

**ADVISORY NEIGHBORHOOD COMMISSION 2F
REGULAR MONTHLY MEETING
WEDNESDAY, MAY 5, 2004, 7:00 PM
THE WASHINGTON PLAZA HOTEL**

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

Absent: Tom Funk

Community Forum

The Commissioners introduced themselves and gave brief reports. Trimble said that she was checking on items of interest to the residents of Thomas House. She is also continuing to work on passage of a licensing bill for continuing care facilities. Hinterlong said that he is still looking into lack of proper advance notice to the ANC and Commissioners by ABRA on liquor licensing issues. Silverman said that he had a good conversation with ABRA, and was optimistic about better communications in the future. Kramer reported that the owners of 1312 13th Street NW withdrew their application for zoning special exceptions from the Board of Zoning Adjustment on the grounds their new lawyers needed more time to study the case. Brandon said that 14th Street traffic is still congested due to construction. He asked Charles Biggio to elaborate on a problem with Post Crossings apartments using their driveway, including the sidewalk, as a parking lot. Pedestrians cannot walk on the sidewalk but must go into the street. He asked the commission to write a letter to stop this misuse. It was also suggested that he asked the police to ticket those individuals. Silverman is trying to get litter cans along 15th Street between P and U Street. There was a discussion of the Department of Public Works' policy not to place litter cans in residential areas unless there is a bus stop or convenience store on the block.

Scott Billings asked to add consideration of a voluntary agreement with S&W Liquors at 9th and P Streets. Hinterlong said he would add it to the agenda.

Sgt. Stuart Emmerman spoke of the new PSA boundaries and how they affect this neighborhood. Logan Circle and ANC2F will be in PSA 307, under the direction of Lt. Mike Smith. Emmerman will be the Sgt. assigned to the evening shift. He said that theft from cars is still a major problem, and warned people not to leave anything of value in their cars where it can be seen.

Sean Metcalf spoke of a Shaw anti-crime task force next week. He brought flyers.

At 7:30, Silverman called for a brief break.

Approval of Agenda

Kramer moved to add the status of the rezoning request of 1312 13th Street to the agenda and asked to have 1600 14th Street struck from the agenda. Brandon seconded. There was discussion of these changes. Kramer said that 1600 14th Street has been discussed at ANC meetings several times and the CDC and ANC voted to approve the conceptual design, which

was approved by the HPRB several months ago. Therefore there is no basis for any further consideration. Jim Lemley of 1418 Corcoran Street said that HPRB has not “blessed” the project yet and thinks it should be open for discussion. Silverman said that the Commission has discussed this for at least 6 hours in previous meetings but he has mixed feelings about striking it from the agenda, due to the height discrepancy. There was a call for a vote on the motion.

VOTE: Approved 4-1, Silverman opposing.

Hinterlong added discussion of various liquor license issues to the agenda. Hinterlong moved acceptance of the agenda, Kramer seconded.

VOTE: 5-0.

Approval of Minutes

Kramer moved acceptance of the minutes. Hinterlong seconded.

VOTE: Approved 5-0.

Community Development Committee (CDC) Report

1151-53 14th Street- PN Hoffman BZA Application 17171

This site is zoned commercial with the exception of the strip next to Thomas House. A 10 ft. alley adjacent to the site was divided between Thomas House and this property. Ralph Cunningham of Cunningham & Quill Architects outlined the development plans. The residential building with ground floor retail will be 130' height, which is a matter of right under the existing commercial C-4 zoning. The plans include a deck off of the second floor that will cover the site of the alley. The deck will be a landscaped green area, and the special exception would permit the deck and parking area under the deck to extend an additional 5 feet. The CDC moved acceptance of the request for a special exception to extend the C-4 zoning regulations onto the portion of the premises that is within the DD/R-5-E District.

1638 14th Street –new construction residential/retail

This project was previously reviewed by the ANC for height and massing. The site is currently the parking lot on the southwest corner at R Street. The first two levels of this building will be retail, the top five residential, plus an underground parking facility. There would only be 7 apartments on the five floors—six duplexes and a 3500 sq. ft. penthouse. Each unit has private outdoor space. There is 50' frontage on 14th Street. They need a variance for the width of the open court leading into the parking ramp. The plan provides for 18 parking spaces, although there are only 7 units. They will offer two spaces for each unit, plus 4 for the one or two retail tenants. The second request for a variance is for retail parking. Some of the parking will be in vault space, which cannot be counted, and they request a variance allowing fewer spaces than required. The third request is for relief of residential recreational space. They are required to have 3417 sq. ft. of recreational space for the residents. Each resident will have their own recreational space, and there will be a lobby. They are requesting to be exempted from this requirement. The CDC voted unanimously to approve a reduction in court space, a reduction in the required parking spaces and that all commercial parking spaces be permitted off-site, and a waiver on the 15% recreational space requirement.

1320 9th Street NW – BZA Application No. 17176

This property is already non-conforming as to lot occupancy and rear yard. The building is located next door to the Salvation Army. It will be commercial on the ground floor with 5 residential units above. There will be an addition to the existing building, which is a contributing historic building. HPRB has approved the removal of the PermaStone, and they requested that the brick and the storefront be restored. The CDC approved a variance from the percentage of lot occupancy and rear yard variance and variance from the provisions of Section 2001.3 so that they can add the addition.

Kramer moved acceptance of the CDC recommendations. Brandon seconded. Trimble asked to vote separately on the first project that abuts Thomas House. Kramer accepted the amendment to her motion. Brandon seconded approval of the remaining items on the CDC.

VOTE: Approved 5-0.

Silverman asked if there was any discussion before voting on the zoning request for 1151-53 14th Street. Trimble said that Thomas House will be adversely impacted by the construction of this new building right next door. She said that she knew the developers had the right to build it, but she wanted to voice a symbolic protest by voting in opposition to their zoning request. Silverman called the vote.

VOTE: Approved 4-1, Trimble opposing.

New Business

Box Life Theater

The applicants told Commissioners that the voluntary agreement was presented to the ABC Board and that applicant was willing to sign and hoped this would take place next week. They showed the ANC a diagram of the locations of arbor boxes and trash receptacles, where the entrance would be located, and indicated their strong desire to be good neighbors. Rhode Island West and LCCA both advised the ANC that they were ready to sign the Box Life agreement. Tim Hillard indicated that the Zenith Condominium, Abdo Development, and Lorenzo were also ready to sign. The Helix Hotel is under new management and Tim will recommend that they too sign. Jim Kane spoke vehemently in opposition and produced documentation not heretofore shared with the applicants about possible performances of an obscene nature. The sense of the meeting was that neither the ANC nor the ABC are in the business of censorship. The production in question was Cherry Red; the applicant said there was no commitment to bring in this production. Following this discussion, Commissioner Kramer asked whether the proposed signatories to the agreement had changed their opinions. They replied that they had not.

Commissioner Brandon moved that the ANC support ABC approval of a class CS license, application # 50367, subject to ABC's acceptance of the voluntary agreement. Seconded by Hinterlong.

VOTE: Approved 5 - 0.

Various Liquor License Issues

Commissioner Hinterlong wished to draw the attention of the ANC that the ABC Board is not

informing the ANC of meetings, despite calls to the Council and Jack Evans' office. Commissioner Kramer suggested that they might still be sending it out based on the old ANC boundaries. Indications are though that they are not sending it out.

S&W Liquor at 1428 9th street, NW - a voluntary agreement has been worked out with protestants. It was agreed that large singles will be sold in clear plastic bags. Although the issue of fortified wines was not addressed, the store owner wants to upgrade his clientele, which should take care of this.

Commissioner Hinterlong moved to accept the voluntary agreement and notify the ABC that the protest of the license would be withdrawn. Seconded by Brandon.

VOTE: Approved 5 - 0.

Kramer informed the Commission that the protest against renewal of 13th Street Quality Market's Class B license has been assigned to mediation.

1312 13th Street NW

Commissioner Kramer provided history of the status of the Certificate of Occupancy. The ANC has asked that the Certificate of Occupancy for an industrial laundry at this address be revoked. At the Board of Zoning Adjustment hearing on May 5, the Chairman announced that the applicants withdrew their application although they stated they would file at a future date. Commissioner Kramer moved that the ANC send another letter to the Zoning Administrator requesting that the C of O be revoked, as it was issued through administrative error based on false information, and that this issue not be dragged out any longer. Seconded by Commissioner Trimble.

VOTE: Approved 5-0, Kramer to write letter.

Treasurer's Report

Hinterlong moved acceptance of the following expenditures:

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| \$300.00 | National City Christian Church, June rent |
| 700.92 | Sherri Kimbel, April wages |
| 32.00 | DC Treasurer, April withholding |
| 53.55 | Verizon, phone bill |
| 8.00 | S. Kimbel, reimbursement for parking for ABC hearing |
| 12.00 | Helen Kramer, reimbursement for taxis for hearing |

This leaves a balance of \$16,667.94 in the account when these checks have cleared. Kramer seconded.

VOTE: Approved 5-0.

Quarterly Financial Report

Hinterlong moved approval of the quarterly report. Brandon seconded.

VOTE: Approved 5-0.

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