

ANC 2F MEETING
January 7, 2004
7:00 PM

Helen Kramer, Chair
Jim Brandon, Vice Chair
Cary Silverman, Secretary
Bob Hinterlong, Treasurer
Tom Funk
Miriam Trimble

Community Forum

Lt. Mike Smith gave the report for PSA 313. He has his officers trying to mark streetlights that are out so that they can be repaired. He introduced Officer Williams who is serving in this area. Lt. Smith will be on leave for the next few weeks. He spoke about problems with the Convention Center security director, who does not want to work with the police force on security issues. Ed Horvath asked if the ANC would pass a resolution permitting MPD to have access to the security surveillance room in the Convention Center. Kramer said responded that the ANC could pass such a resolution, but felt that it was a more appropriate issue for Jack Evans' office. It affects the security of the neighborhood. Kramer wished Lt. Smith a happy birthday, and all of our best wishes for a speedy recovery for his wife following her surgery.

Williams said that she has been canvassing ABC-licensed stores to check if they are in violation of ABRA regulations. She has found District Liquors on 11th Street in violation two times recently. She asked residents to make complaints on the ABRA website when they see violations, i.e. selling liquor to intoxicated individuals, or outside posted hours. Kramer thanked her for all her hard work, and congratulated her on her recent promotion to Sergeant.

Tim Hillard asked that the ANC protest the liquor license application of Box Life Theater pending successful negotiation of a voluntary agreement. Barrett Atwood stated he was speaking on behalf of the Nightlife Coalition, and asked that they be included in any discussions on the voluntary agreement for Box Life Theater. Hillard said that there is a lot of work that has to be completed on the building before they can get a certificate of occupancy. He thinks that the community can work in tandem with them, but that this must be completed before they can get a license. Ralph Mueller wanted to remind everyone about the voluntary agreement with Metro Café. Promises were made that were not kept. Nick Nicholls, formerly of Metro Café, is one of the principals who want to open Box Life Theater.

Ed Horvath spoke about the lack of enforcement of parking violations around the convention center. During the recent auto show, residents could not find parking. Sean Metcalf said responded that Evans office had asked for more enforcement and thought that it had been provided. He would follow up.

Election of Officers for 2004

After a short break, Kramer reconvened the meeting. The first item was election of ANC officers for 2004, and Kramer introduced Sherri Kimbel to run the election. Kimbel opened the election by asking for nominations for Chair. Kramer nominated Cary Silverman. Miriam Trimble seconded. Kimbel asked for any other nominations. Hearing none, she closed nominations for Chair. Silverman was elected Chair by acclamation.

Kimbel asked for nominations for Vice Chair. Silverman nominated Helen Kramer. Hinterlong seconded. Kimbel asked if there were any other nominations. Hearing none, she closed nominations for Vice Chair, and called the vote. Kramer was approved 6-0.

Kimbel opened nominations for Secretary. Hinterlong nominated Tom Funk. Kramer seconded. Kimbel asked if there were any other nominations for Secretary. Hearing none, she closed nominations and called for the vote. Funk was approved by a vote of 6-0.

Kimbel asked for nominations for Treasurer. Funk nominated Bob Hinterlong. Trimble seconded. Kimbel asked for any other nominations for Treasurer. Hearing none, she closed nominations and asked for the vote. Hinterlong was approved 6-0.

Kimbel introduced the ANC2F Board officers for 2004 and congratulated them. Kramer turned control of the meeting over to Silverman.

Approval of Agenda

Silverman added recent robberies at Best In Liquors to the agenda. Brandon moved to accept the amended agenda. Kramer seconded.

VOTE: Approved 6-0.

Approval of Minutes

Brandon moved acceptance of the minutes. Trimble seconded.

VOTE: Approved 6-0.

Best-In Liquors

Mr. Lucas, owner of Best In Liquors spoke of the changes he had made in his store over the past year—carrying more upscale wines, new décor, etc. Since these changes have been made, he has been robbed 6 times. He recapped the

robberies by gangs of kids who come in taking vast amounts of liquors even while customers are in the store. They threaten to use guns. The police have been very slow to react. The last time he called 911 while they were still within view, the dispatcher told him to call 311, not 911 as it was not an emergency. He has had a lot of support from the neighborhood, but is very frustrated with the police reaction. He filed a formal complaint against the police communications center. Silverman asked for support from the ANC to write a letter to the Third District and Chief of Police about the response. Kramer said that this illustrates the a broader problem of the lack of police presence in the neighborhoods, noting that we have exceptional officers in our neighborhood, but much of the police force is known to be dead wood. Kramer asked if we should request an oversight hearing by the Council. Silverman said he is especially frustrated that these robberies are occurring in the same location over and over again. Kramer said that this is improper training of police—a robbery in progress is a 911 call. Funk moved that the ANC write a letter to Councilmember Patterson requesting an oversight hearing on this matter. Brandon seconded. Kramer made a friendly amendment that the letter address inadequate police response to robberies in the area, noting that there are three such incidents that we know of in the area. VOTE: Approved 6-0. Funk to write letter.

Convention Center Strategic Planning

Chris Shaheen of the DC Office of Planning made an announcement about the Strategic Development Plan for the housing, retail and public realms around the convention center. The second of four meetings on this subject will be held this Saturday, January 10th at the Washington Convention Center. The meetings are intended to incorporate community input in the planning of development, which will affect ANC 2F. There will be special emphasis on the development of 11th Street. One issue is the possibility of encouraging changes through zoning. Shaheen said that he could come to the Community Development Committee (CDC) meeting and make a presentation. He also offered to come back to the CDC a second time to give an overview on zoning for new members. Interested parties are encouraged to call Shaheen at 442-7631.

Continuing Care Retirement Community (CCRC) Licensing

Trimble gave a report on licensing of CCRC's. In the District this is being handled under Insurance, so it is in committee under Councilmember Sharon Ambrose. The hearing will is scheduled for January 22, 2004. Trimble is in favor of the licensing. It protects the money that retirees put into the community facilities, in case of bankruptcy or change of ownership. Funk asked what Trimble wanted from the Commission. Trimble said that she would like a letter of support from the Commission. Silverman asked for the bill number and suggested that the matter be tabled until he has time to look at it and give a report to the commission. The matter was tabled without objection.

Community Development Committee (CDC) Report

Kramer said reported that there were 3 items on the CDC agenda. The first is a request for a PUD and re-zoning for the site on the 1200 block of R Street, formerly owned by Metropolitan Baptist Church. All of the buildings on the site, most of them dilapidated and none in the historic district, would be razed for the new building. The new building would be approximately 40 feet in height. There would be a 3600 sq. ft. community room that the church wants to be able to use. There will be 60 parking spaces for 60 condominium units with the parking entrance on Vermont Avenue. The PUD amenities for the community include offering an additional parking level so that residents of the community could rent spaces. Kramer asked for a number of the additional spaces, and was told that it would be at least 24-28 spaces. Kramer said that for the PUD amenities, the additional parking spaces would be a necessity. They would be offered to residents of the community. Kramer said that the use of the community room would have to comply with zoning regulations. It could not be used for office space or church services, since the church has moved to PG County and it is not an accessory use. Brandon asked whether the building's tenants could rent the additional parking spaces. They would be for the community at large only. Richard Williams, mgr. of the Crew Club who lives at 10th and M says that his parking garage is half empty, and wonders if there should be more spaces offered to the public. Kip Jacobs asked whether the property for the development included the restaurant on the corner. Norman Glasgow, Jr., attorney for the developers, said that they want it to be included. Kramer said that the CDC voted unanimously to recommend support of the PUD zoning request to the ANC while expressing concern over the future use of the community room.

The second item is an application for a BZA zoning variance for Rainbow Lofts, 1445 Church Street. They want to use part of the required recreational space to provide two additional parking spaces. There will be a roof terrace for all residents to use, and the developers believe that the two extra parking spots would be more of a benefit to the residents. To do this, they need relief from the 15% recreational requirement. There would be 9 parking spaces for 21 units, including the two extra places. As an historic building, the developers are not required by law to provide any parking and the characteristics of the site will not permit underground parking. Kramer reported that the CDC voted unanimously to approve this.

The third issue is was the traffic control plan for Jefferson at Logan Circle, a residential project at 13th and M Streets NW. The plan would prohibit truck traffic from going through the neighborhood. Trucks would take Massachusetts Avenue to M Street and exit via Thomas Circle. The committee accepted this

unanimously. Kramer moved that the ANC approve the CDC report. Brandon seconded.

VOTE: Approved 6-0.

Liquor License Issues- Box Life Theater

Andrew Klein, the attorney representing the Box Life Theater, appeared before the Commission with the applicants. According to the applicants, Box Life will be a multi-purpose arts facility. Klein stated that this facility must have its ABC license before they begin the renovation project, although the license will not be issued by the ABC Board until all of the occupancy requirements are met. The alcohol sales will subsidize the performances. There is about 900 sq. ft. per floor, enough for occupancy of about 50 persons. The building is two stories and was most recently used as a music recording studio.

Robert Thomason is an investor in the project. He said that they want to have legitimate theater on the second floor, as well as film festivals, poetry readings, and possibly Sunday afternoon jazz. The seating upstairs will be provided by folding chairs to provide a flexible seating arrangement. Downstairs will be a bar with tables and seating at the bar. There will be a DJ playing pre-recorded music. There will not be a dance floor. They envision that patrons will be able to talk to the performers and each other in a relaxed manner after a performance.

Mark Zimin is also an investor in the project. He said that they were looking forward to working with the community, and that he knows the community wants to preserve its integrity and that it has changed in recent years. Kramer asked what their target audience is, since there is no place for parking. Zimin said that the issue was raised and that they are looking into working out something with the Washington Plaza or another venue. Silverman said this would be an issue for them as a business.

Klein said that the bar would only be open when there was a performance. It is not intended as a place where people will drop in for a drink. Silverman discussed the license. There are only about a dozen "legitimate theater" licenses in the District. He said that according to the General Counsel of ABRA, there is no set statutory definition of "legitimate theater," and the ABC Board would look to the ANC's evaluation of the Applicant's use. Legitimate Theater is defined by the ANC in this case. The concern from the community is what would happen if the theater was not sufficiently profitable, and if the owners focused their activities on maximum liquor sales and the establishment became a nightclub or bar. Klein responded said that Box Life will be programming centered. He clarified that Box Life will not be selling food.

Barrett Atwood asked what the concerns were in making a decision to protest the license. Silverman said that the concerns came from the history of the previous Metro Café and its noise issues, the lack of entrance and exits to the building, and its close proximity to a residential condominium. Silverman also noted that the community would like an agreement to provide assurance that the operation would be that of a legitimate theater and address parking issues. Billy Pat Clamp asked where Studio Theatre patrons parked. Silverman said that they had arrangements with several parking venues in the area, including a church parking lot and the Duron lot, and they continuing to seek additional parking for the future. Thomason said that he expects people in the neighborhood would be the primary target audience. Catherine Meaham, a Newport West resident, said that when the 7-11 site was a package store there was a major noise issue and that she thought this would be a significant improvement. Thomason said that the performances would be more subtle and that patrons on the first floor would have to be quiet in deference to the performance. They have also looked into ways to absorb sound, but they are not anticipating it to generate that much noise. They also will not permit loitering. Sean Metcalf asked if they plan to keep the same sound proofing that was used by the previous tenant, the recording studio. They said that that material was out of date, but they plan to incorporate some soundproofing measures.

Silverman said that since the ANC had just heard of this recently, there was not sufficient time to discuss all of the issues and to reach an agreement. Brandon moved that the ANC protest this license until a voluntary agreement is reached. Kramer seconded. Silverman will be the designee to work with Box Life to reach an agreement.

Vote: Approved 6-0.

Police Issues

Lt. Groomes is being promoted to Captain and will be reassigned as of February 1st. The PSA redistricting will most likely go through by April. Silverman suggested that the Commission consider asking that Captain Groomes be assigned somewhere in our area. Kramer suggested asking that Capt. Groomes be assigned to the Third District. Kramer moved that the ANC send a letter to Chief Ramsey, with copies to McCoy and Evans requesting that Lt. Smith be appointed to head the new PSA for our area and that Lt. Groomes be assigned in our area. Hinterlong seconded.

Vote: Approved 6-0.

Silverman also asked that we consider passing a resolution thanking Groomes for her service and congratulating her on her promotion. Silverman would present the resolution to Captain Groomes at the upcoming PSA 309 monthly meeting.

Kramer so moved, and Funk seconded. Kramer suggested that the Commission take her to dinner to thank her. Everyone was in agreement.

Hinterlong moved that the following expenditures be approved:

300.00	National City Christian Church Foundation, February rent
49.88	Verizon
733.86	Sherri Kimbel, December wages
32.00	DC Treasurer, December withholding
12.87	DC DOES, 4 th quarter unemployment
694.75	US Treasurer, 4 th quarter Federal taxes
13.50	S. Kimbel, reimbursement for taxi to ABC offices
208.31	Tom Funk, reimbursement for postage & envelopes

He also asked that the ANC approve the \$25 for the Security fund when we get the paperwork. Brandon seconded.

Vote: Approved 6-0.

There being no further business, the meeting was adjourned at 9:15.