

ADVISORY NEIGHBORHOOD COMMISSION 2F

Minutes of Regular Public Meeting

March 1, 2006, 7:00 PM

Washington Plaza Hotel, 10 Thomas Circle, NW

Submitted by: Renan Snowden, Executive Director, ANC2F

Present: **Chairman Charles Reed (2F01), Vice Chairman Jim Brandon (2F02), Chris Dyer (2F03), Bob Ellison (2F04), Sandra Biasillo (2F05), Mike Nelson (2F06)**

Absent: **None**

Community Forum

(Announcements and Reports)

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

Commissioner Announcements

Vice Chairman Brandon asked for copies of other voluntary agreements with respect to his work on the Chirulaga protest. **Reed** suggested he contact Tim Hillard and/or Andrea Dougherty for assistance.

Nelson followed up on last month's discussion of the Annex Resolution. He said that there are sufficient grounds to pursue an investigation of the property located at 1337 11th Street NW.

Reed announced: (1) a Public Hearing by the Department of Housing and Community Development on the "Draft Consolidated Plan for the District of Columbia Fiscal Year 2007 Action Plan." The hearing will take place at 6:30 PM on March 7th at 801 N. Capitol St., NE. (2) receipt of a formal letter from Chief of Police Charles Ramsey about closed circuit camera system being installed in the Logan Circle area. Reed will forward the letter to the Crime and Public Safety Committee (3) notice of Child Wellness policy hearings to be held at Bell Multicultural HS, 3141 Hyatt Place, NW. (4) notice received from Councilmember Kathy Patterson on meetings on future of DC Library System. (5) notice from Department of Transportation (DDOT) on upgrading the system for obtaining public space permits.

Reed also announced that the Chris Kohatsu has resigned her position as Executive Director of the ANC to pursue a full time position with DCRA. He welcomed **Renan Snowden** as the new Executive Director, whom the ANC had hired in an executive session preceding the meeting. Reed also expressed appreciation for the additional work that Commissioner Biasillo performed in fulfilling functions ordinarily handled by the Executive Director in the interim.

Community Announcements

Brian Vargas said the Logan Circle Community Association's next meeting on March 8th at N Street Village, 1333 N St., NW, will focus on service in the community for residents and people in need. He asked people to bring food or office supplies to donate. He said more information was on the organization's website at Logancircle.org.

PSA 307 Report – Lt. Mike Smith

Lt. Smith said crime in the neighborhood is up overall, but was down considerably in the most recent week. He said that some successful arrests include Melvin Jackson for theft from auto who was held without bond. He also mentioned the arrest of a white male who had an outstanding warrant from Virginia and confessed to thefts in the Logan Circle area and the arrest of juveniles in connection with the robbery of a cab driver, who later confessed to other Logan Circle area crimes.

Lt. Smith said that a suspect has been detained in connection with a female being robbed on the 1300 block of 12th St. He said the police were still looking for a suspect in the case of a robbery at 1301 13th St. In response to a request from the Chairman, Lt. Smith pointed out that robbery is defined as taking something of value from a person by "force or threat of force."

Also in response to a question, Lt. Smith was unable to give the status of detained juveniles in connection with a crime at the Sunrise Academy located on the 1100 block of 6th St.

Michael Sheaffer, co-chairman of the Crime and Public Safety Committee, asked if it is possible to obtain pictures of convicted or detained suspects and repeat offenders. Lt. Smith answered that the Police Department not allowed to release pictures of arrested persons.

Dyer asked why drug and prostitution are not included on the MPD 3rd District report. Lt. Smith answered that the report only includes Part One crimes, where there is at least one identifiable victim of the crime.

Nelson said he had heard complaints about increased drug activity, between P St. and N Streets on 9th St. He asked if there was a crackdown on drug houses in the neighborhood, specifically about a store on 9th & 0. Lt. Smith responded that he hoped to increase pickup of offenders. He did have a warrant on the site, but did not find enough drugs on premises. He also suggested the need to for residents to continue to complain to his commanding officer Larry McCoy, in order to increase the priority for police. He said that Commander McCoy can be reached by email at larry.mccoy@dc.gov.

Nelson discussed a reported a burglary in the alley between 10th and 11th Streets. He said there was a witness to the burglary, which included a bike. Lt. Smith said he never found an owner for the bike. (Nelson said he received an email from the owner). Lt. Smith indicated he would follow up, but again reminded everyone to include name and contact number when reporting to the police to make their work more effective.

Tonya Allen of the Mt. Vernon Tenants' Association asked about an attempted robbery at Comfort Inn on 11th St. and at 10th & M St. Lt. Smith said it is assumed that the robbery in question was followed by one at the Braxton hotel later occurred that evening and that \$70 was stolen.

Nelson introduced **Lt. Charles Orton** of the U.S. Park Police to report on Logan Circle matters. Orton said that biggest problem occurs with liquor (public drinking), drug violations, and illegal camping. He added that these types of violations are low priority with the courts . He asked residents to call 202.619.7300 to report any incidents, and promised responsive treatment.

Ed Six asked if there was curfew regulation of Gompers Park. Lt. Smith said that the community can request closure of the park in the evening. He added that Gompers Park has the highest number of drug arrests within his PSA. Reed recommended that the CPSC consider requesting a curfew of the park.

Nelson mentioned to Lt. Smith that he has observed drinking in morning in the alley behind 19 Logan Circle, and requested additional police attention to the area..

Approval of Agenda

Without objection, the agenda was amended to permit 1331 L St. and 1515 14th St. to be treated as regular items on the CDC report with MidCity Business Association items as consent items, and, as amended adopted unanimously.

Approval of February 2006 Minutes

Minutes of the meeting of February 1, 2006 were presented to the meeting. Nelson noted a misspelling of "Blagden Alley" on page 5. As amended, the minutes were unanimously approved.

CPSC Report

CPSC co-chairman Sheaffer brought two letters for signature by ANC2F, one is a letter to the D.C. Chief Technology officer referencing the city services webpage and another to the Office of Neighborhood Services about the Annex resolution for the property at 1337 11th St., discussed at the February ANC meeting.

Sheaffer also stated that the committee is officially using the city services website and will also do some beta testing for city services website.

The committee has sent DDOT and received confirmation that DDOT received their letter asking to remove the sign from 11 & M Sts. DDOT responded that they will send the ANC a letter within 30 days.

City services webpage has CPSC members use an ID to access the website. So far, 17 people have requested an ID. This resulted in a clean up of some graffiti.

Sheaffer said that they had also lodged a complaint with the police about the 11th & M bus stop, reporting drinking and vagrancy at that site.

Schaffer announced a public vagrancy forum across from Anacostia metro station on Monday, March 20.

Nelson asked about bus shelters. Sheaffer said he received an email from a man at 1111 11th St. about people who stay and drink all day at the bus shelter. Nelson added that there was similar activity at the 11th and P bus stop.

Upon motion duly made, seconded and discussed, it was

RESOLVED, That the report of the CSPC be and is hereby accepted; that letters, as presented, be and are hereby approved, and the appropriate officers of the ANC directed to execute the approved letters, with copies to be posted on the CSPC page of the ANC2F website.

Vote: Unanimous (6-0)

CDC Report

CDC Committee Chairman Dyer said that the Mid-City Business Association is seeking funding for positions for the Green Team at 14 & U. They provide transitional training and serve as the “eyes and ears” of neighborhood. Dyer added that it was a “fantastic” program for transitioning adults from homelessness.

The HPRB review of the proposed development at 1229 O St. was approved. There were some concerns by the committee about the visibility of a roof deck from points around Logan circle. Notwithstanding, the CDC recommended that the ANC advise HPRB to approve the design, concept and massing.

With respect to 1150 K St., the CDC recommended the ANC advise the BZA to dismiss the appeal currently pending to revoke the certificate of occupancy, as frivolous. Reed asked on what basis the lawsuit is frivolous. **Dennis Hughes**, lawyer for the developer of the apartment building, responded that the matter is an appeal by a third party who argues that the CO is improper because the building in question is not on a separate record lot. Hughes stated that this is factually incorrect. Reed asked whether the counsel was prepared to give an opinion to the merits of the appeal supporting the position urged before the CDC and, this evening, the ANC.

Dyer said that the CDC already met about this proposal and that he objected to Reed’s request for a legal opinion. Biasillo agreed with Dyer and said that such a move “mitigates” actions of the CDC.

Reed reminded Dyer and Biasillo that ANC advice to the BZA is required by regulation to contain certain information, which in this case would involve a determination of fact by the CDC (and the ANC). The issue of whether there is a single

recorded lot is a matter of public record, as to which Reed indicated the ANC should defer to the BZA.

Nelson asked Dyer to define what the MidCity Business Association is. Dyer said that it is a business association, not a Business Improvement District covering the areas of 14th and U, Thomas Circle, up to Florida Ave., and sections of P, Q, and U Streets.

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

RESOLVED, That the report and recommendations of the CDC with respect to 1150 K St., NW and 1229 O Street, NW be and are hereby accepted, and that the appropriate officers of the Commission be and are hereby authorized and instructed to implement the recommendations as approved.

Vote: (5-1, Reed dissenting as to 1150 K St.)

Dyer corrected the agenda for the address of the PUD Design update to be 1331 L St., not 1341 L St. He said that it is a Planned Urban Development, a zoned development combining different types of properties, was originally approved in 1990 or 1991. The developers want to redesign the facade of the building and occupy the lot that is currently the parking lot in front of the Green Lantern. There is a potential to reduce crime and prostitution. This will require a change in the exterior of the design. CDC approved the request.

Greg Zanicrum, owner of Green Lantern, said he had concerns about any alley closures. He said that now that the building is on 14th St., the alley is much smaller and none of those alleys have pedestrian accommodations. He requested the alley coming off of L St. to accommodate loading docks for nearby buildings and also adequate space for pedestrians and trucks. He also asked for the possibility of a sidewalk being accommodated. Zanicrum asked for re-consideration of alley closings and said he was concerned about the closing of alleys at night.

Dyer responded that DDOT will work with CDC on traffic control plan for alleys.

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

RESOLVED, That the report and recommendations of the CDC with respect to 1331 L Street, NW be and are hereby accepted, and that the appropriate officers of the Commission be and are hereby authorized on behalf of ANC2F to advise the BZA to accept the proposed design, without public hearing.

Vote: Unanimous (6-0)

As to the public space application of Viridian Restaurant for a sidewalk café at 1515 14th St., the CDC recommends approval. The adjoining property owner, Studio Theater, expressed concerns that the operation not entail noise that might interfere with theater performances. Reed indicated that such concerns would be appropriately raised if in fact subsequent operations were affected, but that the motion ought not be conditioned at this time. Upon motion by Reed, seconded by Dyer, and after further discussion, it was

RESOLVED, That the report and recommendations of the CDC to advise DDOT that the pending space permit application of Veridian Restaurant for a side walk café be approved, and that the appropriate officers of the Commission be and are hereby authorized and directed to implement this resolution.

Vote: Unanimous (6-0)

Dyer said CDC Member at-large **Helen Kramer** has confirmed that the illegal banners from 14th promoting sale of goods on the agenda have already been removed, and that, therefore, no ANC action is required.

ANC Parking Committee Update

Reed, in his capacity as chairman of the ANC2F ad hoc committee on parking, reported on the activities of the community task force working on the problems of parking. Reed indicated that the DDOT report being circulated tonight stemmed from the work of the task force that included a number of participants, including the Logan Circle Community Association, Logan Residents for Equitable Enforcement of Parking Laws, representatives (including the Downtown Cluster of Congregations) of some of the churches in our area, ANC2B, DDOT (Ramona Burns) and MPD personnel (Sgt. Emmerman).

Ramona Burns, of DDOT and a member of the parking task force, passed out “Proposed Modifications to Parking in Logan Circle Area” from DDOT Power Point. Burns said that the committee recommended the creation of 155 new parking spaces by adding 24/7 slant parking on Vermont between Logan Circle and R St., adding parallel parking on both sides of the median to S Street on Vermont, and adding Sunday median parallel parking on Rhode Island Ave., between the 900 and the 1200 block. Finally, slant parking is to be added on 11th St. between Rhode Island Ave. and S St. which will create unrestricted space available to the community. The proposal as presented included provisions for public education in advance of instituting strict parking enforcement which shall commence after the Easter holidays, and a provision for consideration of blanket space permits for double parking for certain church activities.

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

RESOLVED, That ANC2F advise DDOT to accept the all recommendations of the proposal as presented to the meeting, except with respect as to blanket space permits (and as to such permits, the Commission takes no current position other than to state it will wish to review and advise on each such application)

Vote: Unanimous (6-0)

Dyer confirmed that enforcement will begin April 23rd and that after a 3 week warning period, tickets will start being issued on May 21. Sgt. Emerman added that painting and paving of new parking spaces will have already happened by May 21.

Nelson asked Burns how difficult the repaving and repainting of Logan Circle would be. Burns said she will look into it.

Reed asked if anyone from Logan Residents for Equitable Enforcement of Parking Laws was present at the meeting and had any comments. There was no response.

Be Bar Protest

A discussion ensued as to the ANC position on the Be Bar on-premises license pending before ABRA. The Commission noted that it would likely support the application, and that the parties were in negotiations looking toward a voluntary agreement. It was also noted that under applicable law, the ANC must protest the application before the protest deadline in order to preserve its rights, even though it clearly appears that the licensee is acceptable to the community and that ultimately the ANC will advise issuance of the license. Since the deadline date is March 27, 2006, which falls before the next ANC meeting, a motion was made by Dyer, seconded by Reed, and after further discussion, it was,

RESOLVED, That Advisory Neighborhood Commission 2F, hereby protests the application of WAMI, LLC for License # 74696, Retailer's Class "C" License, for operations at 1318 9th Street, N.W. which application is pending before the Alcoholic Beverage Control Board; and it is,

FURTHER RESOLVED, That the Alcoholic Beverage Control Board be informed that it is the sense of this ANC that the Commission and applicant are working cooperatively with the aim of entering into a mutually acceptable voluntary agreement, which the parties shall submit for approval to the Board in due course; and it is,

FURTHER RESOLVED, That the ANC intends that upon acceptance of a mutually agreeable voluntary agreement by the Board, the protest shall be withdrawn; and it is,

FURTHER RESOLVED, That ANC2F hereby designates any of its Commissioners to represent the ANC in proceedings before the Board in this matter.

Vote: Unanimous (6-0)

Nelson said that Blagden Alley will be protesting to be a part of the voluntary agreement.

Recommendation for ABC Code Change

Nelson recommended that the ANC consider a change in the liquor laws to resolve the current anomaly in the law resulting from oversight in the City Council's last amendments. Those amendments failed to retain an exception to the prohibition of licensing to locations within 400 of certain operations, including schools.

Dyer suggested the ANC could propose to Councilmember Jack Evans to rectify liquor license and commercial zone issue. Dyer said that at the next meeting. Nelson said that a concern about 9th St. charter school opening in 2 months is unfounded and said there is a need for Be Bar to have a liquor license. Reed indicated that he would speak to Andrew Klein to offer to work in concert for a change. to for the ANC to have more background on this issue. Reed tells Dyer that if he will make a motion, Reed will support this issue.

Proposed Grant to Emmaus Service for the Aging

Nelson asks about old business and an update on grant for Emmaus Service for the Aging. Reed stated that he understood existing ANC policy to provide ANC grants to entities, like Emmaus that receive funding from other agencies of the City government. Brandon stated that the commissioners were not bound by such policy, which is not a by-law provision, and Biasillo said she thought the commissioners had already approved the grant and that she was aware that Emmaus took shelving from Be Bar. She said that Emmaus wants \$1000 for shelving and agreed with Nelson that they should be able to give the grant. The owners of Be Bar said Be Bar wishes to donate an additional \$500 to Emmaus in addition to shelving.

Reed stated that the matter already having been approved at the last meeting, would not interpose an objection, and directed that the ANC would proceed to finalize the grant, with Nelson and Biasillo to be in charge of assuring that the appropriate forms and other procedural requirements are met.

Treasurer's Report

Reed reported that the Office of the Attorney General had denied the ANC's request for an opinion that would have overturned the DC Auditor's rejection of a prior purchase of a computer on grounds that the procedures followed in violation of certain regulations relating to check authorization. Reed indicated that the transaction, which had occurred several years earlier involved no impropriety, but that the OAG, in exalting

form over substance determined, in effect, to require legislative action to provide a means for emergency purchases for ANCs.

Upon motion by Dyer, seconded by Nelson, 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:
Verizon - \$118.82
Sherri Kimbel- \$220.00 (Consulting services)
Earl Fenwick – \$131.25 (Reissue of \$100 check and consulting services)
Commissioner Biasillo - \$39.99 (Reimbursement of antivirus protection software)

VOTE: Unanimous (6-0).

Biasillo presented the quarterly report to the Commission for approval for the quarter ending December 31, 2005. She noted that the ending balance of the ANC cash position is \$10,014.66. Nelson asked if the quarterly report is technically overdue to city if it is due today. Biasillo answered yes. Upon motion by Reed, seconded by Dyer, and after further discussion, it was,

RESOLVED: That the Quarterly Report of ANC2F for the quarter ended December 31, 2005, as presented to the meeting, be and is hereby approved, and the appropriate officers of the ANC are authorized and directed to file such report.

VOTE: Unanimous (6-0).

Adjournment

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