

## ADVISORY NEIGHBORHOOD COMMISSION 2F

### Minutes of Regular Public Meeting

July 6, 2005, 7:00 PM

Washington Plaza Hotel, 10 Thomas Circle, NW

*Present:* **Chairman Charles Reed (2F01), Jim Brandon (2F02), Chris Dyer (2F03), Sandra Biasillo (2F05), Mike Nelson (2F06)**

*Absent:* **None** (seat 2F04 vacant, pending qualification of new Commissioner)

### Community Forum

(Announcements and Reports)

**Chairman Reed** noted that a quorum was present, called the meeting to order at 7:00 PM and directed that a copy of the notice of the meeting be filed with the minutes.

### Commissioner Announcements

Reed announced that DC Board of Elections and Ethics had notified ANC2F that **Robert Ellison** was certified to be ANC Commissioner for Single Member District 2F04, succeeding **Matt Raymond**, who had resigned and moved to New York. Commissioner Ellison had run unopposed for the vacant seat. Reed introduced Ellison and invited him to sit with the Commission. As Ellison had not taken the oath of office from Councilman Jack Evans, he was not, however, entitled to vote.

**Brandon** reported that the 14<sup>th</sup> & U Main Street Alliance, upon which he served as the ANC designated representative, had disbanded. Reed said newspaper accounts indicate that the Alliance felt development in the area had progressed to the point where work of the Alliance could be turned over to various community organizations impacted by and active in the 14<sup>th</sup> and U Street area.

**Nelson** indicated he attended MPD 3D Citizens Advisory Council meeting on June 23, and spoke with Commander Larry McCoy about complaints from MPD officers as to the need for additional equipment, such as squad car computers, police on Segways (electrical scooters) and assistance in prostitution enforcement. McCoy asked for copies of ANC monthly minutes. **Chris Kohatsu** will routinely forward such minutes to him.

Nelson also noted that prostitution problems have increased in his SMD. **Ellison** stated he has seen a decline in prostitution activity between M and Massachusetts Avenue. **Dyer** announced that prostitution arrests are done primarily in his SMD. He indicated he would be working with other ANC's to put together a town hall style meeting to combat prostitution.

Dyer also announced he would like to lead an effort to report on non-functioning street lights. He asked that the Mayor's call center (202) 727-1000 be informed of

lighting problems. He invited inquiries for more information (contact information on [www.anc2f.org](http://www.anc2f.org)).

Reed announced that the D.C. Soil and Water Conservation District seeks members for its Citizen Advisory Committee. Members from Ward 2 are encouraged to apply. Please contact Beth Quimby via telephone: 301-755-4806 or via email: [www.nilabloom@yahoo.com](mailto:www.nilabloom@yahoo.com).

### *Crime and Public Safety Report*

#### **PSA 307 Report**

**Lt. Mike Smith** and **Sgt. Stuart Emerman** delivered the report for PSA 307:

*Stabbing incident at 15<sup>th</sup> and Corcoran Streets* – the assailant, celebrating his 21<sup>st</sup> birthday, was evidently under the influence of PCP. A fatality was avoided when neighbors rescued the victim and captured the assailant. The assailant is from SE Washington. The incident was highly reported in the news media.

*1400 R Street* – to combat street noise and activity, high intensity lights have been added and police foot beats will be added. More intense policing is contemplated in an effort to abate the nuisances adversely impacting residents in the area from the Section 8 apartments associated with the problems. In addition, “bar notices” restraining non-desirable drug connected visitors from entering the Section 8 buildings are being issued

*Attempted abduction of young girl on 1400 block of R* – A Hispanic male (5’7” medium weight, dark brown eyes, light brown hair, in his 40s) driving a pick-up truck with partial Maryland tags (691) unsuccessfully sought to abduct a 14 year old Hispanic female.

*Major narcotics arrests* – made June 29<sup>th</sup> on 11th street and actions are being taken at 1413 K Street Sky Spa Massage Parlor at which drug trafficking has been noted.

*Major fencing arrests and stolen property recoveries* – made at 1206 and 1208 9<sup>th</sup> street and other locations; \$35,000 of stolen property recovered, with attendant steep drop in crime.

*General crime statistics* – 45% reduction over prior June in all categories other than robberies, which remained unchanged. Emerman cautioned, however, that purse snatchings from outdoor restaurant patrons is increasing with the advent of summer, urged citizens to beware of suspicious bike riders cruising near restaurants and to take precautions.

Smith announced that *Operation Fight Back* would concentrate on the 1300 – 1500 block of 9<sup>th</sup> street and adjacent alleys. This is a coordinated program of the MPD and other city agencies to attack crime problems through a multi-disciplinary approach;

e.g., housing, code violation enforcement as well as criminal enforcement. Smith also announced *National Night Out*, August 3, 2005, a program to be held at the 900 block of French Street, NW. Food and refreshments donations are desired, but not required for admission.

Smith passed out a wanted person(s) flier and solicited citizen assistance in locating any persons listed.

In ensuing discussion over 1400 R, **Kevin Muhlendorf** asked whether the owner of the problem properties was in compliance with a consent injunction issued in connection with a previous lawsuit brought by the US attorney's office over nuisance issues. It appeared the injunction is being violated.

**Timothy Hillie**, President of 1221 M Street Association (Claridge Towers) reports that his area's biggest problem is drugs, and asked for more MPD involvement. Smith mentioned that significant drug arrests have been made at Claridge Towers, but asked for increased citizen input and reports to police emergency 911. Anonymous reporting is permitted. Nelson requested that a letter be sent to the DC Housing Authority asking them to explain their rationale and policies relating to the tenancies at 1221. The Chairman designated Commissioner Ellison to draft such a letter on behalf of the ANC for the next meeting.

### **Community Announcements**

**Michael Baker Corporation** seeks citizen assistance with their beautification project on 14<sup>th</sup> Street. Please contact Heidi Peterson via telephone: 410-424-2210 or via email: [HBarrett@mbakercorp.com](mailto:HBarrett@mbakercorp.com)

**LCCA** wishes to thank everyone for attending the *Annual Logan Circle Community Picnic*, and encourages members, new and old, to join and renew membership. See [www.logancircle.org](http://www.logancircle.org). LCCA is now on summer hiatus, but will return in September with a wine and cheese tour of the newly renovated Studio Theatre.

**Foundry Methodist Church** on 16<sup>th</sup> Street reported through Reed that it maintains an outreach program for Hispanic workers loitering on P Street and 15<sup>th</sup>. Citizens having problems with such loiterers may contact the Church directly or Commissioner Brandon.

**MPD Third District Annual Open House** will be held on Saturday, July 23<sup>rd</sup>, 2005, from 10 AM – 4 PM. Those attending can expect to see 3D's helicopter, Mobile Command RV, Segway HT's, entertainment, games, a dunk tank, and refreshments for everyone. Volunteers are still needed to help coordinate this event. For more information, please contact Officer Marco Santiago or Inspector Diane Groomes.

**Charles John**, 1440 N Street, reports overflowing garbage problems at Homewood Suites; Sgt. Emerman indicated he would investigate.

**Sean Metcalf** (Councilmember Jack Evans's office) reported that Evans introduced (with 4 co-sponsors) anti-prostitution legislation with mandatory minimums, car impoundments, and increased fines. He will provide bill information as soon as a bill number is available. Reed indicated that the ANC may wish to testify.

- 5 Minute Recess -

### **Business Meeting**

**Approval of Agenda:** A draft agenda was laid before the ANC. By consent, the agenda was amended to include additional items and in amended form was adopted.

**Approval of Minutes:** Minutes of the June 2, 2005 meeting of the ANC were presented to the meeting, and were adopted unanimously. The Chairman directed that a copy be placed on the ANC website.

### ***Old Business***

No old business.

### ***New Business***

### **Appointment of Bob Ellison**

The Chairman announced that the District of Columbia Board of Elections and Ethics has formally certified that Robert Ellison is the sole person qualified to fill the vacant office of ANC Commissioner for SMD 2F-04, and called for a motion to appoint Mr. Ellison as required by law.

Upon motion duly made, seconded, and after discussion, the following Resolution was unanimously adopted:

**WHEREAS**, the office of Advisory Neighborhood Commissioner for Single Member District 2F-04 became vacant by virtue of the resignation of Matthew Raymond, who, in accordance with DCMR §1-302.1, submitted a letter of resignation effective May 6, 2005; and,

**WHEREAS**, the BOEE on May 27, 2005 declared such vacancy by publication in the *District of Columbia Register* in accordance with DCMR §1-300.2, and by letter dated June 20, 2005, certified to ANC2F pursuant to DCMR §1-309.06(d)(6)(D) that Robert Ellison, 1205 N Street, NW, #8 20005 was the sole individual meeting the qualifications to fill such vacancy; and,

**WHEREAS**, DCMR §1-310.1 specifies that where only one person is qualified to fill the vacancy, the Advisory Neighborhood Commission

shall appoint the qualified person to the vacant ANC position at its next regularly scheduled meeting; and

**WHEREAS**, July 6, 2005, being the next scheduled meeting of ANC2F after its receipt of the aforesaid June 20, 2005 certification under DCMR §1-309.06(d)(6)(D), and this ANC noting that the following resolution completes action required to be taken before August 25, 2005, under the 90-day period specified by DCMR §1-300.3, it is, therefore,

**RESOLVED**, That at its duly noticed public meeting with all currently incumbent Commissioner present, and with a quorum acting throughout, ANC2F upon motion duly made, seconded, and after discussion on such motion, appointed Robert Ellison, residing at 1205 N. Street, NW, #8, Washington, DC, to be Advisory Neighborhood Commissioner for Single Member District 2F-04, who shall serve the unexpired term of his predecessor in such office in accordance with law; and, it is,

**FURTHER RESOLVED**, That Robert Ellison shall be entitled to vote as an ANC commissioner and exercise all other rights and privileges of such office upon his receiving the oath of office as provided under law; and, it is,

**FURTHER RESOLVED**, That ANC2F requests the BOEE declare the vacancy filled by Robert Ellison by publication in the *District of Columbia Register*, and, it is,

**FURTHER RESOLVED**, That the appropriate officers of this ANC be and are hereby authorized and directed to forward copies of this Resolution to the BOEE, the Mayor, and the Council of the District of Columbia and to Robert Ellison.

### **Liquor License Matters**

**Vegetate**, 1414 9<sup>th</sup> Street NW (#72764); **Jennifer Graham Redd** appeared for the licensee, requesting a stipulated license (permit to operate under conditions proposed in the application pending ABRA action on license) and for approval of the application. A discussion ensued, in which it was indicated that the hours of operation are a concern, as is the question whether the music sought in the application will be a noise issue for surrounding residential tenants.

Upon motion by Reed and seconded by Nelson, and after discussion, it was

**RESOLVED**: That ANC2F has determined that the application by Vegetate for a stipulated license to operate under the licensing conditions

set forth in its application (#72764) currently pending before the ABC Board is not objectionable to the Community; and it is, therefore,

**FURTHER RESOLVED:** That ANC2F recommend to the ABC Board that the stipulated license be granted; and it is

**FURTHER RESOLVED:** That in light of questions raised concerning hours of operation and potential noise from music, the ANC should seek to negotiate a voluntary agreement, (the Licensee having indicated its willingness to do so) and, in order to protect the interests of the Community pending execution by the parties of a mutually satisfactory voluntary agreement and its acceptance by the ABC Board, ANC2F should protest Vegetate's liquor license; and the appropriate Officers of the ANC be and are hereby authorized and directed to file such protest; and it is;

**FURTHER RESOLVED:** That Commissioner Nelson together with Tim Hillard be and are hereby authorized to expeditiously negotiate a voluntary agreement containing terms that are consistent with voluntary agreements recently approved by the ANC and consistent with published ANC policy on such agreements; and Commissioner Nelson be and is hereby authorized to execute such voluntary agreement on behalf of the ANC after circulation to all commissioners; and it was,

**FURTHER RESOLVED:** That at the next following meeting of the ANC, the voluntary agreement, as, and if, executed, is ratified by the ANC.

VOTE: Approved 5-0.

**El Sauce Restaurant**, 1227 11<sup>th</sup> Street NW, (#72654). No representative of the Licensee was present at the meeting. The Application states the restaurant intends to play recorded Hispanic music of all types. Operating hours are weekdays from 9 AM – 2 AM; Friday and Saturday until 3 AM. A brief discussion ensued.

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

**RESOLVED:** That in light of questions raised concerning hours of operation and potential noise from music, the ANC should seek to negotiate a voluntary agreement, but, in order to protect the interests of the Community pending execution by the parties of a mutually satisfactory voluntary agreement and its acceptance by the ABC Board, ANC2F should protest Licensee's liquor license; and the appropriate Officers of the ANC be and are hereby authorized and directed to file such protest; and it is;

**FURTHER RESOLVED:** That Commissioner Nelson together with Tim Hillard be and are hereby authorized to expeditiously negotiate a voluntary agreement containing terms that are consistent with voluntary agreements recently approved by the ANC and consistent with published ANC policy on such agreements; and Commissioner Nelson be and is hereby authorized to execute such voluntary agreement on behalf of the ANC after circulation to all commissioners; and it was,

**FURTHER RESOLVED:** That if the next meeting of the ANC occur before the deadline date for filing the protest authorized by these resolutions, the voluntary agreement be presented to the ANC for ratification.

VOTE: Approved 5-0.

### **Street Parking Matters**

**D.C. Department of Transportation Car Sharing Parking Policy** – In order to encourage use of shared automobiles to alleviate street parking congestion and other environmental problems, DDOT has adopted a policy of assigning parking places for shared automobiles. Two such spaces, characterized by orange colored parking meters or signs have been granted within ANC2F boundaries to two car-sharing companies: FlexCar and ZipCar. DDOT proposes two spaces on the east side of 14<sup>th</sup> Street between Q & Corcoran for these companies. Spaces will be reserved exclusively for shared cars.

Reed stated that he will write a letter to DDOT on behalf of ANC2F commenting on overall support for car-sharing.

**Andrew Witherell** – (1714 13<sup>th</sup> Street)

Witherell presented pictorial evidence of automobiles parked in public space (typically, the space between the building line and the street; i.e., in residential front yards). This is prohibited by law. He has been working with MPD and the Mayor's office (EOM) to stop this practice and he complains of its unsightliness and inappropriateness in historic areas. He requests that ANC2F draft a letter to DDOT requesting signs to inform drivers that it is illegal to park in public spaces. Upon motion by Brandon and seconded by Biasillo, it was,

**RESOLVED:** That ANC2F, having determined that illegal parking on public space is occurring in the Logan Circle area, advises DDOT to post proper signage instructing drivers not to park in public spaces and to undertake more vigorous enforcement of traffic regulations against parking in such space.

VOTE: Approved 5-0.

### **Q Street Alley Resurfacing.**

**Joan Ferraris** 1400 Block of Q (and representing the Q Street Association members) outlined a proposed repaving of the alleyway in back of the 1400 block of Q St. NW, and requested ANC2F support for such proposal.

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

**RESOLVED:** That ANC2F, having determined that there is serious deterioration in the alleyway of the south side of the 1400 block of Q Street NW, largely due to years of significant construction along the largest section of the alley and it appearing that the grading no longer effectively drains the alley, which has led to mosquito and rat infestation and results in a health hazard, supports the resurfacing of the alleyway be undertaken as soon as is feasible, under the following criteria:

- (1) Resurface the entire alley;
- (2) Require that Verizon telephone lines and Comcast utility cables be buried in connection with the resurfacing;
- (3) Require that Verizon be directed to remove the existing telephone poles and relocate the main switch box currently located on the telephone pole behind 1448 Q Street, N.W. and replace it with a modern switch box at the end of the alley at 15th street; and
- (4) In light of the fact that the alleyway is within the boundaries of two historic districts, resurfacing should be with the same black paving block that DDOT is using in historic district alleyways in the City.

VOTE: Approved 5-0.

### **Street Closure Approval**

**Gabriel Urquhart**, Vice President for the American Heart Association (AHA) stated that AHA's 5<sup>th</sup> Annual Greater Washington Region Walk is proposed to be held on Saturday, October 29, 2005. The rally and walk would begin at Freedom Plaza, and go for three miles, in a non-competitive format. 5,000 people are expected to participate.

The proposed parade route is as follows:

Start at Freedom Plaza  
East on Pennsylvania Ave (Southside)  
Right onto Southbound 3<sup>rd</sup> Street



Right onto Westbound gravel pathway (National Mall path)  
Right onto 14<sup>th</sup> Street (East sidewalk Northbound)  
Conclude at Freedom Plaza.

Urquhart stated that AHA received approval from both the National Theatre and the adjoining J.W. Marriott.

Upon motion by Dyer, seconded by Nelson, and after discussion, it was,

**RESOLVED:** That having reviewed a request placed before the meeting to support temporary street closings from 12:30 a.m. to 12:30 p.m. October 29, 2005, by the American Heart Association and it appearing to this Commission that such closures would not unduly inconvenience residents nor adversely impact businesses within the vicinity of the closures, such request be and is hereby recommended to the District of Columbia Emergency Management Agency that the permits be granted for the route detailed in the request, and it is

**FURTHER RESOLVED:** That the appropriate officers of this Commission be and are hereby authorized and directed to communicate the foregoing advice to the District of Columbia Emergency Management Agency.

**VOTE:** Approved 5-0.

### **CDC Report**

The Chairman stated that a new procedure will be followed until further notice reviewing the CDC Report; recommendations unanimously or near-unanimously approved by the CDC and designated by the CDC as consent matters will be acted upon in a single vote unless any Commissioner dissents.

The Chairman remarked that several projects on the agenda may involve strongly held views, and he asked everyone to observe orderly decorum and refrain from ad hominem comments.

#### *Consent Calendar Items:*

**1425 11<sup>th</sup> Street, 1006 M Street, 1211 13<sup>th</sup> Street.** Nelson, exercising a point of information, stated that in the matter of **1425 11<sup>th</sup> Street**, he received an update. It seems that the Developer spoke with the neighbors, an agreement was reached on the placement of windows, and all report that their dispute was resolved. **Mark Weller**, representing 1425 11<sup>th</sup> Street and **Carolyn Brown**, Esq., representing the owner, confirmed that this was the case.

Upon motion by Dyer and seconded by Biasillo, it was

**RESOLVED:** That ANC2F hereby accepts the recommendations of the Community Development Committee (CDC) contained in the minutes of the CDC meeting of June 22, 2005, and hereby authorizes and directs that the appropriate officers of the ANC advise the relevant District of Columbia agencies accordingly, with respect to the following projects: 1425 11<sup>th</sup> Street, NW; 1006 M Street, NW; and 1211 13<sup>th</sup> Street, NW.

VOTE: Approved 5-0.

*Regular Agenda Items:*

**1109 M Street.** CDC made a recommendation of 7-1 on a proposed addition with a courtyard to this existing structure. The developer is also requesting a zoning variance and a courtyard variance, and after discussion with the adjoining property, 1111 M Street NW (1111 M) there is also an issue of an easement. Biasillo stated she would abstain from this as she is a resident at 1111 M.

**Ron Schneck**, from **Hickok Warner Cole** introduced himself as the principal architect for the project. He stated that the existing townhouse was built in the late 1890's. He is proposing to create an addition massing solely on the back of the structure for new condominium units.

On the matter of the courtyard, Schneck stated the intent is to create a courtyard to be used by the entire building. A compliant court would be 18 feet, and his drawings are at 17.8 feet, and he is not in a position to get more space. He is requesting a variance of 13 inches.

The other variance is for residential recreation space. They are required to have 20% and he is asking for no residential recreation space as they cannot accommodate the square footage requirement. At one point, he attempted to consider the roof, but that did not prove feasible.

**Shelley Hearne** – President of the adjoining building, 1111 M Street NW, stated that her association is in the process of obtaining legal representation. It is her understanding that the easement being requested from her building is not up to code. Shneck replied that the proposal by 1109 M benefits 1111 M. By code, 1109 could be built up to the 1111 property line, thus hindering its egress.

Reed stated that tonight's agenda deals only with the HPRB and BZA issues; not egress.

Hearne replied that the two variances on the agenda will impact the community, and that there are many other ways that this addition could be built. She asked that the commission consider impacts such as more garbage and less parking. She reiterated that her association needed more time to fully understand the issues at hand. **Sam Black**, also

from 1111, for himself and others, protested the 1109 addition, because of noise and window placement concerns.

Reed pointed out that the ANC could consider only those issues relevant to reaching a decision on the pending HPRB and BZA proposals. Garbage and parking are not within the scope of the actions HPRB and BZA would consider, and thus are not germane (although they may be for the future approvals this project would require—in which case the arguments would be considered at that time). Reed pointed out that Mr. Black's concerns are also not germane, because, as voiced, they assume a right to air and light, which is not a right of adjoining property owners, and to noise, which is regulated outside the scope of the building and zoning codes.

Hearne stated that the ANC must also represent the community voice, again arguing for delay in ANC action. Reed replied that while the ANC does in fact represent the community voice, it is limited to expressing only those concerns that are cognizable to the agency to which the commission addresses their advice. He added that owners of the project are also a part of the community, and the ANC would need to balance the interests of those seeking delay against the cost to the project owner of such delay. **Crispin Etherington** of Ashbourne Properties (and the developer of 1109) stated that they are conscious and sensitive to the neighbors, and have spent time with them and the LCCA. He stated enough time has passed and he wished to proceed with the matter.

Reed then asked for motions from the Commission.

Upon motion by Dyer and seconded by Nelson, and after discussion and due amendment of the motion as originally framed, it was,

**RESOLVED:** That ANC2F determines that the design, height and massing of 1109 M Street, NW as laid before the Commission is not incompatible with historic preservation guidelines; and that the Commission recommend to the HPRB that such design, height and massing be approved; and, it is,

**FURTHER RESOLVED:** That ANC2F determines that the application of the 15% of F.A.R. recreation space requirements of Title 11 District of Columbia Municipal Regulations §773 impose an undue hardship on the project as currently proposed for 1109 M Street, NW; and that the Commission recommend to the Office of Zoning (BZA) that the application for variance currently pending before it with respect to this project be approved; and, it is,

**FURTHER RESOLVED:** That ANC2F determines that the request for variance currently pending before the BZA for a reduction in the minimum courtyard required is a *de minimus* variance; and that the Commission recommend to the Office of Zoning (BZA) that it grant the pending variance request as proposed; and the appropriate officers of the Commission be and are hereby authorized and directed to effectuate the foregoing resolutions.

VOTE: Approved 3-0, Brandon and Biasillo abstaining.

Reed remarked to the representatives of 1111 M present that the foregoing actions do not undercut the right of opponents of the project to object at the appropriate time on the matters as to which they voiced concern, and he encouraged the protestors to continue with their plans to retain legal counsel.

**917 M Street.** Dyer stated that this project was on the regular calendar solely because of one negative vote at the CDC vote, but the recommendation of the CDC remains for approval (8-1).

After motion by Dyer and seconded by Nelson, and after discussion, it was,

**RESOLVED:** That ANC2F determines that the design, height and massing of the 917 M Street, NW as laid before the Commission is not incompatible with historic preservation guidelines; and that the Commission recommend to the HPRB that such design, height and massing be approved; and the appropriate officers of the Commission be and are hereby authorized and directed to effectuate the foregoing resolution.

VOTE: Approved 5-0.

**1519 14<sup>th</sup> Street – The Matrix (formerly The Phaeton).** **Rita Bamberger**, representing the Holladay Corporation stated that the CDC approved the traffic control plan contingent on their concerns. She came prepared to address those concerns.

Due to work needed on a transformer vault, the need for a mobile crane, and for safety reasons, the sidewalk must be closed for approximately 12 weeks. Reed stated it looked closer to 6 months of closure.

Bamberger replied that it could be 6 months, but on times when the crane goes away, the sidewalk will open up. They will make every effort to remove the crane during morning rush hour, evenings, and weekends. In terms of the neighboring bookstore (Candida's World of Books), Bamberger did speak with the owner of the property, whose concerns were for the weekends. Holladay Corporation undertook to do everything they can to accommodate Candida's in the pre-cast concrete construction phase, but no relief is available during the vault work, since the pavement will be removed during that phase of the work.

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

**RESOLVED:** That ANC2F determines that the traffic control plan presented to the meeting with respect to 1519 14<sup>th</sup> Street, NW, reasonably accommodates the interests of the community; and that the Commission advise DDOT to approve such plan, subject to the following provisions:

1. Documentation for public posting to include sidewalk closure dates and times.
2. Documentation for public posting to include closure of the driving lane on 14<sup>th</sup> Street.
3. Documentation for public posting to include treatment, preservation, and care of trees located at the project site.
4. Documentation for public posting to include scheduled movement of the Metro bus-stop at the project site.
5. Documentation on the trash removal process during construction.

And the appropriate officers of the Commission be, and are hereby authorized and directed to effectuate the foregoing resolution.

VOTE: Approved 5-0.

**1004 N Street -- Jemal Williams**, of Architecture Development Ventures, stated that initially the design intent was to maximize height and mass usage. This was opposed by the LCCA and the Office of Planning (Steve Colcott), whereupon the height and massing were changed to align the project with existing adjoining properties.

**Jim Louckes**, in opposition to the project, expressed compatibility concerns. The changes in design since the project had been originally presented reduced much of these concerns, but he questioned the side fenestration. In the ensuing discussion, Williams agreed to review the fenestration question.

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

**RESOLVED:** That ANC2F determines that the design, height and massing of 1104 M Street, NW as laid before the Commission is not incompatible with historic preservation guidelines; and that the Commission recommend to the HPRB that such design, height and massing be approved, with the understanding that the ANC2F be accorded another review prior to final approval of the project; and the appropriate officers of the Commission be and are hereby authorized and directed to effectuate the foregoing resolution.

VOTE: Approved 5-0.

(End of CDC report and action thereon)

### **Azi's Café Request for Outdoor Seating**

Representatives of the applicant were not present at the meeting. However, this matter having been previously reviewed, Reed asked for a motion.

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

**RESOLVED:** That ANC2F determines that the public space permit sought by Azi Café, 1336 9<sup>th</sup> Street, NW for outdoor seating would provide a desired amenity for the community; and that the Commission recommends to DDOT that the current application pending be approved.

VOTE: Approved 5-0

### **WagTime**

Dr. Joan Ferraris stated that, contrary to the widely held understanding, WagTime is still in business on the 1400 block of Q Street. Despite their withdrawal of appeal from the revocation of their certificate of occupancy, City agencies have not taken action to enforce the occupancy regulations.

**Woodson Memorial** – This matter relates to a proposal for a memorial to be located outside the ANC2F boundaries (in ANC2C), previously presented at the March 2005 ANC2F meeting by **Janet Harris**. Several Commissioners stated they did not wish ANC2F to take a position on this project, in view of its location outside of our boundaries. Reed asked for a motion to consider recommending approval. There was no response. Accordingly, the matter was not considered.

### **Election of ANC2F Secretary**

Reed noted that the position of Secretary was open, due to the resignation of Commissioner Dyer, who has withdrawn because of the press of other duties on behalf of the ANC. Reed opened the floor for nominations for the office of secretary. Bob Ellison was nominated by Dyer and seconded by Biasillo. No other nominations were made. Ellison was elected unanimously, effective upon his qualification as Commissioner for SMD 2F-04; to serve until his successor is duly elected and qualified.

### **Treasurer's Report and Budget Approval**

Upon motion by Dyer, seconded by Reed, and after discussion, it was,

**RESOLVED:** That the treasurer's report be and is hereby accepted; and the following expenditures authorized and ratified, as the case may be:

D.C. Treasurer - \$11.60 (June and July withholding)  
U.S. Treasury - \$924.24 (Quarterly payment)  
D.C. DOES - \$47.65 (Unemployment coverage)  
Sherri Kimbel - \$308.00 (June wages)  
Chris Kohatsu - \$1,400.00 (June and July wages)

VOTE: Approved 5-0

Upon motion by Reed, seconded by Dyer, and after discussion, it was,

**RESOLVED:** That the budget, as presented to the meeting, be and is hereby approved.

VOTE: Approved 4-1, Brandon opposing.

**Adjournment**

There being no further business, the meeting was duly adjourned at 10:15 p.m.