

FINAL

**ADVISORY NEIGHBORHOOD COMMISSION 2F
REGULAR MONTHLY MEETING
WEDNESDAY, JUNE 4, 2003 7:00PM
THE WASHINGTON PLAZA HOTEL**

IN ATTENDANCE: Helen Kramer, Chair
Jim Brandon, Vice Chair
Bob Hinterlong, Treasurer
Cary Silverman, Secretary
Thomas Funk
Miriam Trimble

Community Forum

Edward Fleming, owner of Modern Liquors located at the corner of 9th and M Streets, who appeared with his attorney, expressed concern with regard to the policies of the ANC toward liquor stores. Commissioner Hinterlong explained that Fleming did object to the ANC's ban on the sale of single beverages and paper cups, the ANC's request that liquor stores try to eliminate loitering outside the store, and some other requirements of voluntary agreements. Hinterlong explained that because Modern Liquors is located in an area that has been affected by construction of the new convention center, the ANC decided not to pursue an amended voluntary agreement with Modern Liquors, which would have included the single sale ban, at this time. Instead, the Commission decided not to protest Modern Liquors' license at its May 7, 2003 meeting. Kramer asked why Fleming why he was here to dispute the ANC since there is already a voluntary agreement and no changes are being sought and that the renewal of the license is not being protested. He had no further questions.

Al Collins, a resident of the 1400 block of Q Street, asked to speak about Wagtime, the new dog "spa" to be located on the 1400 Block of Q Street, and its incompatibility with the neighborhood. Kramer said she would add the matter to the formal agenda.

Lt. Bart Dykes introduced himself as the new Lt. for area PSA 310. He provided his background and noted he will be working with Lts. Groomes and Smith. Lt. Dykes' email address is psa310@hotmail.com. His phone number is 673-6821 and his pager is 996-7686.

Nola Joyce, of the Metropolitan Police Department's Office of Organizational Development, addressed the Commission concerning the redrawing of the Public Service Area (PSA) boundaries. Under the proposed redistricting, ANC 2F, which is currently covered by PSAs 309, 310, and 313 would be placed in a new PSA 306. PSA 306 would stretch from 15th Street as far east as New Jersey Avenue. MPD used the Office of Planning's "Community Clusters" as a basis for the proposed PSA boundaries. Joyce said residents may comment on the boundaries through the MPD website. Specific comments may also be sent to Ms. Joyce at nola.joyce@dc.gov. The suggestions will be compiled and studied. Changes to the PSA boundaries will not be finalized until the beginning of 2004 at the earliest. Silverman asked why MPD is altering the system and reducing the number of PSAs given that the current system appears to work well, with the exception of staffing shortages. He expressed concern that the proposed enlargement of PSA districts would detrimentally harm the concept of "community policing." Silverman agreed that PSA boundaries could be improved to better fit neighborhoods, but felt that a guiding principle in such redistricting should be roughly

maintaining the current number of PSA districts. Joyce responded that the Council asked MPD to reevaluate the boundaries. Joyce further explained that the PSA system works best in an active community with an active, involved police lieutenant. According to Joyce, larger PSAs will increase the continuity of the people working in that PSA, and will allow the best law officers to be PSA lieutenants. Kramer noted that a major problem was the staffing level; the staff that are out on leave or on a special detail to a nonresidential area. Funk mentioned the problem with the lower boundary of the proposed PSA 306. Under the proposed boundaries, part of ANC 2F03 and 2F05 would not be included in the PSA system. Funk suggested that the ANC recommend that the MPD designate L Street as the southern boundary of the new PSA 306 and 9th Street as the eastern boundary. These boundaries would include all of the residential areas of ANC 2F. Silverman commented that our neighborhood has two excellent PSA lieutenants, and a third lieutenant was just assigned to PSA 310. The proposed district would take that area, currently served by three lieutenants and put it all under one officer. Under this plan, Logan Circle might lose one or two good lieutenants and have to share a single lieutenant with a vastly larger and diverse area. Silverman noted that the Logan Circle neighborhood boundaries are well established by the ANC 2F boundaries and those of the Logan Circle Community Association (LCCA), and asked that those boundaries be respected in the PSA redistricting. Silverman and Kramer noted that ANC 2F was developed to speak to the needs of this neighborhood and it should not be divided for police enforcement. Hinterlong suggested that these maps should be drawn only with the input of those who know the neighborhoods, such as the ANC Commissioners. Richard Neidich said that he would like all three lieutenants in one PSA to allow the overworked staff to have some time to sleep. Mary Brown said that the LCCA sent a letter to the police commissioner and the Council asking that the southern boundary of the new 306 be at L Street. Lt. Smith commented that the PSAs need more staffing in addition to looking closely at the boundaries. Kramer thanked Ms. Joyce for coming and listening to our comments. Joyce said that she expected the revised district maps to be available for community comment in early fall.

Jim Kane asked that problems with Bovis Construction's project on Rhode Island Avenue be addressed. Kramer said that Kane should contact Craig Baldwin to let him know about this.

Biggio brought to the Commission's attention that the Post apartment building on Massachusetts Avenue continues to drain illegally. He also noted that there is a need for a traffic light at 14th and N Streets.

Approval of Agenda

Following a short break, Kramer reconvened the meeting. Kramer made the following additions to the agenda: Bovis Construction application to remove trees on 14th Street (tabled from last month's meeting), a presentation from the court offenders division, and the discussion of Wagtime. Hinterlong asked for the addition of Market Liquors to the Liquor License issues. Brandon asked that New Business be added as a permanent agenda item. Kramer said that it would not be appropriate since new items should be properly noticed. Silverman moved approval of the agenda, Brandon seconded.

VOTE: Approved 6-0.

Approval of 5/7/03 Minutes

Funk moved approval of the minutes, Hinterlong seconded.

VOTE: Approved 6-0.

Bovis Construction Removal of Trees

Mark Roy of Bovis Construction represented that they would construct a covered pedestrian walkway along 14th Street for safety, but they would need to remove and later replace two trees in order to accommodate the walkway. Mr. Beck of the Urban Forestry division of DDOT needs to sign off on the permit, but does not get involved with it. Roy stated that DDOT advised them to present to and get approval from the ANC for removal of the trees. Charles Biggio commented that in interest of public safety, the ANC should recommend that DDOT grant the permit. Funk commented that the safety of pedestrians should be of the highest priority. Brandon moved that the ANC oppose removal of the trees on the grounds that he was not convinced that removal of the trees was necessary for installation of a pedestrian walkway. No second. Funk moved that, in the interest of public safety, the ANC send a letter to DCRA recommending that DCRA grant Bolvis's request to remove the two trees for the sole purpose of building a pedestrian walkway, with the understanding that Bovis would replace the trees. Hinterlong seconded. Silverman suggested a friendly amendment that Bolvis replace the trees with the input of the community. Accepted without objection. Kramer suggested a friendly amendment recommending that Bolvis replace the trees with the largest trees available. Accepted without objection.

VOTE: 5-1, with Brandon objecting.

Court Services

Gregory Thomas of Court Services, the federal agency overseeing adult offenders on parole, invited the public to a meeting to determine strategy for the reentry of offenders into the community.

1001 L Street NW - Construction Management Plan

Paul Tummonds of Shaw Pittman presented plans for a public space permit for traffic management during the construction of this residential construction project. Skip Vaughn of Clark Construction explained they were asking to have part of 10th Street blocked during the day for construction. Resident Edward Fleming noted that there have been parking problems in that area for the past five years. Resident Ed Horvath asked what route the trucks would take. According to Vaughn, the plan provides that trucks would follow 11th Street to M Street to 10th Street. Horvath noted that there is a truck ban (weight limit) on 10th Street that would not permit such a route. Funk observed that M Street is not wide enough for trucks, nor is N Street. Kramer asked that the representatives revise their plans and noted that the consensus of the Commission is that the construction management plan, as presented, is not appropriate.

Liquor License Issues

Logan Tavern - David Winer presented his plans for a new restaurant, Logan Tavern, 1424 P Street. Mr. Winer also owns Grillfish, a restaurant on New Hampshire Avenue. Silverman presented a voluntary agreement that he negotiated with Mr. Winer, and said that the neighborhood welcomed the new restaurant. The capacity will be about 65 to 70 persons, and it will be open for lunch and dinner. Winer anticipates having sidewalk dining, which is provided for in the voluntary agreement addresses. The voluntary agreement also provides for a jazz band at weekend brunches, should Logan Tavern choose to provide such entertainment. The business anticipates opening on September 15, 2003. Silverman moved that ANC send a letter to the ABC board noting support of the license conditioned on its acceptance of the voluntary agreement. Trimble seconded.

VOTE: Approved 6-0.

S & W Liquor, 9th and P - Hinterlong said that there are many protestants to this license renewal, including Shiloh Baptist Church and the Giant grocery store. The problems consist of trash, a dumpster on public space, and loitering and drinking outside the establishment. The licensee is also in violation of its existing voluntary agreement. Hinterlong moved that the ANC vote in opposition of this license. Silverman seconded.

VOTE: Approved 6-0. Hinterlong to send the letter.

Market Liquors - Hinterlong provided an update on the licensee's proposal to transfer the license from O Street Market to a location at 11th and O Streets. After significant community opposition to this transfer, the owner decided to withdraw his request for a transfer, is moving out of the location, and will surrendering the license.

Wagtime Dog Boutique

Lisa Schreiber, the owner of Wagtime, explained that she wants to expand and move the business she currently operates on 18th Street in Adams Morgan to 1412 Q Street, NW. The lot encompassing 1412 Q Street is zoned C-3-A, which allows for various commercial uses, and the property is current under renovation to house Wagtime. Approximately 20 residents of Q Street attended the meeting to voice their concerns about the planned relocation of this business to Q Street. Al Collins served as spokesperson for the group. Silverman distributed a handout on Wagtime's proposed operations, which he compiled from e-mail correspondence with Ms. Schreiber as well as a May 14th meeting between the residents and Ms. Schreiber. The proposed operation would include a boutique, a grooming area, and a dog boarding component. On average, 25 to 35 dogs would be on the premises. Dogs would make use of an outdoor exercise area during the day.

Collins noted that the 1400 Block of Q Street is almost entirely residential. Collins commented that the use of 1412 Q Street as a dog kennel with an outdoor area for the dogs is inappropriate to the residential character of the block due to the use's expected noise, health, traffic, and related impacts. He noted that 1412 Q Street is bordered on three sides by residential properties. Schreiber claimed that the current zoning dates from when horses were used and the site was once used for a horse veterinarian. Kramer said that in light of the zoning, the business is a matter-of-right use. Collins questioned the issuance of a C of O to Wagtime at 1412 Q Street. Schreiber claimed in response that the current C of O (from the office that was previously located at that site) is transferable. Stephanie Mencimer, who lives next door to 1412 Q Street, commented that Wagtime is not a pet spa or boutique since they will be keeping dogs outside and overnight. She noted that the neighbors plan to appeal any decision to provide Wagtime with a C of O for this use, should DCRA issue Wagtime a valid C of O. According to Mencimer, the entire lot is no more than 2,100 square feet, and its small size does not make it conducive to housing 25 to 35 dogs. Noise will disturb the neighbors if the dogs are kept outside, and noise from the dogs inside the building may even disturb the neighbors if the building is not appropriately soundproofed.

Kramer commented that if the proposed use meet zoning requirements, then there is little the ANC can do to stop the issuance of a permit. Kramer also noted that Wagtime has already placed a substantial amount of money into renovations. Andrea Doughty, a resident of the 1400 Block of Q Street, reported that DCRA had not yet issued a C of O for Wagtime to operate at 1412 Q Street, nor any permit to Wagtime for renovation work at the site. She noted that the existing C of O at 1412 Q Street is for a small commercial office and is not

transferable and that, while the property is zoned to allow retail or commercial use, Wagtime's proposed use goes well beyond a retail pet boutique or so-called pet spa. According to Doughty, a C of O for Wagtime to operate at 1412 Q Street may be a long way off and its issuance is not at all certain. She asked the ANC to register with DCRA these concerns. Joan Ferraris, a resident of the 1400 Block of Q Street, asked if there is a regulatory requirement for the outside component such as the dog waste and the noise. Schreiber claimed that there will not be many dogs outside at one time and that Paul Reneau, the owner of the building, and Jim Smith, who operates a permitting company, Mr. Permit, said that the outside space can be used for this purpose. Daniel Chiu, also a resident of the 1400 Block of Q Street, noted that the space is not conducive for the proposed use as a dog kennel. He noted that there is no area for people to drop off their dogs. He also asked if it does not make more sense to raise a flag of concern now before more money is spent on renovation of the property. Silverman asked the neighbors what is acceptable use at this site. He noted that it is zoned commercial and it could be a fast food restaurant, an adult video store, or for some similarly inappropriate use. Collins responded that the neighbors would like to focus only on the problems posed by Wagtime, and that the concerns with regard to this business are primarily in regard to health and noise. On the technical question of whether the ANC is able to offer views on a C of O matter, Paul Hoftzyer of Metropolis Development, whose properties are located directly behind the location at issue, asked that the record reflect that MDC strongly endorses the Q Street neighborhood's opposition regarding the use of the premises as a boarding/spa center for animals. He requested that the ANC be on record to oppose Wagtime's operation, and requested that DCRA and all other appropriate agencies be encouraged to do a comprehensive review and assessment of the new proposed use. Silverman moved that the ANC send a letter to DCRA highlighting the nature of this business and concerns of the residents, and recommending that the appropriate government agencies and officials closely review all applications of this business for strict conformance to DC laws and regulations, including, but not limited to, those for noise, public health, sanitation, zoning, and historic preservation. Seconded by Trimble.

VOTE: 4-1-1, Funk abstained, Brandon opposed.

Treasurer's Report - Hinterlong moved that the following funds be approved:

300.00	National City Christian Church Foundation, July rent
57.19	Verizon, monthly telephone service
606.27	Sherri Kimbel, May wages, 41 hours
28.00	DC Treasurer, May withholding

Funk seconded.

VOTE: Approved 6-0.

There being no further business, the meeting was adjourned at 9:30.