

**ADVISORY NEIGHBORHOOD COMMISSION 2F REGULAR MONTHLY
PUBLIC MEETING**

Wednesday, September 2, 2009 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Charles Reed (2F01) (Chairman), Mike Benardo (2F06) (Vice Chairman)
Brian Vargas (2F03), Monica Schneider (2F02),

Absent: Matt Raymond (2F04), Dustin Cole (2F05-Treasurer)

COMMUNITY FORUM

Commissioner Announcements and Monthly Government Reports

Schneider announced that due to the fact she has moved out of SMD 2F-02, by law she can no longer serve as its ANC commissioner for SMD02. She will, therefore, forward her resignation to Board of Elections and Ethics (BOEE). Persons wishing to take her seat may do so by obtaining petitions from BOEE within 3 weeks of the official announcement of the vacancy, and undergoing the statutory election process. Further information may be obtained from the BOEE or the Office of Advisory Neighborhood Commissions (202) 727-9945 or gottlieb.simon@dc.gov .

Chairman Reed announced that (1) Café Salsa, 1714 14th Street has completed reworking equipment at its premises that was generating noise problems for nearby residents; (2) a Voluntary Agreement was reached with Vegas Lounge that, if approved by the ANC and the ABC Board, would settle the pending protest of the licensee's renewal; (3) he has been requested to attend a meeting of all Ward 2 ANC Chairmen to seek to work on common issues affect multiple ANCs; and (4) he will attend training by HSEMA on disaster and security procedures in the District of Columbia. .

PSA 307 Report – Lt. Vanessa Moore

Lt. Moore handed out two handouts to the community, one on safety practices and the other a Third District Roster.

Officer **Brian Bray** is handling prostitution cases. Bray can be reached at brian.bray@dc.gov. Lt. Vanessa Moore can be reached at 202-553-9247 or by email at vanessa.moore@dc.gov .

Report From Council Member Jack Evans' Office

Sherri Kimmel, constituent relations staff member for Jack Evans, announced that free tickets to the September 9th Nationals Baseball Park game were available at Evan's office in the Wilson Building (Suite 106). **Commissioner Vargas** asked Ms. Kimmel about the vacant property real estate tax rate. She said that Evans supported a reduction in the tax in order not to

unduly impact those owners who would be seeking to renovate such properties, but it appeared that no rise is likely to be enacted.

DDOT

Christopher Ziemann, Transportation Management Specialist, Ward 2, explained a U.S. Treasury Department request to change the one block of F Street adjacent to the Treasury Building at 15th and Pennsylvania Ave, NW, into one-way, Eastbound flow. The request was to increase security to the Treasury Building against bomb loaded trucks intent on striking the building. The matter was on the agenda for the business session of the meeting (see below).

Patricia Zingsheim, Office of Planning, provided an overview of recent planning activities of the Mount Vernon Square area that included multi-modal means of transportation: pedestrians, bikes and vehicular traffic. Zingsheim stated the neighborhood would be energized by what happens on the streets of Mount Vernon Square. A Public Open House will be held by DDOT on October 1, 2009 at the Historical Society- Carnegie Library located at 801 K Street, NW. Zingsheim can be reached at Patricia.Zingsheim@dc.gov for more information.

Community Announcements

Helen Kramer reminded the community to put an emergency contact in your cell phone (ICE). Most cell phones have ICE in the contact directory and emergency responders will be able to use this information to contact your emergency contact.

Gabriela Dorantes, a resident in the ANC, presented information about her work against human trafficking. Human trafficking is the second largest and fastest growing criminal industry in the world. Victims experience a loss of freedom and exploitation at the hands of their traffickers who buy and sell them in pursuit of profit. **Dorantes** can be reached at 248-840-6385 or dorantes@gwu.edu for more information

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

Upon motion by **Vargas**, seconded **Benardo** by and after further discussion, the agenda was approved with the following amendments and the Executive Director was directed to file a copy with the minutes and post the same on the ANC 2F website, www.ANC2F.org:

Add: Under DDOT Studio Theater-Banner Permit
Add: Under DCHSEMA- AIDS Walk 10/3
Add: Under DCHSEMA Leukemia & Lymphoma Society 10/17
Add: Under New Business- Same Sex Marriage Ballot Initiative

Remove: American Sacrifice Foundation

Vote: (4-0) Unanimous

Approval of ANC 2F Minutes of Meeting of July 1, 2009

Minutes of the meeting of July 1, 2009, were presented for approval. Upon motion by **Vargas** seconded by **Reed**, and after further discussion, the minutes were approved with direction to the Executive Director to post the same on the ANC 2F website.

Vote: (4-0) Unanimous

DDOT

Studio Theater-Banner Permit

Banners to hang along 14th Street, same size as banners over the last five years; DDOT does not want advertising on pole banners.

Upon motion by **Reed**, seconded by **Benardo**, and after further discussion, it was,

RESOLVED, That ANC 2F advise DDOT to grant the pending application for banner permit and applicant to be in compliance within regulation issues, and with historical guidelines; licensee maintain the banners in good condition

Vote: (4-0) Unanimous

F Street Reconfiguration

Upon motion by **Vargas**, seconded by **Reed**, and after further discussion, it was,

RESOLVED, That ANC 2F advise the DC Department of Transportation to deny the infrastructure project to reconfigure F Street NW, between 14th and 15th Streets, NW due to restricted traffic flow in the surrounding areas and it is also believed by the ANC that the one-way traffic pattern will not stop or prevent a vehicle travelling at a high speed from penetrating the protective barriers along 15th Street.

Vote: (4-0) Unanimous

DCHSEMA/Street Closures

Kevin Reynolds presented a request for street closing for the AIDS Walk Washington, which will be held on Saturday, October 3, 2009 from 8:30 AM -2:00 PM. **Reynolds** stated that the request complies with the published street closing policy of this ANC and that he had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Reynolds** can be reached at 202-321-8574 for more information.

Upon motion by **Reed**, seconded by **Vargas**, and after further discussion, it was,

RESOLVED, That upon review of the street closing application of AIDS Walk Washington to be held October 3, 2009 pending before the DC Homeland

Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise HSEMA to grant such application.

Vote: (4-0) Unanimous

Julie Hanson presented a request for street closing for the Leukemia & Lymphoma Society 12th Annual Light the Night Walk, which will be held on Saturday, October 17, 2009 from 5:30 PM -1:00 AM. **Hanson** stated that the request complies with the published street closing policy of this ANC and that she had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Hanson** can be reached at 703-960-1100 for more information.

Upon motion by **Reed**, seconded by **Vargas**, and after further discussion, it was,

RESOLVED, That upon review of the street closing application of the Leukemia & Lymphoma Society 12th Annual Light the Night Walk to be held October 17, 2009 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise HSEMA to grant such application.

Vote: (4-0) Unanimous

Ann Yonkers of Freshfarm Market presented a request for street closing for the farmers market, which will be held weekly on Thursdays from September 17, 2009 from 3:00 PM -7:00 PM through October 29, 2009. **Yonkers** stated that the request complies with the published street closing policy of this ANC and that she had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Yonkers** can be reached at 202-362-8889 for more information.

Upon motion as amended by **Reed**, seconded by **Benardo**, and after further discussion, it was,

RESOLVED, That ANC2F recommend that DDOT grant the public space application of Freshfarm Market as presented to the meeting; subject to the conditions that DDOT put traffic control officers in place during market operating hours at the intersection of 15th and I Streets, NW, and that Freshfarm take no action to interfere with the First Amendment rights of persons within the public space in question.

Vote: (4-0) Unanimous

ABRA

Vegas Lounge 1415 P Street, NW protest renewal of CN license

Reed presented a voluntary agreement negotiated with Vegas Lounge and asked that it be approved. Upon motion by **Reed** , seconded by **Benardo**, and after further discussion, it was,

RESOLVED, That ANC 2F determines that it is in the best interests of the community to accept the Voluntary Agreement as submitted; and hereby directs

that the appropriate officers of the Commission be and are hereby authorized and directed to execute such agreement and to deliver it to the Alcoholic Beverage Control Board for approval and to withdraw the pending protest of this Commission with respect to this licensee upon the Board's acceptance of the agreement.

Vote: (4-0) Unanimous

Ghana Café 1336 14th Street, NW Class C- ABRA #082751

Upon motion by **Schneider**, seconded by **Vargas** and after further discussion, it was,

RESOLVED, That ANC 2F advise the Alcoholic Beverage Control Board to deny the application of Ghana Café for a liquor license at 1336 14th Street NW on grounds that the licensee's operations would disturb the peace, order and quiet of nearby residential tenancies; and further advise such Board that it is the expectation that the parties will enter into an Voluntary Agreement, whereupon, such protest will be withdrawn upon acceptance by the Board of such agreement; and it is,

FURTHER RESOLVED, That Charles Reed, Brian Vargas or either of them be and are hereby authorized to act for this Commission before said Board with respect to this matter.

Vote: (4-0) Unanimous

1099 K, LLC 1099 New York Ave, NW #082643 – New License
No action necessary

Cork & Fork 1522 14th Street, NW #082681- Substantial Change Transfer

Upon motion by **Reed**, seconded by and after further discussion, it was,

RESOLVED, That the Commission protest the application of Cork & Fork, 1522 14th Street, NW, License #:082681 on the grounds that its operations would disturb the peace, order and quiet, of residential tenancies and lower property values, and that the Commission be represented by Commissioners Charles Reed, Brian Vargas, Mike Benardo, Matt Raymond or any of them before the Alcohol Beverage Control Board ("ABC Board") in connection with such protest; and it is,

FURTHER RESOLVED, That such designated commissioners seek to negotiate a mutually acceptable Voluntary Agreement with the licensee and that upon its ratification by this ANC and its acceptance by the ABC Board the protest shall be withdrawn; and it is,

FURTHER RESOLVED, That this Commission has determined that the applicant's proposed trading name, Cork & Fork, is confusingly similar to that of an existing licensee, namely, K&D LLC, dba Cork, 1740-A 14th Street NW, Retailer "CR", license no. # 77111, the premises of which are within two blocks of the applicant; and it is,

FURTHER RESOLVED, That, in light of the confusingly similarity of names with an existing license holder, this Commission advise the ABC Board that it it may wish to consider whether DCMR §23.600.4 applies; and it is, .

Vote: (4-0) Unanimous

Playbill Restaurant 1409 14th Street, NW CR-01 Substantial Change in Operations (hours)

An amendment to the existing voluntary agreement with this licensee was presented to the meeting, the effect of which was to expand the hours of operation in order to permit licensee to serve lunch. Upon motion by **Reed**, seconded by **Benardo** and after further discussion, it was,

RESOLVED, That ANC 2F hereby approve the amended and restated voluntary agreement with Playbill Restaurant 1409 14th Street, NW, and advise the Alcoholic Beverage Control Board to accept the such agreement.

Vote: (3-0) Vargas abstained

Ollies Trolley- Amendment to VA (transfer of ownership)

A third amended and restated voluntary agreement was presented to the Commission proposed by Ollie's Trolley in connection with a transfer of its ownership. Upon motion by **Reed**, seconded by **Benardo**, and after further discussion, it was

RESOLVED, That, ANC2F accept the third amended and restated voluntary agreement with AK Foods, Inc. t/a Ollie's Restaurant, 1426 L Street, N.W as presented to the Commission, that the appropriate officers be and are hereby authorized and directed to enter in such agreement on behalf of this Commission, that the Alcoholic Beverage Control Board be advised to accept such agreement, and that the appropriate officers of the Commission be and are hereby authorized and directed to submit such agreement to the Board; and it is,

FURTHER RESOLVED, That ANC2F recognize and accept notice of change of ownership given by AK Foods, Inc. of the change in ownership and agreement to be bound by the terms of the existing voluntary agreement. .

Vote: (4-0) Unanimous

Community Development Committee

K Street Lounge- 1301 K Street, NW -DDOT Sidewalk Café-

Kijun Sung, owner of K Street Lounge presented the plans for an outdoor café and seating. For the design submitted, the maximum occupancy for the seating areas and queue area will be: 40 seated 40 standing. The CDC has provided its recommendation to the ANC that the occupancy be limited to 40 persons *total* occupancy.

Upon motion by **Vargas**, seconded by **Reed** and after further discussion, it was

RESOLVED, That ANC 2F advise DDOT to grant a public space permit K Street Lounge- 1301 K Street, NW in accordance with the application presented to this Commission, provided, however, that such permit be limited to a maximum of 40 person.

Vote: (4-0) Unanimous

ANC2F ARTS Overlay Review Committee

Andrea Doughty, chairperson of the ANC 2F ad hoc Arts Overlay Review Committee gave an in-depth report on the preliminary findings and recommendations of the Committee, copies of which are posted on ANC2f web site, www.anc2f.org/arts. The ANC2F ARTS Overlay Review Committee will seek support of the report and its recommendations from other ANCs and community organizations, deliver the report to the Zoning Commission in connection with the Comprehensive Plan review. The purpose is to preserve and protect the zoning regime and to assure that it is effectively enforced.

Upon motion by **Benardo**, seconded by **Reed** and after further discussion, it was

RESOLVED, That ANC 2F accept and approve the Report and Recommendations of the Arts Overlay Review Committee as presented, and authorize and direct that the same be forwarded to the appropriate officials of the Office of Planning and Zoning Commission, and it is,

FURTHER RESOLVED, That ANC2F advise the Office of Zoning and Office of Planning to adopt the Recommendations contained in the aforesaid Report of the Arts Overly Review Committee.

Vote: (4-0) Unanimous

Reed commended Ms. Doughty for the superb work she and her committee had done on this very important matter.

1207 Q Street, NW- Vermont Ave Baptist Church extension of tax status

At the July 1, 2009 ANC2F meeting **Mark Griffin**, counsel to the Church, requested ANC advise DCRA to extend for another year the pending exception from enhanced taxation of the above property as a vacant property. Griffin represented that the property is under active

development for market rate housing, and the higher property tax would unduly penalize the owner. In the extended discussion, the Church was criticized for having left the property as a community eyesore for an unconscionable period, but upon further representation by Mr. Griffin that the development will be completed within six months, a consensus developed to grant the requested relief. The CDC at its August meeting recommended that ANC 2F notify DCRA that the ANC does not oppose the one year extension of the exemption of the property from treatment as a nuisance property for purposes of real property tax, subject, however, to rescinding such extension of the exemption and advising retroactive re-imposition of the higher taxes if, no later than year end 2009, a building permit shall not have been issued and substantial, good faith effort demonstrated by the owner to move expeditiously toward completing rehabilitation of the property.

Logan Circle resident **Danny Sebright** spoke in opposition to this proposal, expressing the view that the church has not demonstrated serious efforts to move forward.

Upon motion by **Reed**, seconded by **Benardo** and after further discussion, it was

RESOLVED, That ANC 2F continue an ongoing review of the progress of Vermont Avenue Church with respect to the redevelopment of 1207 Q Street, NW, and that if the Church has not received a building permit to proceed and in fact demonstrated substantial progress on redevelopment by December 31, 2009 of the property, that the ANC consider advising DCRA to revoke the exception previously granted to the Church from imposition of the higher property tax rates applicable to vacant property and advise the Office of Tax and Revenue to retroactively assert taxes at the higher rate; and it is

FURTHER RESOLVED, That an ad hoc committee be and is hereby formed under the auspices of the ANC 2F Community Development Committee, with Mike Benardo to act as Chair to explore with the Church ways and means by which problems impeding the progress of this project may be reduced; that Mr. Danny Sebright and Rev. Cornelius R. Wheeler be and are hereby appointed as members of such committee, to be named the 1207 Q Street Ad Hoc Committee.

Vote: (4-0) Unanimous

Vermont Ave. Baptist Church- parking at R and Vermont Streets

The CDC unanimously recommended to the ANC that DCRA and the Office of Zoning be contacted to assure compliance with zoning and other regulations affecting the parking on property adjacent to the Vermont Avenue Baptist Church at R and Vermont Streets, NW, and that public notice and opportunity for comment be afforded the public before any special zoning regulations are given.

Owing to the lateness of the hours, this recommendation was deferred for consideration at the October meeting of the Commission.

1207 Rhode Island Ave- vinyl window installation without permit

Deferred for future consideration.

Logan Circle Neighborhood Investment Fund- NIF

A unanimous recommendation of the CDC that the ANC actively seek to have NIF funding for projects within the ANC 2F area was presented to the Commission.

Upon motion by **Vargas**, seconded by **Benardo**, and after further discussion, it was,

RESOLVED, That ANC2F advise the Deputy Mayor for Planning and Economic Development and DC Council member Jack Evans to cause funding of NIF projects designated in the Logan Circle area to be granted. in Logan Circle.

Vote: (4-0) Unanimous

New Business

Desi Deschaine Resolution

Upon motion by **Vargas**, seconded by **Raymond** and after further discussion, it was

RESOLVED, That ANC 2F frame an appropriate resolution in memory of the late Desi Deschaine, whose zeal, work and dedication to our community was exemplary.

Vote: (4-0) Unanimous

Same Sex Marriage Ballot

Upon motion by **Schneider**, seconded by **Benardo**, and after further discussion, it was,

RESOLVED, That ANC2F advice the Board of Elections that the proposed ballot institutive purportedly seeking to cause the District of Columbia not to authorize same sex marriage in the District of Columbia violates the provisions of the Human Rights Act in the District of Columbia, and violates the Constitutional rights of citizens of the District of Columbia and is, therefore, impermissible as an initiative and must be rejected and not permitted to be placed on a ballot in the District of Columbia.

Vote: (4-0) Unanimous

Treasurer's Report (Dustin Cole, Treasurer)

The third quarter 2009 quarterly report was presented to the meeting. Upon motion by **Schnieder**, seconded by **Reed**, and after further discussion, it was,

RESOLVED, That the Q-3 2009 Quarterly Report of ANC 2F be and is hereby approved.

Vote: (4-0) Unanimous

Upon motion by **Schneider**, seconded by **Vargas** and after further discussion, the following expenses were approved;

Cynthia Cota	\$938.45
Verizon	\$62.91
DC Treasurer.....	\$54.00

Vote: (4-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 10:20 PM.