

ANC 2F MEETING
May 4, 2005
7:00 PM
MINUTES

Present: **Charles Chairman Reed (2F01), Jim Brandon(2F02), Chris Dyer(2F03), Matt Raymond (2F04), Mike Nelson (2F06) (arrived at 7:10)**

Absent: **Sandra Biasillo (2F05)**

The Chairman noted that a quorum was present, called the meeting to order and asked for Commissioner reports. Matt Raymond reminded people about the Logan Circle days May 21-22, and reiterated that he will be moving to New York and this is his last meeting. Chris Dyer said that he is keeping his eyes on the clubs moving to Logan Circle. Charles Reed said that Sherri Kimbel, Executive Director of the ANC, is resigning and that the job description will be posted on the website.

Lt. Smith gave a report on crime statistics and a program to make your home safer. He left flyers about the program. He also has handouts on bicycle safety. There has been an increase in robberies and 3 have been delivery service persons. He asked the commissioners to ask the City for more officers to fight prostitution. He introduced Sgt. Pepperman and Sgt. Carroll who are fighting specific problems in the community. Smith was asked about crystal meth use in the area. This is not a big problem in the area, but there was one incident in the 1700 block of S where it was being manufactured. Sgt. Emerman reminded people who live in locked buildings to make sure that they lock the door behind them and not let strangers follow them in. Once they are in the building, they can break into apt. or rob persons. Smith said that drivers are speeding in the southbound lanes in the 1200 block of 9th Street. They asked that the commission contact Operations Command to request a radar camera.

June 18 is the chain reaction bike fest and August 2 is National Night out with an event on French Street. Nelson asked about day laborers hanging out at 15th and P Streets even though the paint store is closed. He also asked about the market on the corner of 11 and O Streets. He is attracting a lot of bad elements, but unless they can catch him doing something illegal, they cannot close him down.

Sherri Kimbel gave a prostitution task force meeting update and legislative changes that are pending before the city council. She urged everyone to attend the hearing and support this legislation. The new legislation includes impounding cars used in the act, making the act of prostitution illegal, making mandatory sentences longer,

Convention center meeting on May 19th

Community Forum

Business Meeting

Approval of Agenda

Nelson asked that the resolution to support Dog Parks be added to the agenda, as it was left off. Reed asked that the Marine Corps Marathon street closing be added to the agenda. Nelson also asked that the ANC formally request additional support on the police force against prostitution and that be added to the agenda.

Upon motion of Brandon moved and second by Nelson, the agenda was approved as amended

VOTE: Approved 5-0.

Approval of Minutes

Upon motion by Dyer and second by Brandon, the ANC approved minutes of the ANC meeting of April 6, 2005, as presented.

VOTE: Approved 5-0.

NEW BUSINESS

Reed asked that the commission pass a resolution commending Raymond for all the hard work he has done as a commissioner and as the chair of the CDC. It was unanimously seconded.

VOTE: Approved 4-0-1, Raymond abstained, citing conflict of interest!

Street Closings

Carri Farrand introduced the Race for the Cure which will be held June. It will begin at 8:00 am at Constitution Avenue. The entire event will be over by noon. Dyer said that he has reviewed the plans and has no problem with it. Dyer moved approval of the street closure request subject to a representative of the Race for the Cure reviewing ANC's street closing procedure and making certain that this event meets the requirements. Raymond seconded.

VOTE: Approved 5-0.

Bret Schmidt is the Operations Coordinator for the Marine Corps Marathon route is basically unchanged from last year. The race is Sunday, October 30. The roads will be closed from 9am until noon. Their web site is www.marinemarathon.com and they are looking for volunteers to work the race. Reed moved approval of the street closure requests for the Marine Corps marathon on October 30. Raymond seconded.

VOTE: Approved 5-0.

Liquor License Matters

Studio Theatre- Morey Epstein represented the Studio Theater. Reed gave an overview of the license renewal request. Tim Hillard worked with the Studio Theater and Charles Reed on the voluntary agreement. The biggest complaint is that under the terms of the voluntary agreement, they are to help provide parking for their patrons. The sign Studio Theater has out front suggests that patrons find parking on the street for free. This will be changed. Reed said that the voluntary agreement is coming along, but needs more work. However, he does not want to hold things up. He suggests that the ANC approve a voluntary agreement but still protest the license renewal. The voluntary agreement calls for valet parking at several area hotels, and that they advertise this to their patrons and in their playbill. Brandon asked why the theater cannot use the St. Luke's theater parking lot. Epstein said that they had helped the Church get permission to use it for non-church events, and then had been permitted to use it for about two months, and then they stopped allowing the theater to use it. Reed said that he would like the names of those in charge at the church, as he wants to contact them to ask why they are no longer permitting this shared use.

Reed moved that the ANC authorize a voluntary agreement with the terms as presented at this meeting and authorize Reed to put the agreement in writing with language necessary to authorize it. Discussion: Nelson asked what the "substantial change" in the liquor license is. Reed replied that the change is due to the fact that the concession area has changed with the advent of the new building. Raymond seconded the motion.

VOTE: Approved 5-0.

Agraria Restaurant: 1319 F Street, the current Finemondo, is changing. All the products will be provided by family farmers across the country, and they will also be part owners in the restaurant. It's a different concept than anything currently in the District. They are asking for a stipulated license. Since they are taking over a current restaurant, they may not need a stipulated license, but would like to have approval if they need it. Raymond applauded the idea of bringing this concept to the urban setting. Dyer moved approval of the stipulated license. Nelson seconded.

VOTE: Approved 5-0.

Appointment of ANC 2F representative to 14th and U Street coalition

Reed said that Brandon had graciously agreed to represent the ANC. Reed moved the appointment of Brandon to the 14th and U Street coalition. Dyer seconded.

VOTE: Approved 5-0.

Appointment of ANC2F CDC Chair

With the resignation of Matt Raymond, there is an opening for chair of the CDC. Raymond moved the appointment of Commissioner Dyer as Chair of the CDC. Reed seconded. Discussion: Reed said that 2 ANC commissioners are eligible for this position by their association with the CDC. Both Sandra Biasillo and Chris Dyer currently serve on the CDC. Reed reiterated that it is a thankless task. Nelson said that he would like to have more time to consider who would best serve in this position. Reed stated that the next CDC meeting is May 24 and that it was known that Raymond was resigning and would therefore need to be replaced. Reed called the vote.

RESOLVED, That the ANC hereby approves the appointment of Chris Dyer as Chair of the CDC.

VOTE: Approved 4-1, Nelson dissenting.

Consideration of DC Bill 16-36 (Protection of ANC Commissioners)

Chairman Reed said that there have been threats to commissioners in other ANC and some have been attacked. A law criminalizing such acts is now pending before the City Council. Reed asked if the ANC would consider supporting such legislation. Brandon moved support of this legislation. Raymond seconded.

VOTE: approved 5-0

Resolution in Support of Dog Parks in the City

Nelson said that Councilmember Graham has introduced legislation supporting dog parks throughout the city where dogs can be allowed to play off leash with their owners. Nelson said that the ANC would be permitted to weigh in on any sites that are recommended within their boundaries. Any dog parks would be on District owned land. Some suggestions in this area include the Shaw Recreation area and the closed swimming pool at Garrison School. Nelson moved approval of a resolution supporting the pending legislation. Dyer seconded. Reed said that this does not apply to Logan Circle, a Federal park. Federal law prohibits it.

VOTE: 5-0.

Task Force

Nelson moved that the ANC advise Councilman Evans of the increased prostitution in the area, ask that there be a public forum on prostitution and that greater emphasis be placed on prostitution eradication and request that more officers be assigned specifically to this task in this area.

VOTE: Approved 5-0.

CDC Report

CDC Chairman Raymond gave an overview of the CDC meeting, beginning with the Inclusionary Zoning issue, which will be considered separately. The representatives

were asking that developers of large projects be mandated to provide affordable housing and that they will receive zoning density credit if they comply. Raymond said that there was a suggestion that this be only considered for rental property and that the zoning would not be a good thing in this historic district.

Sandra Biasillo presented her committee's recommendations for the Strategic Convention Center Area Development Plan. The committee determined that the proposal lacks parking that is necessary for the business and residential development, and that the parking exemption for historic properties should be removed. There is also a lack of green space. They would like a publicly owned space set aside for green space and for a dog park, and they would like a neighborhood recreation space. Infrastructure improvements should be done first. The study encourages affordable housing but doesn't identify any ways to do it. The plan lacks discussion on social services agencies. They recommend the redevelopment of the O Street market. The 11th Street corridor is slated to become a commercial corridor and they feel it is too late to become a commercial corridor. The committee had also recommended some downzoning, but the CDC disagreed with that recommendation. The CDC recommended that the ANC approve the recommendations with the exception of the downzoning issue.

The CDC also heard a presentation on the Interim Use of old Convention Center site. A feasibility study for the site was completed 18 months ago. It is an important emerging location in DC. The District wants it developed in an ecologically sound manner, that it be an events location and that the landscaping can be reused when the site is eventually redeveloped. The site is being restored along the lines of the original L'Enfant design. There will be 1,000 parking places. The vehicular entrance will be off of 9th Street. The southwest corridor would be for events. Part can be used for parking while part is for events. There is a major bank of landscaping on the northern and southern ends of the site. The southern end is also a rain garden. These plans will be available for review on the mayor's website. There is a low wall along the north side that can be used for seating. This is an interim use—plans call for 3 years before the new development would begin. It is a short term parking lot—no monthly parking will be permitted. They are in discussions with the hotels nearby to use the lot for night time employees. There will be security cameras and call boxes in the lot. It will be staffed 24 hours a day. The reconstruction should be completed in October and ready for parking. It will not be a staging area for buses, but there will be space for 30 tour buses to park. The CDC voiced unanimous support for the plans.

1212 9th Street is currently a parking lot. Steven Dickens of Walnut Street Design is proposing a mixed use building with retail on the ground floor and 3 floors of condos above. Ground floor is 100% coverage. It is a masonry building with a metal shingle mansard. The south alley elevation is set back on the penthouse level 8 ft. On the alley side, the building will have facades that make it look more like the one and two story buildings along the alley. There will be 17 parking spaces, one for each of the 11 units and the rest for retail. A restaurant is the most likely use for the first floor. The CDC

suggested varying the materials on the front on the building, as the sidewalk is only 11'8" wide and has street lights on it. The CDC recommended that the ANC send a letter of support to HPRB for conceptual height and massing and that any further refinements be brought back to the ANC for approval.

917 M Street is a vacant lot. There is an historic garage on the alley that is part of the lot. The proposal is for 43 units and 39 parking spaces. The garage would be retrofitted with glass garage doors that could be open and the space used by artists, etc. The developer presented two versions, (A and C) both designed to look like row houses. It's a fairly deep building. The design tries to break up the mass of the building. The building will be 50'. There is an English basement floor, plus 4 floors and a roof penthouse. The building covers most of the site. There will be a BZA issue, for rear yard setback. There is also a lot occupancy issue. It is 88% on the first floor and 62% overall. Legally, it can be 60%. They are also requesting a two story elevator penthouse. The entrance to the garage is off the alley on the west side of the site.

It was suggested that the entrance to the garage be on the 30 ft. alley rather than the 15 ft. alley to the west, and Dickens said that he would consider that. It was suggested that the ANC state that the money that the developer has to put down as a deposit for repairs to the newly repaved alley must be used for such repairs within one year. If this is not specified, the city may take longer than that to make the repairs. The CDC recommended that the ANC approve the height, massing and concept and record a preference for version C, and that the ANC specifically state that the deposit the developer puts down for repair to repave the alley must be used for such repairs within one year.

Raymond moved approval of the CDC recommendations . Dyer seconded, and after discussion,

RESOLVED: That the recommendations of the CDC, with the exception of the Inclusionary Zoning issue, be and are hereby adopted.

Vote: Approved 6-0

Reed said that he wanted to make some comments on inclusionary zoning. This is a major overlay of the zoning in the District of Columbia. This area has had some first hand experience with this. As this area has had people move in and renovate houses in disrepair, the neighborhood has become more expensive. An earlier program gave houses in major disrepair to the low income persons to fix up and live in. Janet Brown wanted to address the mandatory vs. voluntary requirement for inclusionary zoning. She feels that it must be mandatory because voluntary doesn't deliver enough housing. It provides a level playing field. It would apply to any development project with more than 10 units and rehabbed developments that replace the major systems. The

developers don't lose any money because they get additional units. If a developer is building 100 units, he would be required to have 15 units for moderate and low-income families. In return the developer would get to build 20 extra units.

Kramer said that the downside to this proposal is that it would set aside the principals that were designed to keep buildings within scale, not incompatible with the other buildings in the immediate neighborhood that provide for setbacks and rear yards, etc. Jones said that the way the proposal is written, the zoning commission has given the sites, and historic areas are excluded. The others must be within the comprehensive plan. This is mostly on major transportation corridors. There is protection and it is meant to save a place in the city for moderate income people, not destroy an area.

Raymond said the question about the bureaucracy involved was never adequately answered: who will oversee this program? Who will track resales?

It has worked in other urban areas, such as Boston. The administration works very well in Montgomery County. Preliminary work is being done by the Mayor's office now. The project is will be overseen by advocates. She said that the project works well with both renters and owners and they have prior projects to prove it. Dyer said that he supports the idea of inclusionary zoning, but there are many unanswered questions including who will oversee it. He said that since it doesn't really affect Logan Circle, he thinks that this ANC should support this proposal.

Reed suggested that the ANC has been asked to approve a resolution supporting a public hearing. The second is that the ANC support a text proposal, and he is not ready to do that yet because he is not comfortable with the all the issues involved. He would be comfortable having the ANC vote to support finding solutions to the affordable housing problem, through such mechanisms as inclusionary zoning.

Dyer moved that the ANC call on the zoning commission to hold a hearing on this case #0433. Raymond seconded.

VOTE: Approved 5-0.

Dyer moved that the ANC recommend to the zoning commission mandatory inclusionary zoning for rentals. Raymond seconded. Brandon asked if a low income person could rent an apartment for less money than a person with a higher income.

VOTE: Approved 5-0.

Dyer moved that the ANC recommend to the zoning commission mandatory inclusionary for all owner occupied units for sale. Brandon seconded.

VOTE: Approved 4-1, Raymond dissenting.

Old Business

There was no old business.

Treasurer's Report

Upon motion by Nelson and second by Brandon, and after discussion, it was

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

155.40	Sandra Biasillo, reimbursement for webhosting fees
739.93	Sherrri Kimbel, April wages
40.00	DC Treasurer, April withholding
108.89	S. Kimbel reimbursement of office supplies
37.00	US Postmaster

Vote: Approved 5-0.

Approval of Quarterly Report

Biasillo moved and Dyer seconded a motion to approve the quarterly report. After discussion, it was,

RESOLVED: That the 2nd Quarter Financial Report of ANC2F 2005 be and is hereby approved.

VOTE: Approved 5-0.

ABC Voluntary Agreement Rules Discussion

Nelson moved tabling this item. Brandon seconded. There was no objection.

Reed said that the ABC is taking liberties with the Viridian Voluntary agreement, and he will fight this if they make any changes.

Adjournment

There being no further business, the meeting was adjourned at 9:50 pm.