



Advisory Neighborhood Commission 2A

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

Regular Meeting Minutes

Wednesday, February 15th, 2017; 7:00 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 7:00 pm. Commissioners Rebecca Coder (02), Marco Guzman (03), Philip Schrefer (05), Florence Harmon (06), Detrick Campbell (07), and Eve Zhurbinskiy (08) were present.

Chair Kennedy made a motion to adopt the agenda. Commissioner Guzman seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Special Presentation

Presentation and Consideration of a Resolution Regarding a Proposal to Rename the Alley on the South Side of St. Mary's Church at 728 23rd Street NW as "St. Mary's Way"

Chair Kennedy recused himself from discussing and voting on this matter.

Colbert King, a member of St. Mary’s Church, and Rev. E. Bernard Anderson, Jr., the priest at St. Mary’s Church, were present. Mr. King gave an overview of the history of St. Mary’s Church. He said that the church currently has a growing immigrant community. He added that the church also has members who are faculty members and students at GW, Georgetown University, and Howard University. He said that the church sponsors scholarships for students to attend GW.

Mr. King gave an overview of the church’s efforts to start St. Mary’s Court, a living community for low-income senior citizens located adjacent to the church. He added that his grandparents used to live around the corner from the church and that he grew up in the neighborhood. He said that the church is requesting that the DC Council designate the alley on the south side of the church as “St. Mary’s Way” in honor of the church’s upcoming 150th anniversary.

Commissioner Harmon thanked Mr. King for his work to help save Stevens Elementary School from being turned into a private development.

Commissioner Harmon made a motion to support the DC Council proposal to rename the alley on the south side of St. Mary’s Church as “St. Mary’s Way.” Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Community Forum

Report from the Metropolitan Police Department’s PSA 207

Lt. Edward Aragona, a Lieutenant for the Metropolitan Police Department’s (MPD) police service area (PSA) 207, was present. He gave an overview of the recent crime statistics for the

neighborhood. He said that there had recently been a significant amount of reported thefts from vehicles. He recommended that meeting attendees keep valuables out of their cars.

Commissioner Guzman said that he recently received a suggestion from a constituent that MPD should increase police patrols in the areas where the homeless encampments are located.

Sara Maddux, a local resident, said that she talked with multiple out-of-town visitors during Inauguration Weekend who were impressed with how helpful and professional the MPD officers they encountered were.

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 encouraged meeting attendees to attend the Mayor's upcoming budget engagement forums in order to discuss priorities for the Mayor's proposed FY 2018 budget.

Mr. Livingstone said that the Mayor's annual State of the District address will be on March 30th at the University of the District of Columbia (UDC). He added that he will be coordinating an upcoming community walk in Foggy Bottom that will include representatives from multiple DC government agencies. He said that the walk will be on Thursday, February 23rd at 3:00 pm and that everyone will be meeting on the 2100 block of H Street NW.

Report from the Office of Ward 2 Councilmember Jack Evans

Update Regarding the Status of a Deteriorating Sidewalk on the East Side of the 1000 Block of 22nd Street NW

Sherri Kimbel, the Director of Constituent Service for Councilmember Jack Evans' Office, was present. She introduced Andrew Kaufmann, a representative for the District Department of Transportation's (DDOT) Asset Management Division, who was also present.

Mr. Kaufmann gave a presentation of some photos he took of the condition of the sidewalk on the 1000 block of 22nd Street NW, along with a Google Maps Street View of the sidewalk. He said that with regards to the proposal to repave the entire sidewalk, the repaving will be long-term project for DDOT. He said that, as part of the repaving, the current bricks will have to come out and be replaced by concrete, which is DDOT's standard for sidewalks.

Mr. Kaufmann said that the existing hole in the sidewalk can be quickly fixed while long-term solutions are in the planning process. He said that the temporary fix will be completed by a different division at DDOT, and that the fix can be completed within three weeks.

Commissioner Harmon gave an overview of her work to solve the problems with the sidewalk. She said that DDOT will have to coordinate with the building management at the West End Place Condos because the building management will want to replace the building's driveway at the same time that the entire sidewalk is replaced. She said that building residents would probably approve of a concrete sidewalk.

Chris Labas, the building manager for the West End Place Condos, said that the temporary repair needs to occur sooner than within three weeks. He identified additional repairs that are needed to the asphalt of the street on the 1000 block of 22nd Street NW.

Multiple board members from the West End Place Condos identified problems with the street and sidewalks on 1000 block of 22nd Street NW. They said that they have submitted 311 requests multiple times over several years but that they never received responses from the city.

Multiple meeting attendees identified additional problematic areas with the streets and sidewalks in the neighborhood.

Report from the Ward 2 Education Network

Chris Sondreal, ANC 2A's representative to the Ward 2 Education Network, was present. He said that the network recently took part in a State Board of Education-organized community meeting regarding the Every Student Succeeds Act (ESSA).

Mr. Sondreal said that the School Without Walls at Francis-Stevens recently held its last open house of the current enrollment season. He added that the enrollment deadline for DC Public Schools is March 1st. He said that the school may need additional help from the ANC and the Councilmember's Office regarding moving some already-budgeted renovation projects forward.

Report from the West End Library

Kevin Osborne, the Branch Manager for the West End Interim Library, was present. He said that the library is stocked with DC tax forms but that they do not have federal tax forms. He added that the hearing loop technology that is being installed in the large meeting room of the new West End Library is moving forward. He said that he recently toured the new library building and that the two planned murals look very good.

Mr. Osborne said that MLK Library will be closing on March 4th as part of its renovation project. He said that the library's special collections will be moved to three places in the city: the Peabody Room at the Georgetown Library, the Carnegie Library, and the Newspaper Reading Room at the Library of Congress. He added that the planned "library express" location on K Street NW will be opening shortly after MLK Library closes. He gave an overview of the services that the "library express" location will offer.

Commissioner Campbell asked if the West End Interim Library has considered partnering with the Deputy Mayor for Planning and Economic Development (DMPED) or the Deputy Mayor for Greater Economic Opportunity (DMGEO) to expand the library's services for homeless individuals. Mr. Osborne said that such a proposal would have to be vetted by the staff at the library's headquarters.

Commissioner Updates

Chair Kennedy said that GW's proposed development project with Boston Properties at 2100 Pennsylvania Avenue NW and the proposed DC Streetcar extension along K Street NW will be presented at the ANC's March meeting.

Commissioner Campbell said that the new Hotel Hive at 2224 F Street NW is partially operational, including the pizza and bar location inside of the hotel.

Announcements and Public Comments

Ms. Maddux said that the parking kiosk that DDOT previously installed in front of the James Monroe House has been moved down the block. She thanked Commissioner Harmon for her work regarding the matter.

Marina Streznewski, the President of the Foggy Bottom Association (FBA), provided the details for the FBA's upcoming meetings regarding GW Hospital's helipad proposal on February 21st, the GW development proposal for 2100 Pennsylvania Avenue NW and talk by local author Azar Nafisi on February 28th, and March meeting with Mayor Bowser on March 28th.

General Agenda

Presentation by DC's Office of Public-Private Partnerships

Judah Gluckman, the Deputy Director and Counsel for DC's Office of Public-Private Partnerships, was present. He said that the office uses the public-private partnership (OP3) model to allow the city to better build and maintain city infrastructure. He talked about the benefits of the OP3 model, including the fact that it features long term, performance based contracts. He said that the office asks the firms delivering the projects to also finance the projects.

Mr. Gluckman said that the OP3 contracts are not free money or privatization and that the city's assets are not being sold through the process. He said that the office has about a dozen projects that they are currently working on. He encouraged attendees to visit their office's website (<http://op3.dc.gov/>) to see the profiles of each project.

Mr. Gluckman gave an overview of OP3's current contract alongside DDOT to convert the city's streetlights to LED technology. He said that as part of the project, the city will be using the city's own fiber optic network to offer free wifi through the new streetlights.

Commissioner Harmon said the DC government does not have a great contract management record. She asked how the government was going to properly supervise the contracts. She also asked how OP3 was addressing issues regarding the obtrusive light given off by LED streetlights. Mr. Gluckman said that the office will not carry out an OP3 project if the respective agency oversight staff members are not properly trained to oversee the project. He added that the office is aware of community concerns regarding the LED lights and is refining the project to include the best-possible LED lights.

Presentation by the Management Team at Varsity on K at 950 24th Street NW

Kristine Hadeed, the Assistant Property Manager for Varsity on K, was present. She gave a visual presentation regarding the features of the newly-renovated building. She said that the building is GW's old City Hall residence hall and was also formerly the St. James Hotel. She gave an overview of the amenities that the building offers to tenants. She added that the building's management team has been marketing the building to GW students along with local employees.

Ms. Maddux said that the building management needs to clear up the construction staging areas on 24th Street NW in front of the building now that construction has finished. Ms. Hadeed said that the dumpster has been moved and that construction is 99% done but that some subcontractors are still on site. She added that the first tenants will be moving-in in March.

Commissioner Guzman asked what security will be on the premises and if quiet hours will be enforced. Ms. Hadeed said that quiet hours will be 9:00 pm on weekdays and 11:00 pm on weekends. She added that the building management will be active in enforcing quiet hours and that they will implement an infraction process for noise concerns. She said that an overnight concierge will be present.

The building's property manager was also present. She said that the ownership of the building has extensive experience managing student-centered properties.

Presentation and Consideration of a Resolution Regarding a DC Council Proposal to Create a Carbon Pricing System in DC

Chris Fink, a representative for the Chesapeake Climate Action Network, was present. He said that the network is advocating on behalf of a carbon pricing campaign in DC. He said that the network is working to build the campaign alongside business owners and local advocacy groups.

Mr. Fink said that the proposed policy is to create a tax on polluters and not a tax on consumers who are paying for goods. He said that the proposal includes giving the money raised by the tax on polluters back to consumers. He added that the network will come back in the spring once the policy is finalized.

The Commission did not take any action regarding this matter.

Regulatory Agenda

Consideration of a Resolution Regarding ANC 2A's Priorities for the 2016/2017 DC Comprehensive Plan Amendment Process

Commissioner Zhurbinskiy gave an overview of a draft petition that other ANCs, including ANC 2B and ANC 4C, along with area organizations and businesses, are signing on to. She said that the petition identifies priorities related to housing, development, and commercial corridors that the signers would like to see included in the 2016/2017 DC Comprehensive Plan amendment process. She read through the priorities identified in the petition. She also gave an overview of her proposed resolution, which calls on the ANC to sign onto the petition.

Barbara Kahlow, a local resident, said that she thought the proposed resolution is inappropriate. She said that she thought the ANC needs a more specific resolution that gives an overview of the neighborhood's specific issues with the Comprehensive Plan, including the proposed expansion of the downtown area into the neighborhood.

Commissioner Harmon proposed an amendment to include a statement in the resolution saying that this will be one of multiple ANC 2A resolutions submitted with regards to the Comprehensive Plan.

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

Consideration of a Proposal to Install a Mid-Block Crosswalk on the 2100 Block of H Street NW and to Remove an Existing Crosswalk on the Block

Commissioner Zhurbinskiy gave an overview of the 2100 block of H Street NW, which has an existing crosswalk that is not ADA-compliant and does not make sense based on current pedestrian traffic patterns. She said that the GW administration and students are proposing to remove the existing crosswalk and install an ADA-compliant crosswalk at a better location on the block. She said that the new location would have to be closer to GW's Academic Center, Gelman Library, and District House buildings. She added that everyone would have to work with DDOT to determine the best location for the new crosswalk.

Steve Charnovitz, a local resident, said that a better-located crosswalk is definitely needed. He said that DDOT needs to better locate the parking and food trucks on the block so that pedestrians using the crosswalk can see cars driving down the street.

Commissioner Campbell recommended that the current crosswalk not be removed and that, instead, DDOT should add a second crosswalk further west on the block.

Commissioner Zhurbinskiy made a motion to submit a resolution requesting that DDOT work with the ANC to identify and install an alternative mid-block crosswalk on the 2100 block of H Street NW. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Discussion of a Lapse in Community Benefits Associated with the American Red Cross Vacating its Headquarters Building at 2025 E Street NW, and Consideration of a Resolution to GSA Requesting that Certain Benefits be Maintained Under New Management

Commissioner Harmon recused herself from discussing and voting on this matter.

Chair Kennedy said that the American Red Cross has notified parties who were part of the organization's original community benefits agreement for their headquarters building at 2025 E Street NW that they are vacating the headquarters building. He said that the building space will be transferred to the General Services Administration (GSA). He said that as part of the transfer process, a conversation has arisen over the continuation of the community benefits that the American Red Cross has originally agreed to provide to the neighborhood.

Chair Kennedy said, based on the terms of the original community benefits agreement, that GSA has not agreed to continue to maintain the park across E Street NW from the building. He added that GSA has agreed to continue to allow public access to the building's cafeteria.

Chair Kennedy said that as part of the transfer process the cross sculpture on the corner of E Street and 20th Street NW will be removed and that the space will become an open public plaza.

Ms. Maddux gave an overview of her long history in working with the American Red Cross regarding their building construction project. She said that the organization has been very uncooperative over the years, especially during the construction approvals process.

Ms. Kahlow said that the ANC needs to insist that GSA continues to maintain the park across the street from the building.

Mr. Charnovitz said that if the ANC is going to submit the resolution to the federal government, the resolution should include the State Department, which may move into the building, as a recipient.

Chair Kennedy made a motion to submit a resolution requesting that the General Services Administration continue to maintain the community benefits that the American Red Cross originally agreed to for their headquarters building at 2025 E Street NW. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0).

Consideration of a Resolution Regarding the Submission of Comments to the Committee of the Whole as Part of its February 21st Roundtable Regarding the Department of Consumer and Regulatory Affairs

Chair Kennedy gave an overview of the comments he drafted regarding the ANC's concerns with the Department of Consumer and Regulatory Affairs (DCRA). He said that the ANC is especially concerned with the processes employed by the Zoning Administrator, including the Zoning Administrator's lack of public notice and unclear appeals process for the determinations that the administrator issues.

Chair Kennedy gave an overview of the two Zoning Administrator appeals cases that the ANC recently went through with the Board of Zoning Adjustment (BZA) regarding the River Inn and Hilton Garden Inn.

Chair Kennedy made a motion to approve the comments he drafted regarding the Department of Consumer and Regulatory Affairs and to authorize Commissioner Campbell or any other commissioner to represent the ANC's views during the upcoming Committee of the Whole roundtable hearing. Commissioner Zhurbinskiy seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Special Event Application for the Army Ten Miler on October 8th, 2017

George Banker, the Operations Manager for the Army Ten-Miler, was present. He gave an overview of the proposed event course. He said that the event organizers have been unable to change the course amongst neighborhood concerns regarding the fact that the course cuts off access to the Watergate and the Kennedy Center. He added that the organizers will be able to increase the police presence in the area of the Watergate in order to address any issues that may arise.

Mr. Banker said that the event does disqualify participants if they are not able to maintain the minimum running times. He said that he works with individual ANC's and residents to identify any course issues and to create solutions to mitigate them. He added that he will be touching base with the Watergate management and with churches in the area in order to make sure that they are well aware of the upcoming event.

Chair Kennedy asked what the emergency escape route for people leaving the Watergate during the event was. Mr. Banker said that on-site police will be able to stop runners in order to create an escape route in the event of an emergency.

Chair Kennedy made a motion to support the special event application for the Army Ten-Miler and to submit a letter to the Washington Metropolitan Area Transit Authority (WMATA) requesting the ability to open Metrorail early for the event. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-1).

Special Event Application for the Rock 'n' Roll Marathon on March 11th, 2017

Diane Thomas, a representative for the Rock 'n' Roll Marathon, was present. She said that the event includes both a half marathon and a full marathon, both of which take place entirely within DC. She gave an overview of the course map for the event.

Chair Kennedy asked about the location of the event's sound stages. Ms. Thomas said that there will only be one stage in the area and that it will be located further south in the neighborhood, away from the residential area.

Chair Kennedy made a motion to support the special event application for the Rock 'n' Roll Marathon. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0).

Special Event Application for the DC Bike Ride on May 14th, 2017

Diane Thomas, a representative for the DC Bike Ride, and Greg Billing, the Executive Director of the Washington Area Bicyclist Association (WABA), were present. Mr. Billing said that funds raised from the event will be used to support the association's Vision Zero work alongside DDOT.

Ms. Thomas said the starting location for this year's event has been moved to West Potomac Park. She gave an overview of the proposed course map.

Commissioner Harmon encouraged Mr. Billing and WABA to continue to educate bike riders about not riding on the sidewalk in the central business district, as well as to wear helmets when riding. Mr. Billing gave an overview of WABA's educational classes, including the organization's efforts to encourage riders to not ride on the sidewalk in the central business district.

Chair Kennedy made a motion to support the special event application for the DC Bike Ride. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Special Event Application for the Race to Beat Cancer 5K on September 16th, 2017

Sean Dunlevy, the Director of Security for the Four Seasons Hotel, was present. He gave an overview of the proposed course route for the event.

Chair Kennedy made a motion to support the special event application for the Race to Beat Cancer 5K. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 7-0-0).

General Agenda (Continued)

Consideration of a Resolution Honoring Outgoing GW President Steven Knapp

Chair Kennedy read a resolution he had drafted, which honors outgoing GW President Steven Knapp, aloud.

Chair Kennedy made a motion to adopt his proposed resolution and to authorize expenses up to \$100 to have the resolution turned into a plaque. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Administrative Agenda

Adoption of Past Meeting Minutes

Chair Kennedy made a motion to adopt the ANC's January 2017 meeting minutes based on minor technical and grammatical edits. Commissioner Zhurbinskiy seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Approval of the ANC's FY 2017 Quarter 1 Financial Report

Chair Kennedy made a motion to approve the ANC's FY 2017 Quarter 1 financial report. Commissioner Zhurbinskiy seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Discussion Regarding Policies and Procedures for the ANC 2A Grant Fund

Peter Sacco, the ANC's Executive Director, gave an overview of the current policies and procedures for the ANC 2A Grant Fund.

Chair Kennedy made a motion to move up consideration of the upcoming grant cycle for the ANC 2A Grant Fund to the ANC's March 2017 meeting. Commissioner Guzman seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Approval of a Reimbursement for Expenses for the Hilton Garden Inn Zoning Commission Application

Chair Kennedy made a motion to authorize reimbursement up to \$55 for expenses related to the ANC's appeals process regarding the Hilton Garden Inn's Zoning Commission application. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 6-0-1).

Adjournment

Chair Kennedy adjourned the meeting at 10:13 pm.

Respectfully submitted,

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

Philip Schrefer
Secretary, ANC 2A05



Advisory Neighborhood Commission 2A

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

February 28, 2017

Chairman Phil Mendelson
Chair, Committee of the Whole
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 504
Washington, DC 20004
pmendelson@dccouncil.us

**RE: DC Council Proposal to Rename Public Alleyway on the South Side of
St. Mary's Church as "St. Mary's Way"**

Dear Chairman Mendelson,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A ("ANC 2A" or "Commission") considered the above-referenced matter. With seven of eight 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 Campbell, to support a DC Council proposal to rename the unnamed public alleyway on the south side of St. Mary's Church at 728 23rd Street NW as "St. Mary's Way" in honor of the church's 150th anniversary.

Commissioners Detrick Campbell (2A07@anc.dc.gov) and Philip Schrefer (Schreferdc2@hotmail.com) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Philip Schrefer
Secretary

CC: Councilmember Jack Evans, Ward 2
Sherri Kimbel, Director of Constituent Services, Councilmember Jack Evans
Rev. E. Bernard Anderson, Jr., St. Mary's Church
Colbert King, St. Mary's Church

* Commission Chair Patrick Kennedy recused himself from participating in this matter. As the Commission's Vice Chair was not present at the meeting, this resolution is signed by the Commission's Secretary, the officer who presided over discussion of the matter.



Advisory Neighborhood Commission 2A

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

February 28, 2017

Mr. Eric Shaw
Director
Office of Planning
1100 4th Street SW, Suite 650 East
Washington, DC 20024
Eric.Shaw@dc.gov

Mr. Brian Kenner
Deputy Mayor for Planning and Economic Development
Government of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 317
Washington, DC 20004
brian.kenner@dc.gov

RE: Priorities for Housing and Community Development in the DC Comprehensive Plan

Dear Director Shaw and Deputy Mayor Kenner,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A ("ANC 2A" or "Commission") considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Zhurbinskiy and seconded by Commissioner Harmon, to adopt the following resolution:

WHEREAS, ANC 2A believes that DC's Comprehensive Plan is a vital document to the planning of the Foggy Bottom and West End neighborhoods and the District of Columbia as a whole.

THEREFORE, BE IT RESOLVED that ANC 2A adds its name to the diverse group of DC-area organizations and companies who build housing (for-profit and not-for-profit), advocate for policies that increase affordable housing, support the needs of disadvantaged communities, strengthen neighborhood commercial corridors and locally owned businesses, and educate the public on planning issues which support the attached statement of priorities for housing and community development in the Comprehensive Plan.

BE IT FURTHER RESOLVED that the Commission anticipates that it will submit additional comments during the current Comprehensive Plan amendment process.

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



Advisory Neighborhood Commission 2A

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

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: David Whitehead, Housing Program Organizer, Greater Greater Washington

DC Housing and Development Priorities Statement

We are a diverse group of DC-area organizations and companies who build housing (for-profit and not-for-profit), advocate for policies that increase affordable housing, support the needs of disadvantaged communities, strengthen neighborhood commercial corridors and locally owned businesses, and educate the public on planning issues. We have agreed on the following priorities for DC's Comprehensive Plan revision:

- **Meet the housing demand.** Through the Comprehensive Plan, the District should forecast, plan for, and encourage the creation and preservation of a supply of housing (market-rate and subsidized affordable) to meet the demand at all income levels. The supply of housing should be sufficient to slow rising costs of rental and for-sale housing.
- **Equitably distribute housing.** Through the Comprehensive Plan, the District should fight against segregation, foster equitable access to opportunity, and comply with Affirmatively Furthering Fair Housing (AFFH) priorities. The District should require that every part of the city participate in adding housing to meet the need for all income levels, with an emphasis on transit and commercial corridors.
- **Best utilize areas near transit.** When redevelopment occurs on blocks surrounding Metrorail stations and priority transit corridors, the District should, through the Comprehensive Plan, permit and encourage mixed-use developments of medium to high density. To the extent feasible, redevelopments involving increased zoning should include affordable housing in excess of what is required by inclusionary zoning
- **Include families.** The District should be a city that houses people of all income levels and of all household sizes, including families. Through the Comprehensive Plan, the District should promote the creation and preservation of 3+ bedroom units along with other housing types.
- **Prioritize affordable housing as a community benefit.** When rezoning or granting significant zoning relief, the District should affirm through the Comprehensive Plan that affordable housing (in addition to any underlying requirement) is the highest priority benefit and that other community benefits should be long-lasting.

- **Preserve existing affordable housing.** When redevelopment occurs on properties with housing made affordable through subsidy, covenant, or rent control, the District, Zoning Commission, and neighborhoods should work with landowners to create redevelopment plans that preserve such units or replace any lost ones with similar units either on-site or nearby. These entities should provide the necessary density and/or potential funding to ensure it is financially feasible to reinvest in the property with no net loss of affordable units.
- **Protect tenants.** Through the Comprehensive Plan, the District should ensure that when affordable housing is undergoing redevelopment, tenants have a relocation plan, are allowed to continue their tenancy with minimal disruption, and will have the right to return to their units or an equivalent replacement. Whenever feasible, redevelopment should observe build-first principles.
- **Support neighborhood commercial corridors.** Through the Comprehensive Plan, the District should encourage the success of neighborhood commercial corridors and locally owned businesses, especially in disadvantaged communities. This includes increased housing density that supports businesses and providing equitable opportunities for locally owned businesses in mixed-use and commercial developments.
- **Clarify zoning authority.** Through the Comprehensive Plan, the District should affirm that the Zoning Commission has the purview to allow increased density for Planned Unit Developments that supersedes the levels in the Comprehensive Plan's maps in exchange for community benefits.
- **Improve data collection and transparency.** The District should provide the highest quality public data. It should standardize housing-related data collection across agencies, and release all data and forecast analyses to the public, to facilitate transparency and regular reporting on the status and progress of housing-related programs. Data should include a comprehensive housing database and demand-based forecasts alongside existing supply-based (pipeline) forecasts.

Date: December 15, 2016



Advisory Neighborhood Commission 2A

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

March 2, 2017

Mr. Sam Zimbabwe
Acting Chief Project Delivery Officer
District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003
sam.zimbabwe@dc.gov

RE: Request to Reevaluate an Existing Mid-Block Crosswalk on the 2100 Block of H Street NW and to Add an Additional Crosswalk

Dear Mr. Zimbabwe,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Zhurbinskiy and seconded by Commissioner Campbell, to adopt the following resolution:

WHEREAS, the 2100 block of H Street NW features a substantial amount of pedestrian traffic - particularly from students, faculty, and staff from the George Washington University (GWU),

WHEREAS, some of the most highly-trafficked locations on GW’s Foggy Bottom campus are located along this block - and pedestrian travel patterns frequently necessitate midblock crossings at locations where there are not sanctioned crosswalks,

WHEREAS, the existing midblock crosswalk between the Marvin Center and the side entrance to Lisner Auditorium is not appropriately situated in order to capture the most heavily-trafficked pedestrian travel routes, and does not comply with ADA guidelines,

WHEREAS, the degree of jaywalking that results from the current block configuration is a hazard to pedestrian safety - particularly given the street’s narrow width and the prevalence of visibility-inhibiting food trucks consistently parked on the block, and

WHEREAS, Mayor Bowser announced in 2015 that the District of Columbia is committed to the Vision Zero Initiative.

THEREFORE, BE IT RESOLVED that ANC 2A requests that DDOT work with ANC 2A and GWU in order to identify a location for, and install, an alternative midblock crossing on the 2100 block of H Street NW with characteristics



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appropriate to its setting that better accommodates current pedestrian traffic patterns.

Commissioners Eve Zhurbinskiy (2A08@anc.dc.gov), Detrick Campbell (2A07@anc.dc.gov), and Patrick Kennedy (2A01@anc.dc.gov) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Richard Kenney, Senior Project Manager, DDOT
George Branyan, Pedestrian Program Coordinator, DDOT
Aaron Rhones, Systems Project Manager, DDOT
Richard Livingstone, Mayor's Office of Community Relations and Services
Alicia Knight, Senior Associate Vice President for Operations, GW
Britany Waddell, Director of Community Relations, GW



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March 2, 2017

Chairman Phil Mendelson
Chair, Committee of the Whole
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 504
Washington, DC 20004
pmendelson@dccouncil.us

**RE: DC Council Committee of the Whole Public Oversight Roundtable
Regarding the Department of Consumer and Regulatory Affairs**

Dear Chairman Mendelson,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Kennedy and seconded by Commissioner Zhurbinskiy, to adopt the attached testimony to deliver for the Committee of the Whole’s public oversight roundtable regarding the Department of Consumer and Regulatory Affairs (DCRA).

Commissioner Patrick Kennedy (2A01@anc.dc.gov) is the Commission’s representative in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Councilmember Jack Evans, Ward 2
Sherri Kimbel, Director of Constituent Services, Councilmember Jack Evans



Advisory Neighborhood Commission 2A

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

DC Council Committee of the Whole Public Oversight Roundtable Regarding the Department of Consumer and Regulatory Affairs

Testimony by ANC 2A

Chairman Mendelson and Members of the Committee of the Whole,

Thank you for the opportunity to provide comments on possible oversight opportunities for the committee with respect to the Department of Consumer and Regulatory Affairs. Since many others will offer testimony on a range of possible, open-ended responses to this topic prompt, we will keep our written comments targeted toward a specific office within DCRA that is very important but comparatively little scrutinized: that of the Zoning Administrator.

The Zoning Administrator has considerable authority to impact the course of development in the District of Columbia by lending his or her interpretation of the zoning regulations and specific zoning orders to questions brought by applicants and other interested parties seeking sanction or denial of a development action.

Although the Zoning Administrator is bound to “interpret” the relevant governing documents in considering a request, we have found that even the slightest bit of ambiguity in a zoning order or zoning regulation can give the Zoning Administrator an opening to interpret a situation as favorably as possible to the party making the request – even when such interpretations would not hold up to broader scrutiny.

The flaws in this process are illustrated by two successful ANC 2A appeals of Zoning Administrator determinations that were undertaken in the last three years, reflected in Board of Zoning Adjustment (BZA) cases [18793](#) and [19023](#).

In the former case, the ANC appealed a Zoning Administrator determination that a sign erected by a hotel proprietor on the exterior of the building was permitted under the Planned Unit Development (PUD) order governing the case – relying on a vague drawing rather than the plain language of the zoning order which proscribed such installations. In the latter case, the ANC appealed a determination which sanctioned a hotel proprietor’s installation of a sidewalk café in an R-5-E zone where commercial adjuncts “visible” from public space are prohibited.

In each case, the BZA sided overwhelmingly with the position of the ANC (in the former case, 5-0; in the latter, 4-1). Based on our experience with these two cases, we offer several observations on procedural shortcomings that – if cured – we believe would benefit all parties in these matters by providing a clear, reliable, and fair standard for Zoning Administrator interpretations.

To be clear, our comments are not directed at any individual Zoning Administrator, past or present; we believe that this is a process flaw that goes far beyond any individual, and



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that the resources currently made available to the Zoning Administrator are perhaps not sufficient to guarantee careful review of all matters which come before him.

- 1. Lack of Notice:** Determinations of the Zoning Administrator are not noticed in any way that could reasonably be expected to reach members of the public who were not clued in to their impending release. They are posted on an obscure sub-page of the DCRA website, and in our Commission’s experience, they are not always accessible even after the date on which they have allegedly been posted. A draft version of Councilmember Bonds’ omnibus ANC bill last year would have required that personalized notice be given by the Zoning Administrator to an ANC when a property within that ANC is the subject of a determination letter, but this provision was dropped from the final bill. As such, the process remains as opaque as always.

This notice flaw is the keystone to all further problems with the process. Because appellants have an ambiguous 60-day window to appeal Zoning Administrator determination letters, it is in the interest of those who have receivable favorable determinations to start the “clock” on the 60 days as quickly as possible, and so they will often seek to have this 60 days begin from when a determination letter is allegedly posted with no notice to this obscure web page.

In practice, the BZA has taken an appellant-friendly position and ruled that the 60 days begins only when an appellant could reasonably have been expected to know that a determination letter has been issued (e.g., when a resident notices that sign brackets have been installed on the outside of a building in apparent contravention of the relevant zoning order). Even despite this favorable inclination, on two occasions the ANC has had to spend significant amounts of time and taxpayer money in the form of attorney’s fees to prepare arguments in the service of overcoming procedural requests from defendants to dismiss appeals on “timeliness” grounds. The ambiguity of the status quo serves no one’s interests.

- 2. Opportunity to Cure:** In both cases, the ANC appealed determinations that did not stand up to scrutiny before a public body that was obligated to weigh both sides of a case. The Zoning Administrator, in making his or her determination, however, only hears one side of a case: that of the party marshalling up facts that put their case in the most favorable light possible. It is no surprise, then, that the Zoning Administrator generally makes determinations that are favorable to the interests of the party making the request. This is particularly true when the requesting party retains the services of a sophisticated law firm with subject matter expertise and time available that in many cases outstrips that of the Zoning Administrator’s staff on both counts.

While one could make the argument that the ANC’s two successful appeals are evidence of the virtues in the process that obviate the need for additional scrutiny at a more preliminary level, we have a different perspective. Appeals cost a



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considerable amount of time and money to do right, and are often successful only after injury has taken place to the party making the appeal.

As an example, in case number 18793, the hotel proprietor erected the offending sign almost exactly three years ago after a successful entreaty to the Zoning Administrator. The BZA unanimously overturned that determination in the fall of 2014, yet an order was not issued in the case until the fall of 2016. In the meantime, the hotel proprietor has sought to sanction the sign unsuccessfully through a variety of dilatory procedural tactics directed at the Zoning Commission (ZC). On this date, the sign is still present – although its illumination functions were finally turned off approximately one month ago.

The point is that Zoning Administrator determination letters matter greatly, and even ones that don’t stand up to scrutiny and are successfully appealed can nonetheless be difficult to reverse in practice. The issue is also one of equity: while our ANC has been able to prosecute appeals successfully because we budgeted to retain counsel and had significant outside financial help from other neighborhood organizations joining our appeals, ANCs in other parts of the District with different needs and different budgetary circumstances (and different amounts of community wealth) might not be able to do the same. That’s to say nothing of the varying level of procedural sophistication that other volunteer commissioners have (and gain only through experience) navigating a labyrinthine, obscure bureaucratic process.

We believe that inequities and shortcomings of this setup could be cured if ANCs were a) notified of determination letters pertaining to properties within their boundaries as a matter of course; b) given a specified period of time before the determination is made final to notify the Zoning Administrator of their objection to a particular letter; and c) thereafter given an opportunity to present evidence that they believe would change his or her original determination.

If the Zoning Administrator evaluates the evidence and determines that it is not compelling enough to reverse their original decision, then ANCs and other parties would be free to appeal the decision to the BZA as they are today. In the meantime, we believe that the inclusion of this process would allow for the Zoning Administrator to correct some of the more egregiously incorrect decisions that any occupant of the office is bound to make in the course of evaluating so many different requests with so few resources to assist. Such corrections would save everyone time, money, and hassle – and this process would have the added benefit of clarifying procedurally the “60-day” conundrum alluded to earlier.

3. **Importance of Precedent:** Finally, we believe that Zoning Administrator determination letters – in the absence of a successful appeal – should be the final word on a particular question of interpretation when they are issued. Unless there is a material change in fact or circumstance, we believe that developers,



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appellants, and all those who either work or do business in the District of Columbia are best served by a system whereby determination letters can be consistently relied upon for guidance in terms of what is and what is not permissible under relevant zoning regulations and orders.

In case number 19023, a Zoning Administrator determination letter issued in 2002 expressly prohibited a sidewalk café such as the one sought by the hotel owner – and improperly sanctioned by a subsequent determination letter that was successfully appealed. For years, members of the Foggy Bottom community relied on that 2002 letter as the document which governed the permissibility of a sidewalk café – which was (and is) a matter of great concern.

At the very least, if a hotel owner was to seek a sidewalk café at this site, it was understood that they would need to obtain a zoning variance to sanction such an activity – and that the burden of proof, ample public notification, and copious opportunity for community input would exist in order for such a variance to not be granted lightly.

To have a new determination letter sprung on the community with no advance warning, directly contradicting a previous order with no opportunity for community input, was surprising and very dismaying. For the sake of clarity for everyone involved or potentially involved with development in the District of Columbia, arbitrary reversals such as these that undermine the consistency and predictability of the application of zoning regulations and orders should not be sanctioned.

Thank you for your consideration of our perspective regarding the process of Zoning Administrator determination letters, as laid out above. In particular, we appreciate your engagement with the three broad points outlined. We are happy to engage with any member of the committee who is interested in exploring this topic further, and in particular, would appreciate your attention to oversight regarding this aspect of DCRA’s operations moving forward.

Respectfully submitted,

ANC 2A



Advisory Neighborhood Commission 2A

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

February 28, 2017

Ms. Tanya Mitchell
Mayor’s Special Event Task Force Group
Homeland Security and Emergency Management Agency
2720 Martin Luther King Junior Avenue SE
Washington, DC 20032
tanya.mitchell@dc.gov

RE: Special Event Application for the Army Ten-Miler on October 8, 2017

Dear Ms. Mitchell,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted (**6-0-1**), after a motion made by Commissioner Kennedy and seconded by Commissioner Schrefer, to support the special event application for the Army Ten-Miler on October 8, 2017.

Commissioners William Kennedy Smith (2A04@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: George Banker, Operations Manager, Army Ten-Miler



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February 28, 2017

Mr. Paul Wiedefeld
General Manager and CEO
Washington Metropolitan Area Transit Authority
600 5th Street NW
Washington, DC 20001

**RE: Endorsement of the Request for Early Opening of Metrorail for the
Army Ten-Miler on October 8, 2017**

Dear Mr. Wiedefeld,

At our regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted (**6-0-1**), after a motion made by Commissioner Kennedy and seconded by Commissioner Schreder, to endorse the request for the early opening of Metrorail for the Army Ten-Miler on October 8, 2017.

ANC 2A understands the importance of the Washington Metropolitan Area Transit Authority’s SafeTrack program. However, with the upcoming completion of the program, and the possible return of the ability to open the Metrorail system early for special events, the ANC endorses the early opening of Metrorail for the Army Ten-Miler. Doing so will allow event organizers to carry out and complete the event in our neighborhood before any road closures cause major traffic problems.

Commissioners William Kennedy Smith (2A04@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: George Banker, Operations Manager, Army Ten-Miler



Advisory Neighborhood Commission 2A

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February 28, 2017

Ms. Tanya Mitchell
Mayor's Special Event Task Force Group
Homeland Security and Emergency Management Agency
2720 Martin Luther King Junior Avenue SE
Washington, DC 20032
tanya.mitchell@dc.gov

RE: Special Event Application for the Rock 'n' Roll Marathon on March 11, 2017

Dear Ms. Mitchell,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A ("ANC 2A" or "Commission") considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (6-0-0), after a motion made by Commissioner Kennedy and seconded by Commissioner Schrefer, to support the special event application for the Rock 'n' Roll Marathon on March 11, 2017.

Commissioners William Kennedy Smith (2A04@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Diane Romo Thomas, Community Outreach, Rock 'n' Roll Marathon



Advisory Neighborhood Commission 2A

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February 28, 2017

Ms. Tanya Mitchell
Mayor’s Special Event Task Force Group
Homeland Security and Emergency Management Agency
2720 Martin Luther King Junior Avenue SE
Washington, DC 20032
tanya.mitchell@dc.gov

RE: Special Event Application for the DC Bike Ride on May 14, 2017

Dear Ms. Mitchell,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Kennedy and seconded by Commissioner Schrefer, to support the special event application for the DC Bike Ride on May 14, 2017.

Commissioners William Kennedy Smith (2A04@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Diane Romo Thomas, DC Bike Ride
Greg Billing, Executive Director, Washington Area Bicyclist Association



Advisory Neighborhood Commission 2A

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February 28, 2017

Ms. Tanya Mitchell
Mayor’s Special Event Task Force Group
Homeland Security and Emergency Management Agency
2720 Martin Luther King Junior Avenue SE
Washington, DC 20032
tanya.mitchell@dc.gov

RE: Special Event Application for the Race to Beat Cancer 5K on September 16, 2017

Dear Ms. Mitchell,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Kennedy and seconded by Commissioner Schreder, to support the special event application for the Race to Beat Cancer 5K on September 16, 2017.

Commissioners William Kennedy Smith (2A04@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Kristen Duncan, Race Director, Race to Beat Cancer 5K
Sean Dunlevy, Director of Security, Four Seasons Hotel Washington DC



Advisory Neighborhood Commission 2A

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

March 4, 2017

Mr. Steven Knapp
President
The George Washington University
2121 Eye Street N.W.
Washington, DC 20052

RE: Resolution of Recognition and Appreciation

Dear Mr. Knapp,

At its regular meeting on February 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0) to adopt the following resolution of recognition:

WHEREAS, Dr. Steven Knapp became the 16th president of The George Washington University (“GWU” or “University”) on August 1, 2007; and

WHEREAS, President Knapp will step down on July 31, 2017 – having completed exactly ten years of service to the GWU community; and

WHEREAS, Dr. Knapp has been uniquely invested in the Foggy Bottom community, becoming the first University president to live on-campus through his residency at the historic and recently-renovated former F Street Club at 1925 F Street, N.W.; and

WHEREAS, his presence in Foggy Bottom has given him a special perspective on University-community relations and enabled him to relate to both permanent residents and students with a large degree of empathy and professionalism; and

WHEREAS, President Knapp has led GWU with distinction and spearheaded initiatives to advance its academic profile, among other successful aspects of his tenure.

THEREFORE, BE IT RESOLVED that ANC 2A recognizes Dr. Steven Knapp on the occasion of his departure as president of The George Washington University and notes its appreciation for his contributions to Foggy Bottom over the course of his tenure.

BE IT FURTHER RESOLVED that the Commission extends its best wishes to Steven and Diane Knapp for all of their endeavors in the years to come.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson