

## ADVISORY NEIGHBORHOOD COMMISSION 2F

### Minutes of Regular Public Meeting

February 1, 2006, 7:00 PM

Washington Plaza Hotel, 10 Thomas Circle, NW

*Present:* Vice Chairman Jim Brandon (2F02), Chris Dyer (2F03), Bob Ellison (2F04), Sandra Biasillo (2F05), Mike Nelson (2F06)

*Absent:* Charles Reed (2F01)

### Community Forum

(Announcements and Reports)

**Vice Chairman Brandon** 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.

**Ellison** announced that the Anti-Prostitution Vehicle Impoundment bill will be marked up on March 14, 2006, as was confirmed by **D.C Councilmember Mendelson**, who was in attendance at the meeting..

**Dyer** said that the Thomas Circle construction work is expected to be completed by June, 2006. A rededication ceremony will be held.

Brandon announced that he met with the Rhode Island West Association to discuss issues within his SMD.

### PSA 307 Report – Lt. Mike Smith

Lt. Smith reported that theft from auto increased 283% last year, perhaps as a result of a roving crew of two suspects. He asked residents not to leave valuables in their car, or at least not in sight. Vehicles with out of state (non-District) tags seem to be favored targets. Simple theft decreased by 3%, but burglaries are increasing.

The Anti-Prostitution task force was featured in the latest edition of the InTowner. Smith suggests that the community read the article. **Mike Sheaffer** noted that prostitutes are being seen again at 12<sup>th</sup> and M Streets, and asked that police monitor the area.

**Nelson** asked about a tire slashing at 10<sup>th</sup> & O, and inquired about police presence the night before. Smith answered that an intoxicated individual, suspected of auto theft, was stopped.

Sheaffer asked about the Christopher Gaines trial. Smith responded that he had been out of town for an officer's funeral, but he would continue to monitor the trial and report any development.

Smith stated that DDOT's Deputy Director Michelle Poushow stated that total enforcement of parking laws will be implemented within two months time. Fliers and public notice will be distributed throughout the neighborhood to allow drivers to know.

**Stan Ross** said that he attended the 3-D CAC meeting and was informed that the high ranking public officials would be at tonight's meeting, not yesterday afternoon.

**Todd Lovinger** and **Mitch Sollenberger** said that this meeting was conducted by higher level city officials, and that even they as members of the ad hoc parking committee were not invited to the meeting.

Nelson asked about the closing of Oak Hill Juvenile detention center. He stated that the uptick in crime in Logan during last fall was when the Director of Oak Hill began to stop taking in juvenile offenders. Smith answered that he could not comment. (A representative from Councilmember Fenty's office in attendance at the meeting said later that the Oak Hill center was being renovated but will be reopened when it is finished.)

### *Community Announcements*

**Heather Vargas** announced that the Logan Circle Community Association will be holding a Diversity Reception next week, Wednesday, February 8, 2006, to celebrate the cultures and livelihood of Logan residents.

### *10 Minute Recess*

#### **Approval of Agenda**

Dyer asked that the St. Patrick's Day 10K Parade be added to the agenda. As amended the agenda was unanimously adopted.

#### **Approval of January Minutes**

Minutes of the January 1, 2006 public meeting of the ANC were presented. Biasillo said that the D.C. DOES payment was for \$40.10, not \$47.65 as shown in the minutes and asked that the minutes be corrected. As corrected, the minutes were unanimously adopted.

#### **CPSC Report and Related Matters**

The Committee held a second meeting and established goals for the year.

1. Legislative – to influence the legislative and regulatory environment to deter crime and increase public safety.
2. Judiciary – Provide for community presence in the courtroom.
3. Awareness – Increase public/private vigilance, and to bring city services to the Logan Circle area.
4. Expand reach and leverage of ANC2F – developing synergy with other community and government activities.

5. Operate the Committee – by developing internal committee structure.

Dyer moved for adoption of these goals for the committee. Ellison seconded. After further discussion, it was

**RESOLVED**, That the goals presented for the Crime and Public Safety Committee for the year, be and are hereby approved.

VOTE: unanimous (5-0).

Biasillo announced that Michael Yoon would be representing SMD-2F05 on the committee.

Sheaffer said that there would be a CPSC page on the ANC website, and the community can look forward to seeing these items and actions in detail.

### **D.C. FAIR Act**

Tim Jenkins and Kevin Ivers presented a petition in support of the D.C. Fairness in Representation Act, and requested that the ANC join. The Act, currently pending as a bill in the U.S. House of Representatives, would give D.C. a voting representative, rather than a non-voting representative. The bill is supported by a broad bi-partisan group of residents, elected leaders, and city officials. Tom Davis, Rep. of Virginia, is the sponsor of the bill.

Upon a motion Ellison, seconded by Dyer, and after further discussion, it was,

WHEREAS the citizens of the District of Columbia pay federal taxes, defend our country, and contribute to the strength and well-being of our Nation every day;

WHEREAS the citizens of the District of Columbia do not have fair representation in the U.S. Congress;

WHEREAS the District of Columbia Fairness in Representation Act (“D.C. FAIR Act”) has been introduced in Congress with bi-partisan support to give the District of Columbia’s voting representation in the House of Representatives;

WHEREAS Mayor Anthony Williams and an overwhelming majority of members of the D.C. Council endorse the DC FAIR Act and have urged its passage;

WHEREAS a majority of Americans strongly support an end to D.C.’s unfair disenfranchisement, and share our belief that the more than a half-million citizens of D.C. deserve fair representation in Congress;

NOW THEREFORE, be it,

**RESOLVED**, That Advisory Neighborhood Commission 2F, a statutory agency of the District of Columbia government comprised of six resident Commissioners elected by the citizens they represent, calls on the leaders of the U.S. Congress to hold prompt hearings on the DC Fairness in Representation Act, and to hold a vote on this important legislation in 2006.

VOTE: unanimous (5-0)

**Comments of DC Councilmember Mendelson**

**DC Councilmember Mendelson** said that he attended the recent LCCA Public Safety Forum, and that he comes to the ANC to discuss the markup of the bill scheduled for March 14, 2006. He indicated that some provisions of the bill are controversial, such as mandatory minimums. It also shifts discretion from judges to prosecutors. Mendelson noted that he is aware of the serious concern of this ANC and its residents have for the increase in prostitution. He said he is working with Councilmember Evans to ensure that all interests will be represented. In the past, Courts have struck down the idea of seizure by the government. The new bill provides for a temporary seizure, which could be very effective. The Council is also considering the Mayor's anti-prostitution bill which makes the act of prostitution illegal for the first time (current law merely criminalizes solicitation of a prostitute).

Another pending bill, regards the protection of ANC Commissioners, and to the protection of elected officials and administrative officers.

He is expecting the budget from the Mayor in the spring, and there will be a 50 day time period to allow for discussion and adoption of the budget.

The Council meets on February 7, and they are scheduled to vote on the baseball stadium deal, and the school modernization bill. Funding mechanisms for the bill have yet to be determined.

Sheaffer thanked Mendelson for coming to the meeting. He stated that the neighborhood really needs enforcement action against prostitution.

**The Annex Resolution**

Nelson introduced **Virginia Lee** from the Logan Court Condominium Association to speak about a proposed resolution.

In 2002, a business moved into 1337 11<sup>th</sup> Street NW. The neighbors have tried to build community relationship with John Hahn (the owner of the establishment), but their efforts have gone in vain.

Hahn put his liquor license request on hold for three years, and there has been no effort made to renovate or rehabilitate the building. Graffiti, deterioration, and suspected illegal activities seem to occur. Neighbors suspect that single sales of cigarettes and illegal sales of alcohol may be occurring on the premises.

The residents are asking for a fact finding hearing, and are asking for a buy back of all liquor at this location, and that the Ward 2 Service Coordinator name this a “nuisance property.”

Nelson said a fact finding hearing was scheduled at ABRA on February 8, 2006. He then explained that the actions involving this resolution include involving the Historic Preservation Office, the Department of Consumer and Regulatory Affairs, and other agencies as needed.

Nelson asked **Carlson Klaphor** if there was anything in the resolution he would amend. Klaphor said “nuisance property” is a label used to fight drug sales. He indicated that he would be happy to work with the community on the issues of trash and the single sales of alcohol and cigarettes.

Nelson said that the establishment sells drug paraphenelia. Biasillo asked if ABRA could force the establishment to move into a voluntary agreement. Nelson said that the license originally fell under ANC2C and that is where the agreement in place. Nelson further stated that residents do not want the license transferred.

Dyer seconded Nelson’s motion, and after further discussion, the following resolution was adopted:

*WHEREAS*, the residents of the Shaw/Logan Circle area, living near the intersection of 11<sup>th</sup> and O Street, N.W., have been working since 2002 to improve community relations with the local corner store in our neighborhood; and

*WHEREAS*, initially the Annex, located at 1337 11<sup>th</sup> street, NW was welcomed as an added *convenience* to this pedestrian community, it was later revealed that the proprietor, Mr. John Hahn had requested that the Alcoholic Beverage Control (ABC) Board transfer his liquor license from his previous address at the O Street Market on 7<sup>th</sup> Street, N.W. to this location; and

*WHEREAS*, when in April 2003 Mr. Hahn’s liquor license (#175474 in the name of Yong S Chong & Hahn John for 1400 7<sup>th</sup> Street, NW) was up for renewal, the ruling of the ABC Board took into consideration the surrounding community’s opposition to a liquor store at this location (1337 11<sup>th</sup> Street, NW) and Mr. Hahn removed his request for a transfer of the liquor license to this location and the ABC Board placed the liquor

license in safekeeping; consequently, the Annex was licensed for food products only on October 17, 2002; and

*WHEREAS*, it has been 3 years since the initial ABC Board ruling on the liquor license at the above named address and numerous attempts have been made by various government agencies and community groups to get Mr. Hahn to adhere to safety and security practices that benefit the community at large because the quality of life for citizens in this corridor has steadily declined in recent months and the general atmosphere surrounding the Annex includes loitering (during school hours), high volume traffic with no purchases, cigarettes sold by the smoke and prostitutes lingering for pick-ups make the Annex a haven for criminal activity; and

*WHEREAS*, while the officers of Metropolitan Police Service Area (PSA) 307 are familiar with the activity at the Annex and are working with the community to eliminate illegal transactions, there has been no sustained initiative by the owner to resolve the issues of the unsightly appearance of the store both inside and out, the failure to adhere to the guidelines for a business in a historical district and an unwillingness to educate his clientele regarding a desire to foster better community relations (no loitering and littering on premise); and

*WHEREAS*, a hearing is scheduled before the ABC Board on Wednesday, February 8, 2006 to review the status of the temporary hold on Mr. Hahn's liquor license given the following issues are in question:

(a) a determination if a more suitable location has been found for the operation of Mr. Hahn's business and authorize the renewal of his liquor license at that location. Noting that sufficient time (three years) has been given for a new location to be identified.

(b) a determination if an extension is necessary to avoid any adverse business impact.

(c) a call for a 'buy back' of all liquor stored at this location from wholesalers; and it is,

**RESOLVED**, That ANC 2F recommend the ABC Board make a call for the licensee to sell back of all liquor stored at the 1337 11<sup>th</sup> Street, NW location and move to cancel the existing license in safekeeping for 1400 7<sup>th</sup> Street, NW; and it is

**FURTHER RESOLVED**, That ANC 2F recommend to the Department of Regulatory Affairs (DCRA) and the Office of Historic *Preservation* (HPO) that immediate and strict enforcement measures be taken to bring

this property into compliance with regulations governing external appearances in a historic district; and it is,

**FURTHER RESOLVED**, That ANC 2F urge the Ward 2 Service Coordinator to work with the appropriate city agencies to label this a “nuisance property” and have them undertake remedial measures thereby ensued.

VOTE: Unanimous (5-0)

**1318 9<sup>th</sup> Street NW – Be Bar**

**Andrew J. Kline, Esq.** representing Be Bar, and its owner **Mike Watson**, appeared to discuss the proposed operations of this operation which is seeking a tavern liquor license at the above address. The first level would be a 3,000 sq. ft. tavern, with office space available above. Kline represented that there would not be live music, but Dyer noted that a tavern license allows for a 10 x 14 ft. dance floor. In response to a question by Dyer, Kline indicated that the property is outside the minimum distance required from an elementary school.

Watson said he is working with Blagden Alley Association to assure that its concerns were addressed. Watson said that he wants to create a space similar to Halo, and is interested in catering to the Convention Center market.

**Erin Croutch** asked about parking. She was answered that neighborhood customers would be targeted so that most of them would be able to walk or take taxis.

**Alex Padro**, from the Shaw Historic Main Streets said that this application has taken dramatic steps to respect the community and to work with the neighborhood.

**Mike Benardo** asked about changing the exterior. The only change would be to the two front doors that most people call “ugly.”

The Commission announced they would be pleased to work further with Watson and Kline on this development.

**Emmanuel Serving for the Aging, Grant Request**

**Matt Henshaw** and **Aaron Smith** appeared for this non-profit 501(c)(3) organization. The organization seeks a grant from the ANC for the purpose of providing shelving for food storage. Emmanuel provides services to the elderly throughout the city, including advising on tenant housing concerns and performing outreach activities such as holiday gift deliveries and regular food deliveries. They seek to expand their food pantry to meet emergency requests, which are more common in winter months. Actual food costs are covered by City programs. Funds would go to obtain adequate shelving to create more storage and to protect food from rodents and keep it sanitary. None of the funds would go toward salaries.

In response to a question from Dyer, Biasillo indicated that while there is no allocation currently in the ANC budget for community grants, the ANC has the ability to make a grant up to \$1,000.00.

**Mike Watson** said that he would be happy to donate the shelving and then to either match or work with the ANC on co-sponsoring the grant.

Upon motion of Nelson, seconded by Biasillo, and after further discussion, it was

**RESOLVED**, That the ANC accepts the receipt of the application of Emmanus for a grant in the amount of \$1,000 to be used for shelving for food storage; notes with appreciation the generosity of Mike Watson to participate in the charitable request; directs that the Treasurer explore the procedural and other steps necessary to provide such grant; and further directs that the matter be placed on the agenda of a future meeting for action on the application.

VOTE: unanimous (5-0)

#### **CDC Report**

Consent Calendar Items: 1313 L Street (government bond hearing); 1600 14<sup>th</sup> Street (traffic control plan modification); 1200 R Street (traffic control plan).

The minutes of the CDC meeting of January 25, 2006, were not available to the ANC due to the resignation submitted by the Executive Director.

The recommendations of the CDC, however, were outlined by Dyer.

Upon motion by Biasillo, seconded by Ellison, and after further discussion, it was

**RESOLVED**, That the unanimous recommendations of the CDC be are hereby approved, with respect to 1313 L Street, NW; 1600 14<sup>th</sup> Street, NW; and 1200 R Street, NW; and that the appropriate officers of the ANC be and are hereby authorized and instructed to take such steps as may be required to implement such recommendations.

VOTE: unanimous.

#### **ANC Parking Committee Update**

Four proposed actions were presented to the ANC, three of which were suggested by the ANC Ad Hoc Parking Committee and the fourth by the residents:

1. **Angled Parking on Vermont Avenue:** Change parking configurations to permit angled parking on Vermont Avenue. DDOT has determined preliminarily that such parking would be feasible.

2. **Temporary Parking Zones Around Logan Circle:** Allow Sunday parking on the outer lane of Logan Circle during church hours, from 8 AM to 2 PM.
3. **Use of Shaw Junior High School Parking Garage on Sunday:** There are 50 to 100 parking spaces that are likely to be available on the weekends.
4. **Immediate, Full-Time Enforcement of Parking Regulations.**  
This resolution was presented by the residents, and has not been formally agreed to by the churches or the Downtown Cluster of Congregations.

The first three resolutions were unanimously passed by the CDC.

Upon motion by Biasillo, seconded by Ellison, and after further discussion, it was

**RESOLVED**, That this ANC hereby accepts the recommendations of its Ad Hoc Parking Committee as reviewed by the CDC to ease the parking problem in the community and determines to (a) advise DDOT to implement angled parking on Vermont Avenue, NW, (b) take such steps as may be necessary or appropriate to gain the use of parking spaces at Shaw Junior High School on Sundays, and (c) communicate with DDOT to explore the use of Logan Circle outer lane for Sunday parking during the hours of church services, 8:00 am to 2:00 pm; and the appropriate officers be and are hereby authorized and directed to implement the foregoing resolution.

Vote: Unanimous (5-0)

Brandon asked how evening meetings at the church would be handled. Dyer stated that evening meetings would be dealt with through enforcement, which is what the fourth resolution entails. This resolution did not pass the CDC unanimously. The vote was 6-4.

Community discussion ensued. **Rev. Cornelius Wheeler** opposed the fourth resolution, because the parking committee was able to create the first three resolutions, and the fourth did not come from the ad hoc committee. This seems to be a unilateral demand during bilateral negotiations. **Todd Lovinger** rose to speak in favor of the resolution. It is broadly written to only ask for enforcement of existing laws. A walkthrough has been performed to count the number of double parked cars versus available spaces. Over 50 spaces were identified, and less than that number of auto violators identified. Unless there is enforcement, there is no incentive for people who double park to change their practices. Churchgoers park in the middle of the street or double-park when there are clearly visible spaces just blocks away.

**Rev. Vernon Shannon** asked that action should not be taken until the ad hoc committee had more time to consider and work together. There has been considerable work performed and

**Stanley Mays**, the Chairman of the CAC, said that citizen goodwill states that this is a practice and custom that has happened for a long time. The sentiments in other communities suggest that neighbors are living with this issue, and without a sense of hostility as present in Logan Circle. His CAC asked that the Chief issue warnings for at least a month, rather than issue tickets.

**Jason Powell** of 11<sup>th</sup> & R Streets, said that Mays is right, the residents are asking for enforcement of the rules. He gets ticketed for leaving his car when there is street cleaning. Residents are being ticketed, and yet other people, are breaking the law, and they are not being ticketed. If he needs to go to his church, which is outside the community, he needs access to his car. There must be a deadline otherwise there won't be any progress.

A member of Mount Olivet said that residents from the community double parked in two church goers, and they could not get out for nearly half an hour. It is not only church goers from outside the community that are double parking but residents as well.

Padro said that tabling the fourth resolution would be appropriate so that more work could be performed. Warnings should be issued so that those that break the law can modify their behavior.

Rev. John Johnson from Mt. Olivet asked if anyone stopped to talk or discuss this issue prior to starting this process. He said that at his church, when they were dealing with double parking issues, the church chose to move their service times to earlier in the morning, so they would not affect the residents adversely.

Lovinger answered that there has been a lot of dialogue. In terms of residents double-parking, there is nothing in the resolution that limits the enforcement to residents or just church goers. The top level city officials are weighing in on this issue now. If the ANC delays this, they will not have a voice in these decisions and meetings. Already, meetings have been conducted without input from the community.

This resolution does not create sides, it asks for enforcement of the law.

Rev. Shannon said that when the ad hoc committee was created, there was a feeling of open communication and a spirit of cooperation. We must not become confrontational. This is an opportunity for reconciliation, and adoption of the fourth resolution would undermine the work of the community, and the good work of the community.

Dyer asked Klaphor to speak on the enforcement of parking regulations from DDOT. Klaphor answered that nothing is definite, and that no new policies have been written. City officials did meet to discuss the issues at hand. Parking is currently being enforced based on safety issues (blocking of fire hydrants, crosswalks, ramps, etc).

He said that parking around Logan Circle would not be accepted because that is a pedestrian walkway and unsafe. He urged the commission to continue to work with DDOT, and to learn from the parking issues cleared up around RFK stadium.

Sgt. Emerman said that the meeting was a discussion based on a city-wide approach, and it was not focused solely on Logan. It was a preliminary meeting, and sample scenarios were made. A general consensus agreed that warnings and notices should be issued to allow drivers to know about parking regulations. If total enforcement of the law was to be made, a rush on the proposals need to be implemented because otherwise there is no alternative for parkers.

Sollenberger said that he was present for the walkthrough and saw for himself that parking spaces are available. He said that police may not realize all that are available. He takes some offense to the label of unilateral, because every proposal, and every suggestion came from a resident, and then knocked down by the churches. The churches are not, in his opinion, acting in good faith because they are not offering solutions. He personally suggested that the small lots be reserved exclusively for the elderly and disabled, and he was shot down.

Nelson stated that he was parked in twice recently by a delivery truck, and that his neighbors had problems around the Convention Center, he would be in support of enforcement. However, he offered a friendly amendment for a two month grace period.

Dyer said that because the resolution is so broadly written, he is worried that there would be a perception that it would be okay to illegally park for two months.

Ellison asked that the resolution be tabled for a month, so that the churches and other establishments have time to tell their congregants and patrons that the ANC will in a month aggressively pursue the city to enforce parking laws.

Biasillo said that by passing this resolution does not mean that change will happen overnight. Enforcement was part of the grand solution since inception of the committee. She said that the ANC should create their own fliers to let the community know that enforcement is coming.

Dyer said that as a member of the committee, it occurred to him that at some point, it is incumbent on the ANC to ensure that parking enforcement happens.

Biasillo moved to table the fourth resolution to allow the ad hoc committee to craft a bilateral resolution. Nelson seconded. Upon the motion to table, the vote was:

Vote: Aye, 1 (Nelson); Nay, 3 (Biasillo, Ellison, Dyer); abstentions 1 (Brandon)

The motion failed.

Ellison stated that their constituents brought this to the ANC's attention.

Thereupon, Ellison moved and Biasillo seconded, and after amendment proposed by Nelson and acceptable to the motion's proposing commissioner, it was,

**RESOLVED**, That the ANC determines that enforcement of parking regulations is necessary and proper to assure the safety of the community and has been instrumental in easing the parking the problems that adversely affect the community; and it is,

**FURTHER RESOLVED**, That Ad Hoc Committee and the other organizations and representatives of the D.C. agencies with which it is working, is of the view that the concept of enforcement is in and of itself not an issue, but that immediate enforcement, including against double parking, could create tensions and problems, and for that the ANC wishes to assure that enforcement on a full time basis against double parking in front of area churches where it has been not heretofore been strictly enforced, be instituted after a program of public education can be completed, with interim enforcement to be immediately and fully applied as against vehicles parked in front of fireplugs, no-parking entrance, alleyways and other dangerous locations; it being contemplated that such education program can be completed within one month; and it is

**FURTHER RESOLVED**, That the churches involved in the Ad Hoc Committee and the Downtown Cluster of Congregations be informed that this Commission and this community values their continued presence and believes they contribute immensely to the well being of the Logan Circle area; and in connection with the parking problems also urges the churches and their leaders to be sensitive to the needs of the residents of this community not to have their vehicles blocked by churchgoers, and expects that they will take the necessary steps to assure that such blockage be discontinued, and it is

**FURTHER RESOLVED**, That the appropriate officers of this ANC advise the Mayor, the Chief of Police, and other relevant agencies and instrumentalities of the City government to expeditiously commence enforcement in accordance with these resolutions.

VOTE: Unanimous (5-0).

**St. Patrick's Day 10K Parade Permit**

**Rick Friedman**, from the Capital Running Company presented a proposal for ANC acceptance of street closing in connection with the above event, the route for which has been suggested by DDOT.

Dyer moved, Biasillo seconded, and after further discussion it was,

**RESOLVED**, That it having been requested by Captial Running Company that on Sunday, March 12, 2006, Pennsylvania Avenue, NW between 12<sup>th</sup> and 13<sup>th</sup> Streets, NW, be closed as deemed necessary by the Metropolitan Police Department fom 9:30 am until noon, in order to hold a parade in honor of St. Patrick's Day, and it appearing to this Commission that such closure 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, and it is

**FURTHER RESOLVED**, That the appropriate officers of this Commission communicate the foregoing advice to the District of Columbia Emergency Management Agency.

VOTE: unanimous (5-0).

**Treasurer's Report**

The following expenditures were moved for approval:

D.C. Treasurer - \$5.50 (Kohatsu January 06 withholding)

Chris Kohatsu - \$700.00 (January 06 wages, \$100.00 garnished without proper notice or due process)

DCDOES - \$47.65

VOTE: unanimous (5-0).

**Adjournment**

There being no further business, the meeting was duly adjourned at 9:14 pm.