

ANC 2F MEETING
February 2 2005
7:00 PM
MINUTES

Present: Charles Reed, Jim Brandon, Chris Dyer, Matt Raymond,
Sandra Biasillo and Mike Nelson

Absent: None

The Chairman noted that a quorum was present, called the meeting to order and directed that a copy of the notice of the meeting be filed with the minutes.

Community Forum

Chair Reed spoke of a forum regarding affordable housing held by the District. Dyer said that he and Biasillo attended a comprehensive planning seminar held by the District. Brandon said that the development at 14th and N was supposed to replace trees and they haven't done so yet. Nelson said that people should be aware of trees that may block street lights and they should report them so that they can be trimmed.

Sgt. Emerman gave the report for PSA 307. He said that **Lt. Mike Smith** had his second surgery today and will be bedridden for the next 3-4 weeks, but is still able to call and check in. There have been some break-ins near the Mission on 14th Street. A plainclothes unit was set up in the neighborhood, and they've done a large drug bust at 9th and O Streets. Emerman noted that there is a lot of drug activity on 9th Street and that this bust was helpful in identifying some of the dealers. There was an armed robbery in the 1300 block of Vermont Avenue at about 11 pm on February 1st. Emerman said try to remember something that an assailment said or did if you are a victim, as that helps tie crimes together.

Reed said he would entertain a motion to wish Lt. Smith well, after a unanimously adopted motion to suspend Orders of the Day; it was upon motion moved by Brandon and seconded by Reed,

RESOLVED: That ANC2F extends to Lt. Mike Smith the best wishes of the community, and the hope for a speedy recovery.

Vote: Approved 6-0.

ABRA Overview

At the invitation of Commissioner Nelson, the Chairman recognized **Jeff Coudriet** Director of Operations for ABRA to give an overview of the status of the rule

prohibiting ABRA licensing within 400 ft. of schools. Due to what appears to be an oversight, new amendments to ABRA statutes by the DC Council effectively removed the exception from the rule for schools located in properties zoned commercial. Another exception, however, grandfathers any licensee who is established before the school is opened, and, if such one grandfathered license exists, ABRA interprets the exception to apply as well to subsequent licensees. As for the oversight, Coudriet said that the ABC Board cannot waive the rule; they would have to change the law. He thinks this might happen, after conversations with various DC Council members. There is nothing on the table yet. Coudriet offered to help work on this. Councilmember Graham would be the DC Council member to oversee this.

Presentation by the Office of People's Counsel

Pam Nelson, Consumer Outreach Specialist for People's Counsel said that the Counsel is the advocate office for utility company for the residents of District of Columbia. She introduced **Brian Edmonds** who spoke of the new phase of electricity in the District of Columbia. Rates are set to increase dramatically in March. There will be additional charges on utility bills and they will look different. Electricity generation is no longer regulated by the Public Service Commission. The distribution rates are not subject to increase at this time. Washington Gas has not asked for a rate increase yet, but they may. Edmonds encouraged residents to investigate alternative gas companies. They've encouraged Pepco to reacquire their generation plants back from the bankrupt company they sold them to. There will be a utility Expo on March 31, 2005 that will try to explain some of these changes.

Rice Restaurant Application for Substantial Change in Operation before ABRA

Tim Hillard asked about the changes Rice Restaurant is seeking. It is not a zoning issue, but an ABRA issue. He reminded the commissioners that the ANC adopted liquor license guidelines.

Vegetate

Jennifer Dredd introduced their new restaurant, Vegetate, at 1414 9th Street. They are planning to open in late spring.

Carlson Klaphor is the new Ward 2 Coordinator. He replaced Clark Ray, who is now with the Sports Commission. He is there to make sure that city services get delivered.

The Chairman recessed the meeting briefly.

Approval of Agenda

Upon motion by Reed and second by Brandon, the ANC approved the agenda for the current meeting. **VOTE:** Approved 6-0. Reed directed that a copy of the Agenda be filed with the minutes.

Approval of Minutes

Upon motion by Brandon and second by Raymond, the ANC approved minutes of the ANC meeting of January 7, 2005. **VOTE:** Approved 6-0.

CDC Report

Reed complimented Raymond's conduct of the CDC meeting, and asked him to make the CDC report. Raymond said that the CDC looked at 3 items, beginning with the Charter School at 9th Street. The ANC took no vote on the project as they are making changes to the project for historic approval. Raymond said that the school will be a high school with apartments on the top floor. He expects it to come back to the ANC. The second item was to deal with illegal parking on a public space. The CDC recommended that the ANC send a letter to NCRC to request that in conjunction with the development of an adjacent parcel, the public space be landscaped to prevent parking on it.

The third issue combines the building currently housing the 13th Street Quality Market and a building off the alley that was formerly a livery stable. Ron Schneck and Jeff Lockwood of Hickock Warner Cole architects said that the stable will be restored to its original historic state. There will be about 33 units, and they are looking to put in as many parking spaces as they can, possibly using stacked parking, plus some behind the new building. The CDC recommended approval of the height, concept and massing.

Raymond moved approval of the CDC recommendations by the ANC, Dyer seconded. In discussion, Brandon asked about the project at 14th Street. Raymond said that they had contacted the developer but had not heard back from him. Reed said that Ed Horvath had sent a letter expressing concern about the charter school, most importantly that putting a school in a commercial area might stop development of a commercial corridor near the new convention center. Reed said that he had a conversation with Ed Mousalli, counsel for ABRA, who told him that the change that would permit establishments to serve liquor will not occur without a legislative change. Discussion: Giorgio Furioso asked why the ANC could not have input on this issue that could have impact on the neighborhood. Reed said that the ANC would be looking at that aspect. After discussion, it was,

RESOLVED: That the recommendations of the CDC presented to the meeting be and are hereby adopted, in that:

- (a) The ANC shall provide advice under §1-309.10 D.C. Code to NCRC as to District of Columbia Square 239, Lot 821, requesting that in conjunction with the development of an adjacent parcel, the public space be landscaped and other steps be taken to prevent illegal parking on it; and

(b) ANC2F approves the height, concept and massing of the 13th Street Quality Market as presented to the CDC.

Vote: Approved 6-0

New Business

Reed thought it would be a good idea to have a committee to make recommendations to the People's Counsel by the ANC. Nelson said that he might know someone who would be interested in this. Reed appointed him chair of an ad hoc committee to make recommendations.

Old Business

Amendment of By-Laws

Reed moved that the ANC adopt the motion to add a member to the CDC as below. Raymond seconded.

Discussion: Richard Neidich asked if this would be a permanent change, and if so, why, since it will pass onto other commissions. Susan Rosenau asked if there was going to be a sunset provision to this motion. Reed said that there was no sunset, but the by laws are always subject to amendment, and if the provision is deemed subsequently to be undesirable it can be amended or repealed. Then she asked why the community would have no input as to who would be appointed to that at large position. Reed responded that no CDC member is appointed by the community; they are all appointed by the commissioners. Dyer said that the provision provides that the commissioners have to approve whomever the Chair appoints. Reed said that this proposal comes about for many different reasons. He said that the commission has a right to do what they can for the betterment of the community. With respect to the CDC, they have broken with a tradition where the Chair of the CDC is also Chair of the ANC. It allows the ANC to have a more independent review of the CDC's decision. He asked for the indulgence of the public to try this experiment. Raymond said that he felt the at-large member would look out for the best interests of all of 2F, and not just the parochialism of a single member district. He made an example of the 5 At-Large DC Council members in the District of Columbia who live in individual wards but represent the interests of all the residents.

Raymond moved to amend the pending motion to specify that the at large member be a resident of ANC2F. Dyer seconded. Nelson said that he thought it should be a business owner even if they don't live in the neighborhood. Raymond asked Nelson how someone who doesn't live here could have the best interests of the neighborhood, and that it must be a constituent. Following discussion on the amendment, the amendment to the pending motion was carried.

Vote: Approved 4-2, Brandon and Nelson opposing. Thereafter, the question was called on the original motion as amended, and it was,

RESOLVED, That the first paragraph of Section 9 of Article VIII of the bylaws of ANC 2F be and is hereby amended to read in its entirety as follows:

Community Development Committee (CDC). The CDC shall consist of two regular members from each Single Member District (SMD) within the Commission area, plus one at-large member who is an individual resident of any SMD within the Commission area. Each Commissioner shall appoint two regular members to the CDC from among the residents of his/her SMD, one of whom may be his/her self. The at-large member shall be appointed by the Chairperson of the Commission, with the approval of a majority of the Commissioners. Each CDC member shall serve until the next regular election of commissioners; and it is

FURTHER RESOLVED, That the bylaws of ANC 2F be amended to insert the following as Section 5, Article VIII, with the existing Sections of Article VIII to be renumbered accordingly:

- (1) If one or more vacancies occur on any committee, the Commission may, but is not required, to fill such vacancies. The manner of appointment and the qualifications of a member appointed to fill a vacancy shall be the same as provided in this Article for the initial appointment of the member whose vacancy is being filled.
- (2) Any member of a committee may be removed, with or without cause, by a 2/3's vote of the Commission, and a vacancy created by such removal shall be subject to (1), above.

Vote: Approved 5-1, Brandon opposing.

The Chairman then directed that the by-laws be restated and published on the web site.

Discussion of Legal Committee

Reed said that he has talked to some of the law firms who might have an interest in serving on the legal committee, and that members would not necessarily have to be

lawyers. He also added that this committee could assist Lt. Smith with researching crimes that are not properly prosecuted, due to non-papering, etc. This would assist the judicial committee. Reed was not suggesting forming this committee now. Susan and Ken Rosenau, attorneys who live in the neighborhood, said that they would be interested in serving on this committee.

Discussion of Goals and Objectives for 2005

Some of the changes include developing a welcome packet for new residents to the neighborhood, increasing the lighting in the neighborhood, and promoting development along 11 and 9th Streets.

Dyer moved adoption of the revised goals. Biasillo seconded. Discussion: Furioso asked how the ANC Commissioners would review themselves in their ability to reach these goals. Reed said that he would come up with a year end review specifically addressing these goals. Whereupon, it was

RESOLVED: That the Goals and Objectives submitted to the meeting as amended during the discussion be and are hereby adopted, and that a copy be posted on the ANC2F Web site.

Vote: Approved 6-0.

Approval of expenditures

Upon motion by Biasillo and second by Dyer, and after discussion, it was

RESOLVED: That the following expenditures be and are hereby approved:

50.87	Verizon, monthly phone bill
828.38	Sherri Kimbel, January wages
50.00	DC Treasurer, January withholding
25.00	ANC Security Fund for 2005

Biasillo further moved that the ANC participate in the Security Fund. Brandon seconded.

Vote: Approved 6-0.

Adjournment

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