



# Advisory Neighborhood Commission 2A

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

## Regular Meeting Minutes

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

G.W.U. School of Media and Public Affairs Room B07 – 805 21st Street, N.W.

### Call to Order

Chair Patrick Kennedy (01) called the meeting to order at 7:09 pm. Commissioners John Williams (03), William Kennedy Smith (04), Philip Schrefer (05), Jackson Carnes (07), and Peter Sacco (08) were present. Commissioner Florence Harmon (06) arrived at 7:16 pm and Commissioner Rebecca Coder (02) arrived at 9:42 pm.

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

### Community Forum

#### Public Safety Report from MPD PSA 207

Captain David Sledge from Police Service Area (PSA) 207 was present to give the safety report.

Sara Maddux, a local resident, asked what was being done to address roadway accessibility problems during marathons. Captain Sledge asked her to send him an email explaining the problem, which he would forward to the Metropolitan Police Department’s (MPD) Special Operations Division.

#### Report from the Ward 2 Education Network

Chris Sondreal, ANC 2A’s representative to the Ward 2 Education Network, was present to give an update on the network. He said that the network’s next meeting was going to be with the DC Fiscal Policy Institute in March or early April, and would be focusing on DC’s school budgets and how they are drafted.

Mr. Sondreal added that the DC Public Schools’ enrollment lottery was currently open for grades eight and lower, and the enrollment deadline was March 2nd. He added that the School Without Walls at Francis-Stevens would be holding a tour for the middle school grades on February 20th.

Chair Kennedy asked if the Deputy Mayor for Education’s newly finalized school boundaries were used for the upcoming lottery cycle. Mr. Sondreal said that they were.

#### Update on Traffic Conditions at Washington Circle

Commissioner Harmon said that that she recently walked around the circle with Richard Kenney, the District Department of Transportation’s (DDOT) Program Manager for Capital Projects, and several traffic engineers, and that many of her questions related to the traffic problems on the

circle were answered. She added that there was a proposal mentioned to take away parking spaces on 23rd Street across from GW Hospital to alleviate traffic problems when turning on to the circle.

Howard Biel, a local resident, suggested that Chair Kennedy make sure that a representative from DDOT would attend the March ANC meeting.

Chair Kennedy reiterated DDOT's determination to not install a crosswalk at 22nd Street and New Hampshire Avenue.

Commissioner Sacco asked if DDOT was still working on the traffic lights at the intersection of K Street and 24th Street. Commissioner Harmon said that the work had been completed.

Commissioner Williams suggested changing the north side of the 2400 block of K Street to reflect the traffic patterns on the south side of the block with two driving lanes during the day and one driving lane and one parking lane at night. He said that this would help alleviate the vehicle backup on the K Street service road.

#### Update on the Pennsylvania Avenue / Rock Creek Bridge Rehabilitation Project

Chair Kennedy said that DDOT had agreed to make 26th Street a one-way street in the northbound direction, with 2 vehicle lanes and 1 parking lane, between Pennsylvania Avenue and M Street, for the duration of the bridge construction. He said that this would help improve traffic flow as a result of the bridge detour. He added that DDOT was probably going to request the ability to work during Saturdays, and that the ANC would continue to work with DDOT on the matter.

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

Kevin Stogner, the General Counsel for Councilmember Jack Evans, was present. He encouraged attendees to share their views regarding specific DC government agencies during the DC Council's upcoming agency oversight hearings.

### **Regulatory Agenda**

#### Discussion Regarding the Extension of the G.W.U.-Funded Fellowship for School Without Walls at Francis-Stevens Past the 2014-2015 School Year

Commissioner Harmon passed out a resolution she wrote on the matter.

Commissioner Harmon provided background information on GW's fellowship with the School Without Walls at Francis-Stevens, and Naamal De Silva, the current fellow. She said that the Zoning Commission's order regarding the fellowship stated that the fellowship would only last for one year.

Lee Granados, the President of the Home and School Association (HSA) at Francis-Stevens, said that Ms. De Silva started working with the school last spring on grants, securing outdoor picnic

tables, and creating a lending library. She said that the HSA had seen an incredible value with the position, and thus the HSA hoped to continue the fellowship for another year and to eventually make it a permanent fellowship. She added that, in her previous conversations with John Ralls, a Senior Advisor for GW's Division of Operations, the two thought that the continued fellowship could be a collaborative community effort where multiple different organizations would fund it.

Commissioner Harmon read the enacting clauses of her resolution aloud.

Commissioner Harmon made a motion to adopt the resolution, with an amendment that the Chair be given discretion to add language to the resolution regarding securing community funding to make the fellowship permanent. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 7-0).

#### Discussion of a Resolution Regarding the Addition of the "Kennedy Center" Name to the "Foggy Bottom-GWU" Metro Station

Commissioner Smith provided background information on a letter that former Commissioner Armando Irizarry previously sent to the Washington Metropolitan Area Transit Authority (WMATA), requesting that the Kennedy Center name be added to the Foggy Bottom station name. Commissioner Smith said that he wanted to reinforce the intent of the letter in the form of an ANC resolution.

Commissioner Sacco read the enacting clauses of a resolution Commissioner Smith wrote on the matter aloud.

Commissioner Williams said that DC needed to adopt shorter station names, adding that other cities have significantly shorter station names.

Chair Kennedy went over the history of the station naming process in the WMATA system and the recent 19 character limit that WMATA adopted for new station names.

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

#### Discussion of the Zoning Administrator's Determination Regarding the Eligibility of the River Inn (924 25th St.) to Add a Sidewalk Café in Public Space

Conrad Cafritz, Chairman of Modus Hotels, the owner of the River Inn, was present to give an overview of the hotel and answer any questions regarding the hotel's proposal to add a sidewalk cafe to the front of the hotel property. He said that his intent was to add 28 seats and 7 tables in front of the hotel.

In addressing the community concerns regarding the recent determination from the Zoning Administrator, Mr. Cafritz said that the current Zoning Administration reviewed the previous determination of a former Zoning Administrator and said that the previous determination was wrong. Mr. Cafritz said that the current determination was based on the fact that the sidewalk

cafe was in public space and not inside of the building. He said that because the cafe was in public space, it was not subject to previous zoning restrictions as a result of the creation of the Foggy Bottom Historic District.

Mr. Cafritz then said that the community would have plenty of time to give its input to DDOT's Public Space Committee regarding the public space application.

Michael Fonseca, the Counsel for Alcoholic Beverage Regulation Administration matters for the hotel, was also present. He went over the history of the hotel's previous Alcoholic Beverage Control (ABC) Board applications and public space applications. He added that the request for a change to the hotel's alcohol license was back in front of the ANC because of the new determination from the Zoning Administrator.

Chair Kennedy said that the hotel's alcoholic license application would be considered by the ANC at the March meeting, and that tonight's meeting was specifically focusing on the new determination from the Zoning Administrator.

Commissioner Williams said that the protection of the Foggy Bottom Historic District was his number one priority, and that he thought that the hotel was not officially part of the historic district.

Commissioner Harmon said that she made a connection between this matter and the ANC's recent actions regarding an illegal sign installed at the Hilton Garden Inn. She said that she had concerns with how DC's Department of Consumer and Regulatory Affairs (DCRA) and Holland & Knight had handled that particular case.

Chair Kennedy went over the exact timing of when the Zoning Administrator's determination was made publicly available on the DCRA website. Commissioner Sacco said that it was unacceptable that the Zoning Administrator's determination was not made publicly available until earlier this week.

Sara Maddux suggested involving DC's new Attorney General in the process.

Marina Streznewski, the President of the Foggy Bottom Association (FBA), spoke on behalf of FBA's Executive Board, saying that the board was concerned about issues regarding increased noise as a result of the sidewalk cafe. She added that noise issues had increased in the historic district over the past few years.

Mr. Cafritz urged the ANC to retain counsel regarding the Zoning Administrator's determination, given the community concerns raised regarding the determination. He added that the clientele at the hotel was usually 35 and older, and thus there should not be any concerns about the cafe turning into an outdoor nightclub.

Mr. Fonseca said that the hours proposed in the alcoholic license application for the cafe would be until 9 pm during the weekdays and 10 pm on weekends. He added that the hotel was not seeking an indoor or outdoor entertainment endorsement, so the noise created from the cafe would be minimal.

Commissioner Smith said that since the ANC had two conflicting Zoning Administrator determinations on the matter, the ANC needed to retain counsel to check on the matter.

Chair Kennedy made a motion to authorize the ANC to set aside \$2,000 to retain legal counsel regarding the Zoning Administrator's decision and to authorize the Chair to file an appeal based on the counsel's findings. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 7-0).

#### Presentation by the Honorable Muriel Bowser, Mayor of the District of Columbia

Mayor Bowser was present. She first talked about the upcoming budget engagement forums, which would be starting the next day. She explained that the DC government had an \$80 million budget gap for the current fiscal year and a larger one for the next fiscal year, and talked about how the DC government would address the budget gaps. She also talked about her recent administrative appointments, including the City Administrator and the city's Deputy Mayors.

In regards to Ward 2 matters, Mayor Bowser said that she had been in contact with Councilmember Evans regarding the budget priorities for Ward 2.

Commissioner Schrefer asked about the high administrative salaries in the DC government. Mayor Bowser said that the salaries for her administrative appointments had been estimated to be approximately five percent smaller than the previous administration, and that she was recruiting highly qualified people.

Commissioner Harmon thanked Mayor Bowser for her work on finalizing the Stevens School project. She said that the ANC was in continual communication with the developers for the project. Commissioner Harmon also talked about the problems with the recent determination from the Zoning Administrator regarding the River Inn not being made publicly available in a timely manner.

Commissioner Smith talked about the problems that the ANC was having with the multiple homeless encampments in the neighborhood. He asked for advice on approaching the issue with the DC government. Mayor Bowser said that she wanted to touch base with the DC government's task force that works on homeless encampments. She added that the city ultimately had to change its approach to solving homelessness, adding that the DC government was working towards a plan to end family homelessness by 2018 and chronic homelessness by 2025.

Marina Streznewski talked about the need to replace ordinary trashcans with trash compactors in order to control the city's rat population.

Commissioner Carnes talked about the need to secure funding for the construction of a second entrance to the Foggy Bottom Metro station. Mayor Bowser talked about WMATA's long-term "Momentum" plan, adding that she did not see the second entrance moving forward until a few years later.

#### Presentation Regarding the Proposed Merger Between PEPCO and Exelon

Cheryl Morse, a Consumer Outreach Specialist for DC's Office of the People's Counsel, was present. She first gave an overview of the Office of the People's Counsel and what it did.

Ms. Morse then gave an overview of the Exelon company and its current holdings, as well as an overview of the company's application to acquire Pepco Holdings. She said that the Office of the People's Counsel was opposing the merger, arguing that it would hurt DC ratepayers. She added that Exelon had not agreed to follow Pepco's previously adopted rate control policies.

Ms. Morse said that Exelon was slowly addressing her office's concerns, adding that the company had recently submitted a new application that stated that Exelon would be able to meet Pepco's reliability requirements.

Ms. Morse encouraged ANC 2A to submit a resolution regarding the matter to DC's Public Service Commission by April 29th.

Marina Streznewski asked about Exelon's reliance on aging nuclear infrastructure. Ms. Morse said that her office's position was that DC did not and would never rely on nuclear energy, and thus DC should not be funding Exelon's upgrades for aging nuclear infrastructure.

Commissioner Smith asked what the Office of the People's Counsel was looking for the ANC to mention in a resolution. Ms. Morse suggested that her office could help in crafting a resolution. She added that the ANC should pass a more generalized resolution, as Exelon's commitments to the DC government were continually changing as the approval process proceeded.

#### Updates on DDOT Matters from Richard Kenney

Richard Kenney, the Program Manager for Capital Projects for DDOT, arrived and gave a quick overview of the DDOT matters in the neighborhood.

With regards to the Washington Circle traffic conditions, Mr. Kenney said that the signalization process at the intersection of 24th Street and K Street was complete, and that the temporary signals currently placed at the intersection were in the process of being removed. He added that the request for light shields to be installed along New Hampshire Avenue would be completed by the end of the week.

Mr. Kenney also talked about his recent site walk with Commissioner Harmon to hear concerns and to discuss areas of enforcement that MPD needed to concentrate on. He said that, for the most part, DDOT was at the end of the capital project for Washington Circle.

Commissioner Smith talked about the traffic problems at the intersection of New Hampshire Avenue and Washington Circle, adding that one suggestion to address the problems was to add a "Right Turn on Red" signal at the intersection. In response, Mr. Kenney said that the new Washington Circle signal configuration was designed to prioritize traffic on 23rd Street and Pennsylvania Avenue.

With regards to the ANC's previous request to install a crosswalk at the intersection of 22nd Street and L Street, Mr. Kenney said that the request was given great weight, and that, given the complexity of the intersection and the fact that there were safety concerns as a result of New Hampshire becoming a two-way street, the request was denied.

With regards to the Pennsylvania Avenue bridge project, Mr. Kenney said that the detour on to 26th Street would be restored to its original condition at the end of the project.

Update on the Status of McFadden's Restaurant & Saloon (ABRA-060591, 2401 Pennsylvania Ave.)

Chair Kennedy said that the ABC Board recently approved the owner of McFadden's' request to put the establishment's alcohol license into safekeeping. He said that the future owners of the license had not yet been determined. He added that the ANC's settlement agreement would carry forward with the license to the new owners.

Consideration of Follow-Up Action Regarding the Commission's Protest of an Application for a New Class CR license by West Wing Cafe (2400 M St, ABRA-097022)

Chair Kennedy said that the applicant had agreed to shorten their operating hours. Commissioner Coder went over the revised hours on the application.

Chair Kennedy made a motion to withdraw the ANC's previous protest of the West End Cafe's license application. Commissioner Sacco seconded the motion, which was voted on and passed (VOTES: 7-0).

Commissioner Coder made a motion to support the new application reflecting the changed hours and a stipulated license for the applicant. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 8-0).

Request for a letter of support regarding the 2015 staging of the "Marine Corps Marathon" (October 25, 2015)

Mark Williams, the Operations and Security Coordinator for the Marine Corps Marathon, was present. He said that this was the marathon's 40th year, and that the organization was proposing to use the same course that they had used during the last two years. He also talked about the marathon's "leave no trace" principles.

Chair Kennedy made a motion to support the marathon's application in front of the Mayor's Special Events Task Force. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 7-0).

**Administrative Agenda**

Approval of Past Commission Meeting Minutes

Commissioner Sacco made a motion to approve the minutes for the ANC's regular January 2015 meeting, subject to minor technical edits. Chair Kennedy seconded the motion, which was voted on and passed (VOTES: 8-0).

Approval of the Quarterly Financial Report for Q1 of FY 2015

Commissioner Sacco made a motion to approve the ANC's Quarterly Financial Report for Quarter 1 of FY 2015. Commissioner Williams seconded the motion, which was voted on and passed (VOTES: 8-0).

Approval of a Letter to Bank of America Designating 2015 Commission Officers as Authorized Signatories for the Commission's Bank Account

Chair Kennedy made a motion to designate the ANC's 2015 officers as authorized signatories for the ANC's Bank of America bank account. Commissioner Coder seconded the motion, which was voted on and passed (VOTES: 8-0).

Discussion of Policy Regarding the Filming / Streaming of ANC Meetings

The Commission discussed the ANC's filming and streaming policy.

Chair Kennedy adjourned the meeting at 10:01 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.