Deputy Mayor for Planning and Economic Development  
John A. Wilson Building  
1350 Pennsylvania Avenue, N.W., Suite 317  
Washington, D.C. 20004

### **RE: Proposed Re-use or Development of Stevens Elementary School Building**

Dear Mr. Hoskins:

At its duly noticed, regularly scheduled meeting on April 13, 2011, the Foggy Bottom and West End Advisory Neighborhood Commission (ANC 2A) considered the matter of the proposed re-use or development of Stevens Elementary School, located at 1050 21<sup>st</sup> Street, NW.

With four of the six Commissioners present, constituting a quorum, the following resolution was unanimously approved by ANC 2A, by a vote of 4-0,<sup>2</sup> regarding the development of Stevens School:

WHEREAS the commissioners of Advisory Neighborhood Commission 2A, serving Foggy Bottom and the West End, are and have always been convinced of the historical importance of the buildings on this site, viewing Stevens' heritage as unique, given its establishment in 1868 and original purpose as the first school for children of freed slaves in Washington, D.C.;

WHEREAS Stevens School, a Historic Landmark, is a jewel in the West End and Foggy Bottom community and was a vibrant school that supported the needs of District of Columbia students for an elementary school with excellent programs, which served generations of African Americans and community members in Washington, D.C. and includes among its notable graduates Dr. Charles Drew, Petey Greene, Jr., Roberta Flack, Amy Carter, Colbert King, Rayford Logan, Robert Hooks, and Jonathan Ogden;

WHEREAS ANC 2A, community members, parents and teachers overwhelmingly opposed the closure of the Stevens School by School Chancellor Michele Rhee after over 140 years of operation and the surplus of the Stevens School by the Office of the Deputy Mayor for Planning and Economic Development (DMPED);

WHEREAS, under the previous administration, DMPED failed to consider four bids by charter schools for use of the Stevens School in accordance with The School Reform Act of 1995, which provides a preference for charter schools to obtain surplus property, and Public Law 108-335, Section 342(c);

WHEREAS, under the previous administration, DMPED subsequently solicited for bids from private developers, received nine bids for development of the Stevens School, and before consideration of these nine proposals by ANC 2A, through a non-transparent process, DMPED then narrowed its selection to three finalists without notice or explanation to the community;

WHEREAS, under the previous administration, DMPED then narrowed the selection from the three finalists and awarded selection of the development of the Stevens School to Equity Residential, Incorporated ("EQR"), an apartment building development option unanimously opposed by ANC 2A;

---

<sup>2</sup> Commissioner Asher Corson recused himself from this matter.

WHEREAS, under the previous administration, after eighteen months of overwhelming community opposition to EQR, DMPED announced it would cancel plans to turn Stevens School into the apartment building proposed to be developed by EQR, would surplus the school and asked six of the nine original developers that originally made proposals to submit final offers for the development of Stevens School by the end of November 2010 with no explanation of its selection criteria;

WHEREAS on November 1, 2010, DMPED issued a notice for a surplus hearing to be held on December 1, 2010 regarding the Stevens School, so, according to news reports, DMPED could recommend award of the property to a particular developer, prior to the departure of the Fenty administration, and then have the property declared surplus afterwards;

WHEREAS, under the previous administration, after overwhelming community opposition, DMPED cancelled plans to surplus the Stevens School and select one of the six developers;

WHEREAS, the community overwhelmingly continues to support a public educational purpose for the Stevens School that is consistent with its African American heritage, and that would complement the curricula and facilities at School Without Walls (SWW) High School and the Francis Middle School and take advantage of the Stevens School's proximity to George Washington University;

WHEREAS, the great need in the West End and Foggy Bottom community and the District of Columbia at large to continue Stevens' public educational purpose is clearly demonstrated by the fact that the School Without Walls is out of space and needs additional capacity in the immediate vicinity; moreover, a great need exists in the District of Columbia for vocational and other educational opportunities in a downtown community that can provide the advantages of nearby business and university resources, and convenient public transportation to the children of the District of Columbia;

WHEREAS, the community accepts the fact that, for funds to be available to renovate the school building, a developer will need to be allowed to build out the surrounding property for mixed use commercial purposes;

WHEREAS, the community recommends that a covenant of this transaction be that the District bifurcate the property with the school building footprint placed in a trust for public schools and the surrounding land ownership be structured to support the economics of the deal with the Developer;

BE IT RESOLVED, therefore, that Mayor Gray, the City Council, and DMPED should make the future of Stevens School a model project for re-use or development, in a manner that follows existing law, and by engaging the community and the ANC 2A fully in a transparent process that allows for the opportunity for a thoughtful and open discussion to take place;

BE IT FURTHER RESOLVED, therefore, that any solicitation for development of the property on which the Stevens School sits include a public use development of an educational institution, consistent with the Stevens School's African American heritage, and that the historical building remain on the public property rolls of the District of Columbia in perpetuity for a public educational purpose;

BE IT FURTHER REVOLVED, therefore, that DMPED give full consideration to all educational alternatives for the Stevens School, and comply with applicable legal requirements, including but not limited to The School Reform Act of 1995 and Public Law 108-335, Section 342(c);

ON BEHALF OF THE COMMISSION.

Respectfully submitted,

Rebecca Coder  
Chair

cc: The Honorable Vincent Gray, Mayor  
Kwame Brown, Chair, DC Council  
Jack Evans, Ward 2 Council member  
Mary Cheh, Ward 3 Council member; Chair, Government Operations Committee  
Harry Thomas, Council member; Chair, Economic Development Committee  
De'Shawn Wright, Deputy Mayor for Education

Exhibit 5 (Brodsky)

April 18, 2011

The Honorable Charles J. Willoughby  
Inspector General of the District of Columbia  
Office of the Inspector General  
717 14th Street, NW, Fifth Floor  
Washington, DC 20005

RE: Conflict of Interest Issues Regarding Charles Brodsky

Dear Mr. Willoughby:

At its duly noticed, regularly scheduled meeting on April 13, 2011, Advisory Neighborhood Commission 2A considered the matter of Charles Brodsky's apparent conflict of interest in relation to his position as chairman of the Alcoholic Beverage Control (ABC) Board and board actions involving a licensed establishment within the Commission's area.

With five of the six commissioners present, constituting a quorum, the following resolution was unanimously approved by Advisory Neighborhood Commission 2A:

WHEREAS press reports note that the "ABC Board led by Chairman Charles Brodsky recently reversed a long standing [ABC Board] policy in favor of one distributor after a friend of Brodsky's took over as the distributor's attorney..." *The Georgetown Dish*, March 24, 2011 at <http://www.thegeorgetowndish.com/thedish/alcohol-board-reversed-policy-favor-brodsky-friend>. See also <http://washingtonexaminer.com/local/dc/2011/03/source-alcohol-board-chairmans-relationship-lawyer-getting-close-look>.

WHEREAS press reports note that "fellow Board member Mital Gandhi . . . [recently] resigned . . . amid charges of corruption by Brodsky." *Id.*;

WHEREAS press reports noted that, "according to Gandhi's complaint, Brodsky told Board members he was courting Washington Wholesale as a major sponsor of his business, the Nation's Triathlon." *Id.*;

WHEREAS press reports note that Chairman Brodsky is friends with Washington Wholesale's new attorney Emanuel Mpras, and the change in ABC Board policy from one month prior coincided with Mr. Mpras's representation of Washington Wholesale before the Board. *Id.*;

WHEREAS the ABC Board has similarly reversed its stated legal position in ANC 2A's protest proceedings in the Sanctuary 21 nightclub licensing matter by not recognizing prior ABC Board orders and the ANC 2A voluntary agreement that expressly state that the basement location sought in the Sanctuary 21 license Retail CN application was already subject to an identical Retail CN license that was issued to the same owners for a nightclub called Shadow Room;

WHEREAS this reversal of established ABC Board legal precedent coincided with the representation of the Sanctuary 21 nightclub owners by Emanuel Mpras (who are the same principals of the Shadow Room nightclub license for the same location);

WHEREAS the effect of the ABC Board's reversal of policy was to extinguish ANC 2A's ability to raise the Shadow Room licensee's past operating history that bears on the increase of the nightclub's occupancy and hours (and should have been considered as part of a hearing on substantial change of the existing Shadow

Room nightclub license, and not a new license application for Sanctuary 21);

WHEREAS Chairman Brodsky appeared at the same ANC 2A meeting in October, 2010 to request ANC 2A action on behalf of his personal business, the Nation's Triathlon, where the ANC 2A considered the Sanctuary 21 licensing matter;

WHEREAS at the Sanctuary 21 hearing on April 28, 2010, neither Chairman Brodsky nor Emanuel Mpras disclose their friendship to the ANC 2A and the other protestant group, nor did Chairman Brodsky recuse himself;

BE IT RESOLVED, therefore, that ANC 2A requests the District of Columbia Inspector General review this matter of alleged conflicts of interest by Chairman Brodsky, as described above and in pertinent news sources, in his role as Chairman of the District's alcohol regulatory authority who frequently makes requests of Advisory Neighborhood Commissions and other District governmental entities and his friendship with attorney Emanuel Mpras;

BE IT FURTHER RESOLVED, therefore, that ANC 2A requests Chairman Brodsky recuse himself from any further ANC 2A matters before the ABC Board;

BE IT FURTHER REVOLVED, therefore, ANC 2A supports any appropriate disciplinary actions and recommendations by the Inspector General to prevent such apparent conflicts of interests in the future.

ON BEHALF OF THE COMMISSION.

Respectfully submitted,

Rebecca Coder  
Chair

cc: The Honorable Vincent Gray, Mayor  
Kwame Brown, Chair, DC Council  
Jack Evans, Ward 2 Council member  
Jim Graham, Ward 1 Council member, Chair, Committee on Human Services  
Ron Collins, Director, Office of Boards and Commissions  
Fred Moosally, Director, Alcohol and Beverage Regulatory Administration

Exhibit 6 (Circa)

April 14, 2011

Mr. Charles Brodsky, Chair  
Alcoholic Beverage Control Board  
2000 14th Street, NW, Suite 400S  
Washington, D.C. 20009

Re: Stipulated License for MHG Café Foggy Bottom, LLC

Dear Chairman Brodsky and Members of the Board:

At its duly noticed, regularly scheduled meeting on April 13, 2011, at which a quorum was present, ANC 2A voted unanimously to support a Stipulated Liquor License application for MHG Café Foggy Bottom, LLC t/a Circa at Foggy Bottom, ABRA-086726, to be located at 2221 I Street, NW.

The Commission looks forward to welcoming Circa at Foggy Bottom to the neighborhood. Please let me know if I can answer questions regarding this matter.

Sincerely,

Rebecca Coder  
Chair

Cc: Commissioner Florence Harmon, ANC 2A-06  
Rosemarie Salguero, Counsel for the Applicant  
Fred Moosally, Director, ABRA  
Martha Jenkins, General Counsel, ABRA

Exhibit 7 (Washington Suites)

April 14, 2011

Mr. Charles Brodsky, Chair  
Alcoholic Beverage Control Board  
2000 14th Street, NW, Suite 400S  
Washington, D.C. 20009

Re: ABRA-086545, 2500 Pennsylvania Avenue Investors, LLC

Dear Chairman Brodsky and Members of the Board:

At its duly noticed, regularly scheduled meeting on April 13, 2011, at which a quorum was present, ANC 2A voted unanimously to support the new Retail Class CT license for 2500 Pennsylvania Avenue Investors, LLC, Washington Suites Georgetown, ABRA-086545, located at 2500 Pennsylvania Avenue, NW.

The Commission looks forward to the overall improvements to this site and the additional amenities offered to its patrons. Please let me know if I can answer questions regarding this matter.

Sincerely,

Rebecca Coder  
Chair

Cc: Commissioner Asher Corson, 2A-03  
Michael Fonseca, Counsel for the Applicant  
Fred Moosally, Director, ABRA  
Martha Jenkins, General Counsel, ABRA

**Foggy Bottom and West End  
Advisory Neighborhood Commission 2A  
Meeting Minutes  
April 25, 2011  
Roosevelt Room, Fairmont Hotel**

**Call to order**

Chair Rebecca Coder called the meeting to order at 7:13 PM. She and commissioners Irizarry, Malinen and Corson introduced themselves. The draft agenda was adopted. Commissioners Harmon and Lehrman joined the meeting in progress.

Chair Coder invited public comments. Eric Weber expressed a need to be updated on the matter of a second subway entrance at Square 55. Brittany Waddell of George Washington University accommodated him. Gary Griffith announced the forthcoming Duke Ellington Birthday celebration on April 29 and invited all to attend.

**Regulatory Agenda**

Commissioner Corson explained why the matter of extended hours for the Foggy Bottom 7-11 needed once again to be postponed. The process involves an application to the Board of Zoning Adjustment for this change and the ANC cannot act until such an application is filed.

The executive director explained the delay in acting upon a letter of no objection for the Avon Walk for Breast Cancer scheduled for April 30. Such a letter was approved by a vote of 5-0.

A representative of Freshii, a retail business seeking a public space permit for four outdoor tables at 1200 New Hampshire Avenue, N.W., explained the need for and dimensions of the proposed space and the proposed hours of operation (8AM – 9 PM). On motion of Commissioner Coder, a letter of no objection was approved by a vote of 6-0. **Exhibit 1**

**General Agenda**

Commissioner Lehrman reported on teen-aged miscreants who are targeting Metro patrons seated near the exit in Metrorail cars, snatching purses or small electronics and jumping off just as the train leaves.

Commissioner Coder introduced the main topic of the meeting: a report on progress and an explanation of initial designs for the projects of the West End redevelopment being undertaken by EastBanc/ WDC Partners. She introduced Joe Sternlieb, Vice-President of EastBanc, who in turn introduced other members of his team and the project's principal design architect, Enrique Norten of TEN Arquitectos.

Mr. Norten presented an illustrated lecture on the new library and firehouse being planned, the

residential towers to be built above the new public facilities and auxiliary enterprises such as a bakery in Square 37 and a squash club in Square 50.

An analysis of implications of the new library/residential building on neighborhood traffic patterns was presented by a project consultant.

An extended question and answer session followed, with many persons in the audience of nearly 100 expressing their views. Issues discussed covered a wide range of topics:

- the proposed design, in particular those elements that would project from the residential building in Square 37. It was explained that the projecting elements all fall within the envelope of buildable space allowed as a matter of right under District of Columbia law.
- The traffic analysis, in particular whether the new residences added significantly to the congestion of the West End, whether there was adequate space available to visitors to the library and residences and whether the space allotted for truck deliveries was adequate and realistic.
- The height and density of the buildings, focusing on Square 37. EastBanc's position is that sufficient density is required to recover costs associated with providing a new library and firehouse without cost to the city.
- The retail component and neighborhood preferences both as respects to a grocery outlet and the truck traffic and parking requirements that such an outlet would entail.
- Whether the focus of traffic analysis on 24<sup>th</sup> Street is realistic.
- The design of the new library, in particular the availability of community meeting space accessible after library hours, the provision of offices for the ANC and Friends of the Library and the impact of the design on the homeless population that utilizes the library.
- The provision of parking space for ZipCar and bicycles.
- The advantages of LEED certification and the impact on the neighborhood of a striking design by an architect of international repute.
- Chair Coder asked for light and shade studies, how to mitigate amplified sound from the fire station, details on parking for the planned squash, and a continued focus on transportation planning.

After everyone who wished to comment had spoken, Mr. Sternlieb distributed loaves but no fishes, bread and rolls having been provided by the bakery that proposes to occupy one of the retail spaces in Square 37.

Chair Coder adjourned the meeting at 9:40 PM.

**Exhibit 1 (Freshii)**

April 26, 2011

Ms. Catrina Harrison  
Public Space Coordinator  
DC Department of Transportation  
1100 4<sup>th</sup> Street, SW, Second Floor  
Washington, DC 20024

**Re: Freshii, 2001 M Street, NW, Public Space Application**

Dear Ms. Harrison:

At its duly noticed meeting on April 25, 2011, the matter of the public space application for Freshii came before the Commission. Representatives of the company presented plans for the seating area in public space. With six of the six commissioners present, constituting a quorum, ANC 2A voted unanimously (6-0) to write a letter of no objection.

We look forward to Freshii's continued success in the West End. Please let me know if I can answer any questions regarding this matter.

Sincerely,

Rebecca K. Coder  
Chair

Cc: Gilberto Solano, DDOT  
Cc: Chris Badger, Freshii