

**FOGGY BOTTOM AND WEST END
ADVISORY NEIGHBORHOOD COMMISSION 2A
MEETING MINUTES
JANUARY 20, 2010
PARISH HALL, ST. STEPHEN MARTYR CHURCH
PENNSYLVANIA @ 25TH St., N.W., WASHINGTON DC**

Agenda

1. Call to Order (Armando Irizarry, Chair)
2. Introduction of Commissioners
3. Public Comments
4. Safety Report
5. Liquor License Application (“Sanctuary 21,” 2131 K St., N.W.)
6. National Marathon and Half-marathon
7. Sister Cities International
8. Recommendation on West End Library & Fire Station RFP Proposals
9. First Quarter (Oct-Dec 2009) Financial Report
10. Matters pending before DC regulatory agencies
 - a. Board of Zoning Appeals (BZA): Friends of Francis Field (Hearing on February 9,2010)
 - b. BZA: West End Citizens’ Association re: Foggy Bottom Grocery (Hearing , Feb 23, 2010)
11. 1750 New York Ave., N.W., redevelopment
12. Election of Officers
13. Approval of 2010 meeting schedule
14. Participation in ANC Security Fund
15. Adoption of June 24 and December 14 minutes
16. Announcements from the Chair

Call to order

Chair Armando Irizarry (2A04) called the meeting to order at 7:04 PM.

Introduction of Commissioners

Commissioners Rebecca Coder (2A02), Asher Corson (2A03) (Florence Harmon (2A06), Eric Malinen (2A05) and Chair Irizarry introduced themselves. Commissioner David Lehrman (2A01) joined the meeting at 7:20 PM.

Public Comments and Announcements

A constituent described the dilapidated condition of pavement in the 1000 block of 25th St., N.W and the lack of response from District officials whom she had contacted about this matter. Commissioner Corson moved that ANC2A send a letter of support to the District Department of Transportation. The motion passed by a vote of 5-0.

Another constituent described being pick pocketed on the Watergate shopping center escalator. Sgt. Phillips invited him to make a fuller report following the Public Safety Report, which followed.

National Marathon and Half-marathon

At this point, Chair Irizarry invited Ms. Diane Thomas of the Greater Washington Sports Alliance to describe this event, scheduled for March 20, 2010, and its likely impact on this neighborhood. She reported that no problems had emerged from the previous four stagings of the event. Mr. Irizarry moved to send a letter of support for the event to Ms. Thomas's organization. The motion passed by a vote of 5-0.

Safety Report

Sergeant Phillips of the 2nd District Metropolitan Police reported "good news." Crime in Police Service Area 207 was down in every category except burglaries and has the lowest crime rate in the 2nd District. Of three robberies that occurred in PSA 207, two have been closed with arrests. He attributed this result to aggressive patrolling along the Pennsylvania Avenue corridor between 21st and 26th sts. on a 24 hour/ seven days a week schedule. Crime in January 2010 so far focuses on office buildings – the theft of office equipment.

Liquor license application of "Sanctuary 21"

Swaptak Das, the owner of Panutat LLC, which does business as "Shadow Room" at 2131 K St.,N.W., appeared in behalf of the liquor license application of "Sanctuary 21," a nightclub proposed for the same premises. Discussion focused on a number of police incident reports filed about disturbances at the existing business and on neighborhood complaints of noise by patrons leaving the premises. Chairman Irizarry moved that the Commission protest the application to the Alcoholic Beverage Control Board. This resolution passed by a vote of 6-0. On motion of Commissioner Coder, it was further resolved, by a vote of 6-0, to set aside \$3,000 to

secure legal representation for the ANC at the ABRA hearing scheduled for February 9. Commissioner Harmon was designated to represent the Commission at this hearing.

Recommendation on West End Library & Fire Station RFP Proposals

After reviewing previous discussions of the proposals from Toll Brothers City Living and East Banc/W.D.C. Partners for redeveloping Square 37 and of the latter developer for the portion of Square 50 occupied by the West End Fire Station, there was general agreement among commissioners and public commenters on the desirability of redeveloping these parcels and on limiting the height of new buildings to 90 feet rather than the proposed 110. Discussion focused on two aspects of the competing proposals: the failure of Toll Brothers to address the need for a new fire station and on the desirability and viability of a full-service supermarket at the Square 37 site. Each commissioner supported the EastBanc proposal but with provisos, which were summed up in the motion by Commissioner Malinen: that ANC2A supports the EastBanc proposal with the addition of provisions for a lower building height, an emphasis on architectural diversity and merit, further consideration of the incorporation of a full-service grocery such as Whole Foods, and the reinvestment of tax revenues from the redeveloped parcels in the public facilities being re-established there. The motion passed by a vote of 6-0. A copy of the resolution of support for the EastBanc proposal and the letter which transmitted it to the Deputy Mayor for Planning and Economic Development is appended to these minutes.

Matters pending before DC regulatory agencies

a. Board of Zoning Appeals (BZA): Friends of Francis Field (Hearing on February 9,2010)

b. BZA: West End Citizens' Association re: Foggy Bottom Grocery (Hearing, Feb 23, 2010)

Commissioner Coder announced that legal representation in the first matter had been secured from Constance J. Miller of the law firm of Manning and Sossamon; therefore no further action by the Commission was called for at this time.

In the matter of West End Citizens' Association re: Foggy Bottom Grocery, discussion focused on the owner's plans for alcoholic beverage sales and the addition of a delicatessen to the grocery business and on the question of whether or not these changes represented violations of earlier regulatory decisions pertaining to this site. Commissioner Lehrman introduced the following resolution.

RESOLVED, ANC2A supports the business objectives of Mr. Kris Hart, the owner of FoBoGro, and welcomes the investment of his capital and entrepreneurial energy in our neighborhood. However, the Commission takes no position on the technical issues and issues of fact contested by Mr. Hart and the West End Citizens' Association.

Commissioners Harmon and Irizarry abstained from voting on this resolution, which was adopted by a vote of 4-0 and transmitted to the Board of Zoning Appeals (BZA).

1750 New York Ave., N.W., redevelopment

Commissioner Malinen introduced Kyrus L. Freeman, legal representative of United Unions, Inc., and Yves B. Springuel of Mancini and Duffy architects, the designer of the proposed renovation and addition. They explained the purposes of the building redevelopment and the need for the zoning variances and exceptions that were the subject of appeal to the BZA. Chairman Irizarry moved to send a letter to the BZA supporting United Unions' appeal. The motion passed by a vote of 6-0.

First Quarter (Oct-Dec 2009) Financial Report

Commissioner Coder presented the financial report for the first quarter of fiscal year 2010 and moved its adoption. The report was adopted by a vote of 6-0.

Election of Officers

Commissioner Irizarry announced that he would not seek re-election as chair and nominated instead Commissioner Coder, who was elected by acclamation.

Commissioner Coder nominated Mr. Irizarry for Vice-Chair, who was elected by a vote of 6-0.

Commissioner Corson nominated Commissioner Malinen for the position of Treasurer. He was elected by a vote of 6-0.

Commissioner Coder nominated Commissioner Harmon as Secretary. She was elected by a vote of 6-0.

Approval of 2010 meeting schedule

Executive Director Williams submitted the following schedule of meeting dates, which was approved by a vote of 6-0.

February 17, March 17, April 21, May 19, June 16, July 21, September 15, October 20, November 17, December 15, 2010 and January 19, 2011.

Participation in ANC Security Fund

Chairman Irizarry read through the documents pertaining to participation in the ANC Security Fund and moved ANC2A's participation. The motion passed by a vote of 6-0.

Adoption of June 24 and Dec. 14 minutes

Chairman Irizarry moved the approval of the June 24 and December 14 meeting minutes, both approved by votes of 6-0.

There being no further business, the Commission adjourned at 10:03 PM.

APPENDIX

Copy of the resolution of support for the EastBanc proposal and the transmittal letter to the Deputy Mayor for Planning and Economic Development

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



c/o West End Library
Washington, DC 20037

1101 24th Street NW

January 22, 2009

Via Email: dcbiz.dc.gov

Ms. Valerie Santos
Deputy Mayor for Planning & Economic Development
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Suite 317
Washington, D.C. 20004

West End Parcels Redevelopment

Dear Ms. Santos:

Advisory Neighborhood Commission 2A endorses the proposal submitted by EastBanc/W.D.C. Partners for redeveloping the West End Library and MPD Special Operations Building sites (Square 37) and the West End Fire Station site (Square 50). The Commission made this endorsement at its duly noticed, regular meeting, with quorum present, on January 20, 2010, by resolution approved by a vote of 6-0.

Commissioners added the following provisos to the resolution of endorsement:

that the final redevelopment plan include a maximum building height of 90 feet in Square 37, comparable to the 90 foot height proposed for the new fire station/affordable housing site at Square 50;

that the retail component of the proposed Square 37 building be expanded and that the inclusion of a full-service supermarket, such as Whole Foods, be considered;

that the design of the buildings take into consideration the value of architectural diversity and distinction to the community; and

that the city should structure the transaction to ensure that any tax revenues generated are reinvested in the upkeep of the public facilities over the long-term to ensure the sustainability of the projects.

The EastBanc proposal contains many attractive features that were cited by commissioners and constituents in the several meetings leading up to this endorsement. These include:

the inclusion of a new fire station in the EastBanc proposal, in contrast to the omission of this facility in the competing Toll Brothers City Living/Torti Gallas Urban proposal;

the plan to create a one-story library facility within the building on Square 37;

the separation of market-rate condominium dwellings and affordable rental housing between the two sites;

the international reputation and accomplishments of the architect EastBanc has chosen to design the buildings;

There are several items of continuing concern, which we put forward for your consideration as your office negotiates the final contract with the developer.

While fee-simple ownership of the planned condominium project is probably necessary, we recommend a long-term lease arrangement for the fire station/affordable housing building. We further recommend that, if EastBanc utilizes the federal Low Income Housing Tax Credit program for the housing component at the fire station site, the requirement for maintaining affordable rents for the housing component be extended from 15 years to the life of the building.

While a neighborhood survey conducted by the Foggy Bottom Association indicates a clear preference in the community for a full-service grocery such as Whole Foods, significant issues need to be resolved in locating such a grocery in Square 37. Can such a grocery be serviced by delivery trucks while minimizing the disruption to commuter and emergency vehicle traffic on 23rd street and to local traffic on 24th street? How can early morning and late night noise that disturbs residents of neighboring buildings be effectively mitigated? Can the

neighborhood support an additional large supermarket if one is established at 22nd and I streets in the building now rising on Square 54?

The three public discussions of these proposals held by ANC 2A, along with several other forums, showed that the neighborhood strongly supports the redevelopment of these sites and is pleased that it has the opportunity to realize state-of-the art public facilities and leverage the air rights to fulfill the neighborhood's original urban renewal plan ("New Town for the West End") crafted by the DC Office of Planning in 1972.

Should you want to discuss our concerns or any other matter related to the project, please contact me in my capacity as chair of ANC 2A and as the commissioner in whose single member district the project resides. We look forward to working with you and your office in guiding this important project to a successful conclusion.

Respectfully submitted,

Rebecca Coder
Chair

cc: Jack Evans, Ward 2 Councilmember
Kwame Brown, Chair, Committee on Economic Development