



**Foggy Bottom & West End
Advisory Neighborhood Commission 2A**
(www.anc2a.org)

Regular Meeting Announcement

Wednesday September 21, 2011 7:00 p.m.
Heart House 2400 N Street, NW

Meeting Minutes

Call to Order

Chair Commissioner Rebecca Coder called the meeting to order at 7:10 pm.

The following commissioners were present and introduced themselves: Chair Rebecca Coder (2A05), Commissioner Asher Corson (2A03) and Commissioner David Lehrman. With three of the five commissioners present, a quorum was established. Commissioner Florence Harmon (2A02) arrived at 7:20pm, making the total number of commissioners present to four of five commissioners. Commissioner Armando Irizarry (2A04) was not present.

Chair Commissioner Coder made a change to the Agenda – adding a resolution regarding internet gambling. The agenda then was moved and accepted.

General Agenda

Public Testimony, Comments and Announcements

Claudia Barahona, Community Organizer, DC Department of Health, Prevention Center Wards 1 & 2 spoke about the Prevention Centers and statistics relating to Wards 1 and 2.

DCPC is looking for community members who want to work with this issue. She stated that Ward 2 has one of the largest compliance issues because of intoxication issues associated with the many bars/restaurants located in Ward 2. She provided handouts.

Justin Silvers, Relationship Manager of Citibank (2221 I St.,NW), stated that Citibank was looking to participate in community events and businesses. Commissioner Corson stated that Citibank was involved in a recent cleanup day in the historical district.

General Agenda

Public Safety Report

No public safety report was given because there wasn't an officer from the DC Metropolitan Department 2nd District present to give it.

Update on ANC 2A Redistricting

The update was provided by community member Barbara Kahlow. A re-districted map of ANC2A 2010 was created and a report was produced and forwarded to Ward 2 Council Member Jack Evans.

Council member Jack Evans handled the issue of redistricting differently from other DC Councilmembers in the other DC wards. He picked three chairmen to serve on the Redistricting Task Force (Foggy Bottom Association President Asher Corson, ANC Chair Commissioner Coder, and West End Citizens Association Secretary Barbara Kahlow). There were 7 community members on the Task Force, and each produced proposed maps with Barbara Kahlow evaluating them to ensure they met the criteria.

The Task Force decided not to have split blocks and gerrymandering. The residential buildings housing permanent residents and the student dormitories were highlighted, and effort was made to have a mixture of both in each SMD.

ANC2A02 had a population of 12,000 in 2000, but in 2010 its population increased to 17, 213. The increased population was a result of an increased number of housing units in the West End and an increased recording of GWU students.

The boundaries of ANC2A have not changed, except the Penn area has been reunited with Ward 2, and the Shaw area has been moved out of Ward 2. The area north of Pennsylvania Avenue has been divided into two SMDs: SMD2A02 and SMD2A06. Since the Foggy Bottom historic district gained population, and the Watergate area lost population, part of ANC2A03 has been moved to ANC2A04, which lost its split block.

As a result of increased population, ANC2A will have a total of eight (8) Commissioners beginning January 2013, with some SMDs representing more than +/- 5% of the 2000 residents. Two new Commissioners will be elected in the 2012 election. There will be an all student SMD – ANC2A08. The three remaining SMDs will contain residential buildings and student housing, with a 2:1 or 3:1 ratio of student to resident population.

A public hearing on the redistricting maps will be held in the future at the DC Council.

Commissioner Corson stated that the historic district SMD03 had 600 new residents. There was additional growth in other parts of Foggy Bottom. There was an increased recording of student population led by the local universities to support increased federal funding. Some 2000 residential units in the West End area were added.

Commissioner Harmon thanked the Redistricting Task Force and Barbara Kahlow and commented on how well the group worked collaboratively. Chair Coder seconded the thanks.

General Agenda

Update on the Vacancy of ANC2A05 Single Member District Commissioner

Chair Coder stated that there is a vacancy for ANC2A05 Single Member District (includes Columbia Plaza). The vacancy was posted in the September 12, 2011 issue of the DC Register. Petitions are due mid October. A candidate must live in 2A05 SMD and meet the residency requirement. If more than one candidate runs, a special election will be held and managed by DCBOEE (DC Board of Ethics and Elections).

Former Commissioner Eric Malinen represented ANC2A05. He resigned Sept 1, 2011. He returned to be with parents, who are getting older, in St. Cloud, Minnesota. Therefore, a representative is needed for ANC2A05 SMD.

Candidates must meet four requirements:

1. Be a registered voter in the District of Columbia.
2. Be a resident of the Single Member District of 2A05 for at least 60 days prior to filing nomination petition.
3. Present to the Board of Elections and Ethics a nominating petition signed by at least 25 registered voters who reside in Single Member District 2A05.
4. Hold no other elected office (such as Mayor, Chairman or Member of the Council, Member of the Board of Education, or Delegate to the House...)

The ANC Commissioner positions are non-partisan and non-paying, but it is an opportunity to influence outcomes in the community.

Chair Coder stated that a notice could be published in the Foggy Bottom News (Current), in response to a question from Community member Jeff Gold. A notice has already been placed in Columbia Plaza buildings.

Update on Stevens School Request For Proposals (RFP)

Matthew Troy, Deputy Director of Development of DMPED spoke on the Stevens School Project. His contact information is: Matthew.Troy@dc.gov 202-431-9251.

He stated that he is the project manager who is sheparding the Stevens school project and has already met with the community this summer regarding this issue.

The RFP will be issued in the first two weeks of October 2011 and will be posted for 45-60 days (2 months). The RFP will also be posted on line – dcbiz.dc.com. DMPED hopes to have a short list and select a developer early next year.

Prior to any developer submitting a proposal, they have to invest time and money to design a proposal, create a team, conduct due diligence, and inform the community.

DMPED will host a public prebid conference before the RFP is issued. During this public prebid conference, DMPED will provide information on the site, the ANC vision for the site and walk the site. DMPED is currently setting the schedule for the prebid conference. Chair Coder asked whether the educational aspect will be in the RFP. DMPED stated that the educational use will remain as a component in the DMPED RFP, consistent with the historic school, but the school selection will be handled by the Deputy Mayor of Education.

Commissioner Harmon inquired about the property owned by the Humane Society. DMPED stated that the Humane Society is planning to consolidate but they are not ready to make a decision regarding selling their property. It is not part of the RFP process.

Mayor's Office of Constituent Services

James Bulger of the Mayor's Office of Constituent Services introduced himself and spoke about the Office. His contact information is James.Bulger.dc.gov – 202-340-7229 (direct blackberry contact).

Commissioner Harmon stated that the Constituent Service Office has been more responsive. However, she stated that there seemed to be a disconnect between DC Water and DDOT, especially regarding sidewalk problems, sinkholes and hanging wires.

James Bulger stated that a core team for Ward 2 and Foggy Bottom/West End was being formed as part of the Office's overall goal to have a representative from each agency serve the community and facilitate some of the issues.

Resolution regarding internet gambling

Commissioner Harmon stated the internet gambling was inserted into DC legislation without public hearing and discussion. She stated that it raised several issues.

Commissioner Harmon stated that process has to be reviewed and studied, and the act should be repealed and rescinded.

Commissioner Harmon proposed a resolution. Commissioner Corson suggested edits to the middle paragraph discussing policies.

Commissioner Lehrman stated that the new resolution was less hostile, and raised city wide concerns. He stated that gambling generally hurt poor communities. He supported more transparency and hoped advocacy groups would raise social issues.

Changes were made to the Resolution. Commissioner Harmon moved the motion (with changes) and Chair Coder seconded it. The Resolution passed. **VOTES: 4-0. (Appendix # 1)**

Regulatory Agenda

DC Zoning Commission Matters

GWU Museum Project

The GWU Museum Project was not ready for its presentation. The University will present the project at the next ANC2A meeting in October.

Modification of PUD - Action on PerStar Partners LLC Hotel, 2201 M St, NW

Chris Collins of Holland and Knight, Patrick Berkhart of Shalom Baranes Associates (architects) and the PerStar Partners Hotel made their presentation and answered questions from the Commissioners and community. Their presentation was for a modification of a PUD.

The original PUD, which was approved in 2008, was for 170 rooms, 110 feet tall, 71 parking spaces and a 7.84 FAR.

This modification of their PUD is for 238 hotel rooms, 107 feet tall building, 53 parking spaces and a 7.99 FAR (approved by DC Zoning Commission).

A public hearing at the Zoning Commission is scheduled for October 27, 2011.

The plans and design for the new hotel were presented to the ANC last June. The developer has since incorporated the Zoning Commission's comments. The hotel will be located in the West End, M Street and 22nd Streets, the southeast corner of Square 50. It will encompass 15,000 ft. M Street is a major street running east to west and a major connector in DC from Georgetown through West End to Capitol Hill. 22nd Street is a one-way street, running north. The condominium 22 West is located across the street. The alley in the back of the hotel is 10' wide.

The Hotel will be a 10-story building, with 9 floors of hotel rooms, located with a series of faceted bays facing M Street. The façade facing 22nd Street will have a large bay for the main entrance and a general linear grid. It will have terra cotta and metal modification and glazed brick in the back of the building. It will engage with the sidewalk.

The interior view of the hotel was shown. The hotel rooms are located on 8 floors - 2nd floor to 9th floor. There are 27 rooms per floor, which is L-shaped. The roof is set back. There is an outdoor pool, a green roof, and an outdoor terrace in the northwest corner in the rear of the hotel.

The ground floor contains the hotel main entrance and lobby on 22nd Street and the restaurant in the southwest corner which can be accessed through the hotel lobby. The developer stated that restaurant will be distinctive and available for community and hotel patronage.

A valet drop-off area is also located on the ground floor. Parking is provided 2 levels below grade. A garden terrace is located on the 2nd floor and can be seen from the street. Meeting rooms are located in the northwest corner under the 2nd floor courtyard. It can hold a 150-person conference.

The developer stated that it conducted a parking analysis, involving a comparison to the other adjacent hotels. Mass transportation and taxis will be encouraged. They found that 20% of hotel guests bring their own cars and need parking. In response to a question from the community, if there is a full hotel and full meeting occupancy, the hotel will be short 35-50 parking spaces. Valet will access parking lots nearby and in other buildings.

A traffic study was done in the original PUD relating to taxi use. The study found that the hotel would result in 1-3% increase to traffic during peak hours.

The drop-off area for taxis is located on 22nd Street, and is 70', 19' car length (5 car lane) and ½ car width (5'). The hotel worked with DDOT regarding this area.

The hotel has hired a transportation manager, who managed transportation issues for Embassy Suites. The hotel does not anticipate targetting tour groups as their main focus. They do not anticipate large bus use – 3-5 buses per month during the busy summer months. Buses will park at Union Station and drop off during quieter periods.

The amenities package was discussed:

- the amenities will continue, those relating to the 26th Street dog park will be moved to the approved dog park at Francis Field
- public space improvements should be revisited as certain aspects may be one
- St. Mary's Church for structural improvements have been completed, but it wasn't clear if they have been paid. Chair Coder asked that the applicant provide a letter from Olin Preservation regarding the status.
- \$8500 for Professor Iris Miller landscaping plans should be redirected since the new hotel is not reusing the landscape as was proposed for the 1 Hotel.

Community members raised their concerns regarding the following issues:

- pool and any type of late night beverage and food service
- adequacy of parking based on full occupancy
- valet area, and the need for an increased layby (otherwise issues similar to Ritz Carlton Residences' originally experienced)
- bus drop off/pick up area
- restaurant access
- amenities
- service delivery at M Street frontage, given concerns and ability to use the alley
- terra cotta façade has a too-heavy feel viewing from southwest side towards the northeast and needs greening
- taxi drop off/pickup area includes loading/unloading of vehicles and traffic driving by on the curb lane which becomes a left turn lane
- segmented benches for elderly residents
- general desire for the parties to the case to work together

Commissioner Harmon stated that the traffic currently on 22nd Street at L and M Streets was very bad and a problem.

Chair Coder read a letter from the Board of Directors of 22 West condo building opposing the hotel. The condo indicated it was filing for party status. (See Appendix 2.)

The Board of Directors of 22 West condo opposed this modification to the original PUD. They considered this a new plan not proposed changes, which included an increased number of hotel rooms and fewer parking spaces. They were not provided notice of this modification to the PUD. The traffic study was not comprehensive.

Commissioner Corson shared his concern that 22 West (a major condo affected by the construction of this hotel) was not notified nor told about the PUD. He stated that they must be provided notice.

Bob Cohen, president of Perseus, stated he met with the Eastbanc, the owners of the unsold units at 22 West, but did not make a formal presentation to the residents association.

Anita Diliberto, President of West End Friends, stated that West End Friends have voted to file for party status. Their concerns were the tour buses and the streetscape. They wanted to know where tour buses were going to unload the riders, since the bus doors open onto the traffic and 22nd Street is a very narrow lane. They wanted trees and trash cans for the community.

Chair Coder stated that an updated traffic management plan should be made to address delivery plans, the size of the layby (greater) and set backs to provide – to provide for more public space.

Chair Coder stated that more work needed to be done before the October 27 public hearing at the Zoning Commission.

Chair Coder proposed a resolution of non objection predicated on addressing the issues that were discussed. Commissioner Lehrman seconded the resolution. Commissioner Corson recused himself since the organization with which he is associated will receive amenity funds. The resolution passed. **VOTES: 3-0. (Appendix #2)**

Administration

ANC 2A 2011 Budget

Chair Coder proposed a motion to continue the ANC2A 2011 Budget, since the fiscal calendar ends in September, until such time as the city allocates 2012 funding.

Commissioner Corson seconded the motion. The motion passed. **VOTES: 4-0.**

Adoption of July 20, 2011 Minutes

Chair Coder proposed a motion to approve the July 20, 2011 minutes, with editorial changes to be provided by Commissioner Harmon. Commissioner Lehrman seconded the motion. The motion to approve the July 20 minutes, was passed. **VOTES: 4-0.**

(Attachment # 3)

Announcements from the Chair

Commissioner Coder announced that a special meeting will be held on the redevelopment of the West End Library. This special meeting will be held Tuesday, October 4 at 7pm in the Heart House.

There being no further business, ANC2A Commission adjourned at 8:55 PM.

APPENDIX # 1



**Foggy Bottom & West End
Advisory Neighborhood Commission 2A**

RESOLUTION REGARDING INTERNET GAMBLING IN THE DISTRICT OF COLUMBIA

Whereas the online/Internet gambling/iGaming including computerized slots legislation was inserted into the December 2010 budget without public discussion or public hearings, contrary to the principles of open and transparent government; and

Whereas the potential negative economic impacts associated with bringing online gambling supported and operated by the District of Columbia Government every day until 4AM may include increased police protection, alcohol beverage control, zoning and fire safety enforcement, specialized protection against hacking of the DC Government website and its gambling site, and increased addiction treatment, and the potential annual financial benefits to the District that might be realized by its implementation are worthy of further study.

Now, therefore let it be resolved that (ANC Commissions, civic associations, churches, citizens) supports the immediate repeal of the “Lottery Modernization Amendment Act of 2010” and a moratorium on the implementation of DC Government online/Internet gambling/iGaming including computerized slots so that this issue in stand alone legislation can be thoroughly vetted in an open and fully transparent manner with proper public consideration, comments, hearings and recorded vote by the Council of the District of Columbia and approval and signature of the Mayor.

APPENDIX # 2



A CONDOMINIUM

September 21, 2011

Rebecca Coder
Chair ANC 2A
c/o West End Library
1101 24th St, NW
Washington DC 20037

RE: Application for Modification to PUD ZC Order/ Case No. 07-21

Dear Ms. Coder:

The Board of Directors of 22 West is writing in regards to the proposed Planned Unit Development modification requested by PerStar M Street Partners, LLC at the corner of 22nd & M St, NW.

We are deeply disappointed in and oppose the plan change. Our section of the West End does not need another chain hotel. The original concept of a unique destination hotel was palatable and was understood as the plan for the lot. We feel another retail chain hotel does not support the planned vision for the West End. What has been presented is not a proposed modification; it is a proposal to replace the existing plan with a new and wholly different plan altogether.

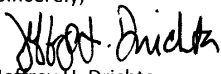
The Board of Directors outright opposes the plan for the above stated reasons and opposes the modifications for the following reasons:

1. PerStar M Street Partners, LLC did not provide notice to 22 West, A Condominium of the PUD modification per regulatory requirements;
2. The proposed use of the lot as a hotel will increase the bus and vehicular traffic on 22nd and M Streets, and we do not see a comprehensive transportation management plan to address reducing an already congested area and negating potential congestion by the West End Fire Station;
3. The proposed delivery management plan is so complicated for delivery drivers that we believe deliveries, especially to the retail component of the development, will occur by drivers parking along M St. The delivery management plan is insufficient in details as to how the hotel will prevent this from happening;

4. The proposed front lobby entrance looks to have a very small area for cars to pull off the street to unload patrons. We have concerns this will back-up traffic into the 22nd & M St intersection;
5. The proposed building set-back along M St and the intention for outdoor seating will result in a narrow sidewalk and a pedestrian choke-point;
6. The proposed construction material of terracotta or wood resin panel for the edges of the building facing northeast and the 22nd St façade are not harmonious with the community. In a word, they are cheap-looking;
7. The "back wall" of the building will be an exposed solid grey material, unsightly for the community;
8. Lack of detail as to signage for the property, especially marquee signage. Is the only hotel signage above the lobby entrance on 22nd St.? The last thing this intersection needs is another gaudy, Marriott-like sign.
9. Lack of detail as to plan for use of the roof space. Concern on intent of pool area. Will there be food service? Will the space turn into a nightclub operation? Hours of pool/rooftop operation?
10. No details regarding the retail space.
11. The proposed building has extensive glass, and while we recognize this is an interior issue, we have concerns regarding the lack of information for the interior window treatments, as these will be so visible to the community and become part of the overall architectural design of the lot.
12. If there is to be a chain hotel on this site, then we would like to see any community amenity funding directly support streetscape and other improvements around the site and for the immediate neighbors who bear the brunt of this project.

On behalf of the 22 West Board of Directors, we thank you for listening to our concerns regarding the proposed Planned Unit Development for the lot. We hope you share our concerns and press the DC Zoning Commission to reject this application. Please provide guidance on how best to inform the Zoning Commission on the lack of notification to our unit owners and how 22 West can formally be part of the hearing process.

Sincerely,



Jeffrey H. Drichta
President, Board of Directors
22 West, A Condominium

APPENDIX # 3

Government of the District of Columbia
Foggy Bottom and West End
Advisory Neighborhood Commission 2A



c/o West End Library

1101 24th Street NW

Washington, DC 20037

September 21, 2011

Anthony Hood, Chair
DC Zoning Commission
441 4th St., N.W. Suite 200
Washington, DC 20001

**Re: Application for Modifications to PUD ZC Order / Case No. 07-21,
PerStar Partners LLC, 2201 M Street, NW**

Dear Chairman Hood and Members of the Commission:

At its duly noticed, regular monthly meeting on September 21, 2011, with 4 of 5¹ commissioners present constituting a quorum, ANC 2A discussed the proposed Planned Unit Development (PUD) modification requested by PerStar M Street Partners, LLC.

The ANC originally supported The 1 Hotel, and even supported an extension for it. Therefore, we were surprised by and disappointed in the substantial changes of this PUD (e.g. mainly a new architectural plan). The corner of 22nd and M Street did not need another hotel, and the fact that the original proposal was a unique, boutique destination and concept overcame this on many levels². The new plan offers far fewer positive contributions to the West End than what was originally proposed.

The ANC voted 3 to 0 with one recusal³ to provide a non-objection in this case, **predicated** on the applicant agreeing to the following.

- **Transportation Management Plan**
 - The Zoning Commission require that the applicant's transportation management plan specifically address charter bus management and the taxi queue, given the concentration of hotels at this corner and the property's relation to the West End Fire Station immediately to the west⁴;
 - Given the impact of the hotel on the surrounding residential community, the Zoning Commission require specific hours for hotel deliveries in the final Zoning Order from 8:00 am to 9:00 pm Monday through Friday, and 9:00 am to 9:00 pm

¹ ANC 2A has six single member districts, however one was designated vacant on 09-12-2011 by DC BOEE

² Comprehensive Plan Policy LU-2.3.9: Transient Accommodations in Residential Zones 311.11

³ Commissioner Asher Corson recused himself from the action given he is an officer of the FBA

⁴ Comprehensive Plan, Policy LU-2.4.11: Hotel Impacts

on Saturday and Sunday, and carefully study the proposed delivery plans given the awkwardness of the alley configuration, and concerns that deliveries will ultimately occur on either 22nd or M Street, NW;

- Require that the hotel identify an individual not only responsible for loading, but also for management of transportation and safety issues around the front of the building.
- **Overall Design**
 - The applicant set back the development slightly along the corner of 22nd and M Streets to provide greater pedestrian clear way, to support more outdoor café seating, and revisit the size of the lay-by to address safety concerns (11 DCMR 633.1);
 - Require that the materials for the “skin” of the building be superior in nature in accordance with the standards of the PUD and the originally approved architectural plan, specifically that the applicant mute the ceramic textures, and incorporate a green wall along the end walls and add green to other areas to lessen the sterility;
 - Ensure that the signage is appropriate for the site (e.g. not like the Marriott);
- **Construction Management Plan**
 - Require a construction management plan as part of the Order which addresses the construction schedule, issue resolution and other elements important to the 22 West and Ritz Carlton condominium residences who are directly impacted;
- **Community Amenities**
 - The retail space be specified as a community amenity and for the primary purpose as a restaurant (licensed as CR) in the final Zoning Order. In addition, the ANC asks that the applicant work with the neighborhood to identify an appropriate and unique individually run restaurant operator for the space (11 DCMR 2403.7);
 - The applicant update the amenities package previously proposed given the completion of some of the amenity projects originally identified and changes in priorities within the neighborhood. Related to the amenities, the ANC asks that these amenities be tangible, that they be clearly linked to the issuance of a Certificate of Occupancy for the hotel, and that the applicant enter into an MoU with each recipient regarding that which is proffered (11 DCMR 2403.6 , 2403.7, 3013.5). More specifically, the ANC requests the following:
 - Public Space Improvements valued at \$146,000
 - The applicant not install benches as outlined at the locations specified given concerns raised by constituents related to loitering, and that these funds go towards other public space improvements in SMD 2A-02;

- Revisit the specific trees requiring replacement in SMD 2A-02, and prioritize those along M Street, and the surrounding streets to the hotel location⁵;
- Prioritize the replacement of any three-sided tree fencing along M Street, and other locations in SMD 2A-02;
- Contribution towards Renovation of St Mary’s Church of \$35,000
 - Given the completed renovation of the church specifically, and the wall frescos, the applicant needs to specify what renovations it intends to complete. The ANC does not support general contributions to religious entities, and the applicant must demonstrate a new renovation project that meets the intent of the regulation, or work with the neighborhood to identify another priority⁶;
- Contributions towards the Biennial FBA Sculpture Project of \$60,000
 - Given the original sculpture project articulated in the ZC Order 07-21 was completed in 2008, clarify the future FBA sculpture project that the applicant will support and how the funds will be used more specifically.
- Contributions towards the Renovation of the 26th Street Dog Park of \$50,000
 - Given the 26th Street Dog Park has not received approval as a formal dog park by the DC agency responsible, redirect the funds to the approved neighborhood dog park located at Francis Field. Funds will be used as prioritized by DPR for the initial design and development of the park. If the dog park does not move forward by a date to be determined with DPR, then the funds should be directed to general improvements of Francis Field, which should include the replanting / resodding of the field and replacement of any trees.
- Contributions toward Landscaping and West End Street Plan of \$8,500
 - Given the original goal was to have Iris Miller provide services regarding “preserving landscaping that now surrounds the Nigerian Embassy building for future reuse within the 1 Hotel” is not going forward, redirect these funds to other landscaping needs within the West End.
- If any of the above are not moving forward, then work with the neighborhood on dedicating funds towards the erection of a statue of Duke Ellington at the Duke Ellington Park located at New Hampshire Avenue, M and 21st Streets, NW.

⁵ Comprehensive Plan Action NNW-1.2.A: Streetscape Plans 2109.11

⁶ *Foggy Bottom News*, “St. Mary’s Church, A Landmark Restored” 07/15/2009

The ANC designates the chair or her designated alternate to represent it before the Zoning Commission on this matter.

ON BEHALF OF THE COMMISSION

Respectfully submitted,

Rebecca Coder
Chair

Cc: Christopher Collins and Kyrus Freeman, Counsel to the Applicant
Harriet Tregoning, Office of Planning
Terry Bellamy, DC Department of Transportation