

ADVISORY NEIGHBORHOOD COMMISSION 2F
Minutes of Regular Public Meeting
September 6, 2006, 7:00 PM
Washington Plaza Hotel, 10 Thomas Circle, NW

Present: Chairman Charles Reed (2F01), Chris Dyer (2F03), Bob Ellison (2F04), Mike Nelson (2F06), Mike Schaeffer (2F04), Jim Richardson (2F02)

Absent: Sandra Biasillo (2F05)

Community Forum
(Announcements and Reports)

Chairman Reed noted that a quorum was present, called the meeting to order at 7:00 p.m. and asked for announcements.

Commissioner Announcements

Charles Reed, Chris Dyer, Mike Bernardo and Bob Ellison will all run for the ANC again and **Bob Nelson** will not. **Reed** said a historic Preservation grant is available. **Chairman Reed** indicated he'd post his announcements on the ANC Website. **Mike Nelson** stated the Pentecostal church is hosting an ice cream social this Saturday.

Community Announcements

Barry Johnson and **David Chianese** that many residents have spent a lot of time urging the property owners of the dry cleaners at 1312 13th Street to get a legal business license so they can operate legally. Residents urged the ANC to write a letter to the D.C. government. **Chairman Reed** responded that he's spoken with D.C. government and they asked him to delay writing a letter. He said the ANC has been trying to get D.C. to close that establishment and the D.C. government is well aware of our position.

Barry Johnson mentioned he's been working with **Bill Cruise** and the neighborhood, who all suggested he collect affidavits supporting their position. Having a letter from the ANC would help tremendously. He appreciated the ANC's making phone calls, but more work needs to be done. The business is illegally operated in a residential zone. **Bill Cruise** asked Johnson to submit a form and to collect information from community members. **Bob Ellison** stated the DCRA moves slowly and reminded everyone there's only so much an ANC can do because we are only an advisory board. **Reed** indicated he was not resistant to sending a letter. **Johnson** thought we need to say that the ANC supports the community in getting this place shut down.

PSA 307 Report – Lt. Mike Smith

Lt. Mike Smith passed out some brochures about "Operation Crackdown." **Lt. Smith** optimistically noted crime has gone down 28% (except for burglaries) and said

that **Chief Ramsey** proclaimed the crime emergency situation to be a great success. Many of the police officers are working six day shifts and there will be a shift to a modified crime emergency situation. The recent heavy rains actually helped to decrease the crime for a few days last month. He noted that for awhile, the U.S. Attorney's office did not "paper" any of the minor crimes. He said the police prosecuted a noted criminal named "**Crip**," who was photographed selling drugs. The police had three counts against him. **Mike Schaefer** testified against **Crip**, who received three years. In **Mike Nelson's** area (around 1500 10th Street) there were three burglaries. Logan Hardware provided the police with a tape of one of their former employees who was later arrested.

The D.C. government approved the first prostitution-free zone, which will commence this Friday. The area is about 1,000 feet in size – and was approved for 240 hours. In that area, people can be arrested if the police have probable cause to believe there is any active solicitation. The area runs from M to O Street and 10th Street to 12th Street. It includes 11th Street, where there is a house of prostitution at 1228 11th Street. **Carlson Klaphor** stated the officers are trying to give a \$100 penalty to any offenders.

Lynn Munson asked if there were a different phone number we should be using to report prostitution activity. **Lt. Smith** said the number was still 311. He added he'd like to do something about 906 O Street, which he thinks is the worst crack house around. He urged people if they knew anything about any activity at this address to please contact Operation Crackdown. Any "tips" received would be anonymous.

There was discussion about vagrants at 1316 12th Street. **Mike Schaeffer** noted this is an abandoned building and stated the bigger issue is the huge volume of trash here. He noted there would be a reinspection of the property. **Lt. Smith** said people sometimes hid in the dense brush there and mentioned the police had arrested one man. He stated that he and another officer had cut back the brush there. He noted there is a red car parked at 13th and O and he would check to see if the car were legally registered. **Chairman Reed** mentioned a woman is now living at the Lustine building and **Lt. Smith** said he'd also check out that situation. **Reed** thanked **Lt. Smith** for his report.

Reed noted there's a conference announcement for the old Convention Center site for September 14th and **Chris Dyer** will handle the planning.

- 10 minute recess -

Chris Dyer noted some changes to the agenda: Under Street Closing, Help the Homeless Walk-A-Thon, in the Consent Calendar, it should read "1440 Rhode Island Avenue" and not R Street.

Chairman Reed noted there is a proposal to extend the Crime and Safety Committee and to consider the Park Place sidewalk café.

Approval of Minutes

Reed moved that we adopt the July minutes as corrected and a copy be filed with the ANC and that they be posted on the Commission Website. The motion is seconded and is passed.

ANC 2F Crime and Public Safety Report

Reed noted the next item is the Crime and Safety Committee and said when this committee was established, it had a one year life span. **Mike Schaeffer** then gave the report and noted the ANC is in receipt of the first year of the crime report. There are a couple of property issues: 1400 9th Street is in violation of the zoning code and the Zoning Commission will inspect this location. **Schaeffer** stated that there is a trash build-up at 1316 12th Street. The DCRA inspected the property, at the ANC's request. **Mike** noted the owner will be fined if he doesn't comply with the DCRA. Helen Kramer mentioned property's developer said over three years ago that he'd preserve the façade. **Mike** noted that the owner made his promises to the DCRA and said we'll wait to see if the owner is responsive. **Kramer** then asked why hasn't anything been done.

Schaeffer said the city is losing a lot of money. In June, the ANC sent a letter to the D.C. government regarding vacant properties and the DCRA agreed to inspect some of them. On August 19, our ANC conducted a walking tour and noticed tree boxes and graffiti. **Schaeffer** said we are in the first stages of compiling a public safety and justice report and the target date is October 16. He said the Committee is always looking for volunteers; and people can go to the Webpage and select the Committee on Public Safety, if they want to help. There was discussion about 1314 14th Street and **Schaeffer** agreed to investigate if the property were, in fact, an abandoned building.

Upon motion by **Reed**, seconded by **Dyer**, it was

RESOLVED, That Amy Smith be added to the Crime and Public Safety Committee.

Vote: (4-0) Unanimous

Upon motion by **Reed**, seconded by **Dyer**, it was

RESOLVED, That the Crime and Public Safety Committee report be accepted.

Vote: (4-0) Unanimous

Reed proposed to extend the life of the Crime and Safety Committee until December 31 and to make it a standing committee. He said that under the By-Laws it would be awkward to change this and between now and December 31, he hoped we can amend the By-laws. He believed this ANC's greatest accomplishment has been to create

the C&S Committee. **Dyer** then inquired if we have enough time in this current session of the ANC to amend the By-Laws and Reed said we did, as it only required one month.

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

RESOLVED, That the ANC 2F Crime and Safety Committee be extended until the end of the ANC's session in December.

Vote: (4-0) Unanimous

Dyer stated he'd like to make a motion that the C-7 Safety become a permanent body and then the ANC would vote on this during the next meeting. **Reed** said we'd have to collaborate on this, as it is complicated. Under the current bylaws, standing committees have to be chaired by the Commissioner. **Dyer** then withdrew his motion.

Reed then moved to the next topic: the closed circuit T.V. cameras. He noted this ANC reviewed a proposal to put these cameras around the convention center and other areas, to deter crime. He stated the cameras are not viewed "in real time." The police ultimately make the decision about where to place the cameras, after reviewing the ANC's opinions. The MPDC Website shows the location of all the crime cameras. Since there are First Amendment issues involved with these closed circuit cameras, **Reed** wanted to discuss this at the meeting. If anyone is interested, he can provide the pertinent statutes. He noted these cameras are good crime deterrents. There is currently a camera located in the 1400 block of R Street. **Mike Nelson** stated the cameras seem to be effective. He added there's also a camera at 5th and O Streets.

Chairman Reed noted the next item would be to decide where to place an additional camera. **Nelson** suggested the 11th Street area between N and O and also one at M and N between 12th and 13th. **Reed** said he drafted a resolution asking **Chief Ramsey** to install a camera at the first location. Upon motion by **Reed**, and seconded by **Dyer**, and after further discussion, it was

RESOLVED, that ANC AF urge **Chief Ramsey** to install a camera at 11th Street between N and O; to adopt **Reed's** resolution and to send a copy to **Ramsey**.

Vote: (4-0) Unanimous.

Mayor's Task Force on Congregational Parking

The next item **Reed** introduced was the Mayor's Task Force on Congregational parking. An Ad Hoc Parking Committee was established and he and **Dyer** both serve on this committee. The committee and the DDOT worked to reconfigure the parking logistics and added 200 new parking places, to be available during the weekends when most church activity occurs. **Reed** noted the police generally do not enforce parking restrictions on Sundays. The Mayor initially accepted the ANC's recommendation, but then yielded to political pressure, and kept the moratorium in place and asked a task force

to investigate. **Reed** met with the Task Force and we submitted a final report to the Mayor. Double parking is not favored but it will not be prohibited. As a last resort, DDOT would consider permitting double parking, if the churches had keys to the parked cars and could move them, if necessary. Another thought is that the Logan Circle parking situation is ideal and does not need to be changed. Discussion continued about DDOT's strict citywide parking enforcement. **Reed** believed the Task Force adopted this plan and urged the Mayor to also do so. He assumes the Mayor will concur. Any legislation dealing with the double parking issue would have to go through the ANC.

DDOT suggested that stickers be put on all the churchgoers' cars to allow for double parking on Sundays. All other cars which were double parked would then be subject to getting tickets. **Reed** said this issue of double parking is overexaggerated, according to the Task Force, as there are actually very few places in the Logan Circle area that could accommodate double parking. He stated double parking has to be within only one block and it has to be renewed every two years. **Reed** believed that getting double parking approved would be difficult. He thought that within a short time, if DDOT carried out its plans, people will find alternative ways to park their cars. He said we have pretty much resolved this problem. Both the police and the VPW would do the enforcement.

D.C. Comprehensive Plan

The group next discussed the D.C. Comprehensive plan. **Dyer** said the plan will promote city development for about the next four years. The plan will improve the city schools and the transportation system, address recreational spaces and historical preservation. **Dyer** found it interesting that there were only 30 acres or so of undeveloped land and said we'd concentrate on the eastern areas, including 14th Street and eastward. Our ANC is going to look at the old Convention Center site. We need to get involved to get this area more alive. The Alta condo will be opening soon. There will be three or four new restaurants opening soon. There is concern that the Logan Circle area will become too dense. 9th Street, 11th Street and 14th Street will all be improved. The plan wants to restrict commercial activity, but our ANC may want to rethink this. We must preserve affordable housing. The plan also included mandatory zoning. We want to create a continuous tree canopy. The plan wants to continue the arts activity in 14th Street and near U Street and to develop additional recreational facilities near Logan Circle. Because this area is a policy focus area, we need special plans. **Dyer** thought the plan was very impressive and suggests the ANC support it. **Reed** said he's got a list about public hearings in September regarding inclusionary zoning and people can check the D.C. Government's official Website.

Elizabeth Elliott of the Foggy Bottom ANC then said the local residents are concerned about the Federation Citizens Association's plan. Her group's biggest concern is that there are special interest groups pushing for this plan. The last time any major changes were made in this plan was in 1990. She thought inclusionary zoning was going through the Commission right now but said there are better ways to provide affordable housing. One criterion for affordable housing is to set the medium income at \$70,000. She said the affordable Section 8 criterion was \$54,000, which is 80% of the average

medium income. Developers could then sell to the lottery winners, which would be a separate issue. She said the plan should be zoned so a halfway house is not located next to a million dollar mansion. **Elliott** stated that Foggy Bottom “has a huge development company masquerading as the G.W. University. They are now way outside the campus limits.” This plan would not protect the non-student residents. Foggy Bottom has one of the highest medium incomes in the city, yet, they have a 30% poverty rate, because of all the G.W.U. students. Essentially, non-students are subsidizing students. She said her ANC will postpone making any suggestions until there’s a new Mayor. She had a question: if the comp plan were developed now, what would happen to your area?

Janet Brown said inclusionary zoning is a very broad plan for the entire city and it’s a huge improvement. It provides an analysis of every area plan in the city and she’s identified all the joint areas. **Brown** stated the old plan is based on the 1984 Census and the demographics are very different now. The old plan doesn’t address traffic concerns and environmental issues. Back then, there were restrictions on developers in Ward 1 and 3, but none for Wards 7 and 8. The plan protects Wards 4 and 5 less well than 1 and 3. During the past four years, all the wards have worked extremely hard on this plan. She said it is now time for the Council to approve the plan.

Dyer asked **Brown** what would be the impact if we delayed approving the plan until the new Mayor came on board. **Brown** mentioned that both **Fenty** and **Cropp** are in favor of finishing the plan. **Cropp** scheduled a hearing for the 26th of September, at which the DCLP will be asked to testify. **Brown** is concerned that if the plan doesn’t get passed before the new administration, then its passage will be stalled indefinitely.

Elizabeth Elliott disagreed with **Brown** about **Fenty’s** position and said **Fenty, Orange** and two other candidates all supported delaying passage. In fact, the Comp Plan is something we all want to have finished, but we want to do it right. The Chairman then asked how many ANC’s have sought to delay the plan. **Elliott** responded that she thought seven have objected and said you could get a copy at: www.inclusivecity.org.

Upon motion by Dyer, seconded by Reed, it was

RESOLVED, that the ANC recommend expeditious adoption of the Comprehensive Plan.

Vote: (4-0) Unanimous

Dyer noted there will be another hearing in October and he said it’s possible we won’t be enough time to review the plan. He mentioned people had received the plan in July. Nelson responded that he and some other people had only recently received the plan, didn’t have enough time to read it, and therefore he didn’t recommend its passage.

Reed said that **Dyer** was asked to review the plan and an Ad Hoc Committee was also established to review this. **Reed** has read, and agrees with, their report and says it is consistent with most of our constituents’ wishes. Therefore, **Reed** recommends moving forward and Ellison concurred. **Dyer** noted we can testify as an ANC and then possibly

change our minds later. **Brown** said it can be amended by the Council, if necessary. **Reed** asked for comments from the audience. **Jim Baker**, a real estate agent, wanted a flexible plan which could be amended. **Mike Bernardo** was in favor of the plan.

Upon motion by Reed, seconded by Dyer, it was

RESOLVED, that ANC 2F recommend adoption of the comprehensive plan and to have an ANC member testify at the City Council.

Vote: (4-0) Unanimous

Street Closings, Parking and Traffic Matters

On November 18th, there will be a Fannie Mae Foundation Help the Homeless walk starting at Freedom Plaza, moving south on Pennsylvania Avenue and around the Tidal Basin and around 15th Street. None of the roads would be completely closed and they've got the signatures.

Julie Hanson of the Thomas G. LaBrecque Foundation to Benefit Lung Cancer Research noted they had an event scheduled for September 17. The walk starts at Freedom Plaza, moves along Pennsylvania Avenue to Second and D and then back. Proposed street closures are: 13th Street between E and Pennsylvania Avenue from September 16 at 9:00 p.m. through September 17th at 4:00 p.m.

Jewell Murray of Whitman-Walker Clinic said their walk would start at Pennsylvania Avenue near Freedom Plaza. They will be running on Saturday from 9:00 until 3:00 and they will get all the signatures.

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

RESOLVED, that the ANC approved all the street closings.

Vote: (4-0) Unanimous

Community Development Committee (CDC) Report

Jim noted there should be a voluntary agreement, as they are planning to reopen in another location and would put their license into holding. Reed asked him if he were proposing that the ANC adopt the voluntary proposal and notes there would be a big change in operations.

Upon motion by **Reed**, seconded by **Dyer**, the ANC should enter into a voluntary agreement (to be filed with the AVF).

RESOLVED, that the ANC should enter into a voluntary agreement.

Vote: (4-0) Unanimous

Dyer asked if **Ann Barnes** of Park Place were present and there was no answer. **Reed** said because no one was present, we would table this issue until the next meeting.

Dyer noted that 1440 Rhode Island Avenue is asking for four variances, which were not mentioned in the meeting. He thinks the developer has satisfied our needs and there wouldn't be any harm to the zoning or the neighborhood. As for 1350 R Street (the Central Union Mission), the ANC advised that their variances were not inconsistent with the neighborhood. **Reed** asked if the sale of the Mission were contingent upon the ANC's recommendations and **Dyer** said he thought it was. **Reed** noted the Mission has been unable to relocate because no other area wants to have them. **Matt Jones** wanted more details about the sale and **Reed** said he'd give Matt the developer's phone number. **Dyer** suggested people consult past minutes for more details. **Reed** urged the Historical Preservation Review Committee's preliminary concept plan be accepted.

Upon motion by Dyer, seconded by Reed, it was

RESOLVED, that the ANC adopt the Consent Calendar.

Vote: (4-0) Unanimous

Monarc Construction in the Alley between Church and Que Streets

Bryon Kassing of Monarc stated that D.C. WASA asked them to replace a 12 inch sewer line in the alley. In order to do this, Monarc requested the alley be closed for two or three weeks. He's got a preliminary TCD plan for the ANC's perusal. As far as trash pickup, he suggested the residents move their trash containers to the street for pick up by the city, or Monarc can get a commercial trash moving service. As discussed last month, Monarc agreed to post their schedule at their construction site at 14th and Que, for the residents' review. To provide additional parking places for ANC residents (on a first-come, first-served basis), Monarc will "borrow" two parking spaces at the Veridian restaurant. **David Mariottini** said Monarc's work will block more than one residence at a time and that Monarc agreed to supply parking spaces equal to the number of residents. The Monarc rep didn't recollect that. **Dyer** reminded Monarc that that was not what Monarc agreed to at the CDC meeting. **Reed** asked Monarc if they were, in fact, going to provide two residential parking places and Monarc agreed to do so. **David Stivaletta** noted when Monarc built the project, the work interfered with his parking for 15 months and he had sustained damage to his car, for which Monarc refused to compensate him.

Pozzo di Borgo had an issue with public trash. Monarc said they talked with Legum and Norman and the Rainbow building to arrange for trash pick up. He stated that next to the trash can are empty lots that would provide ample parking for the Que street residents.

Reed asked what were the ANC's goals. **Dyer** said we need to make recommendations to DDOT and to try to make a deal with Monarc about their responsibility to provide adequate parking for the residents. **Dyer** thought Monarc should provide four parking spaces, but **David Stivaletta** requested thought two would be enough. He asked Monarc how much time in advance would Monarc post the schedule in the alley. Monarc replied that they would provide a schedule the night before the actual work commenced.

Dyer deplored the lack of trust where Monarc is concerned. He said that we're an active ANC and know this project needs to go forward. **Dyer** said that DDOT will carefully monitor this project. In order to move this forward, **Dyer** suggested Monarc get two more parking places and that the ANC recommend to the DDOT that Monarc's permit only be issued only after Monarc gets those parking spaces and agrees to provide us with information about Monarc's schedule postings.

A DDOT rep noted that DDOT is responsible for the temporary construction, traffic maintenance, any temporary closing of alleys, and for issuing permits. **Dyer** noted the CDC has already read the transcript of the traffic control plan. He added that Monarc should provide two more parking spaces. **Reed** asked for further comments. **Jim Bingham** stated he's satisfied with the trash plan. He knew that there will be unassigned parking places. **Reed** noted that there is always friction during a construction project. He said Monarc does not have the best reputation within our community. Monarc made promises to us that they did not keep and has disturbed a lot of people. The ANC had to ask DDOT to revoke Monarc's permit. The residents in the 1400 block of Que Street are furious and **Reed** understands their fury. He's compelled to support the application for a space permit, but he does so and advises Monarc he'll be closely watching their work. Monarc mentioned they should be finished by October.

The DDOT rep noted she is concerned because this is the first time she's heard about the trash cans and about a two month window. She stated she needs to write detailed reports and stated she'll try to take the previous traffic report and modify it. Monarc agreed to the two month window. **Dyer** noted that Monarc can move the trash cans, if the residents clearly mark them, and if the residents give Monarc the authority to do so. He stated the Rainbow Lofts people are satisfied with the plan. Monarc is also working with Legum and Norman to provide a loading dock.

Dyer said the bulletin board will be in the alley and the ANC will do an inspection. Monarc is going to provide us with four parking spaces. The DDOT rep said she'd need to have more time to consider how trucks using the alley can make right hand turns. **Dyer** proposed adding to our amendment that all permits are finalized so that we don't have to have another ANC meeting. He formally moved that the ANC recommend to DDOT that Monarc be required to do the trash pickup. The DDOT rep asked if everyone understood that between the hours of 7 and 3 there will be no vehicular access. **Dyer** said the residents understood that point. The Monarc rep agreed to the points made.

Upon motion by **Reed** and seconded by **Dyer**, it was

RESOLVED, that the ANC advise DDOT to approve a space permit with the conditions: That there be a traffic control plan approved by DDOT that contains these elements: the licensee will provide for four parking spaces, that it poses a community bulletin board at 14th and Que to give notice of the disruptions, and that the trash pickup arrangements provided are in accordance with the proposal that Monarc gave to the ANC, and before the space permit is issued, the revised traffic control plan be forwarded to **Reed**, and he will ask residents for their suggestions. The expiration date of the space permit will be two months.

Vote: (4-0) Unanimous

1446 – 1454 Church Street Construction Project

Dyer said there was never any input about this and it was actually passed. He asked **Andy** of **Camdon Builders** for an explanation. **Andy** replied they have an active permit and they will build a construction fence surrounding the area – on Church and 15th Street and Corcoran and 14th Street. The actual building would start in October. He noted that only two or three parking spaces would be affected.

Desta Daggett, the DDOT rep, noted the project hasn't actually started yet, so they need to see if there are "weird things like a placement of a crane." She said the 10 feet is really raising a flag with her and reiterated that DDOT needs to review this plan.

Dyer noted the next round of meetings is in October and the ANC needs to have a review process. **Andy** said the present building needs repairs. **Pozzo di Borgo** stated the area is not wheelchair accessible. He feels there is misrepresentation, because the residents have not been notified. **Andy** stated the DDOT never informed them last year about a complication on a traffic control matter. **Dyer** noted he had heard that the Traffic Service Commission does not have to notify an ANC unless the entire block is closed. **Daggett** says she's knows of situations where permits are issued and then are revoked.

Dyer asked **Daggett** if DDOT could act without the ANC's recommendation. She said they could and that DDOT needed two or three months to review the traffic control plan. She recommended that **Camdon** get DDOT a plan right away. **Camdon** responded that they already had a permit.

Reed said he thought the ANC should accept the plan and said any delay of the project will be costly. He wanted to address the legitimate concerns of the developer. **Andy** said they need to start shoring up the façade of the building. **Daggett** said that her supervisor could expedite this. **Dyer** asked if we could accomplish this in a month.

Reed and **Dyer** said if this is acceptable to DDOT as an interim arrangement, then it's okay with them. **Reed** wanted to see a working agreement similar the agreement with the Metropolis. He recommended that **Camdon** work on this immediately and stated that **Berk Ozier** is the contact person. **Reed** urged all residents to talk with the developer and ask how the development affects them personally. He said that DDOT's responsibility is

to monitor the safety of the community. **Reed** said the ANC is here to mesh the two concerns and to see if there are any additional issues from the community.

Dyer wanted to table any further discussion. He wanted **Camdon** to begin to work with the community and DDOT and to meet with us at the CDC committee. He said if we have some stuff that DDOT has approved, we can then go forward. **Andrew** stated his only concern is that this building needs to be repaired right away. **Dyer** felt confident that because DDOT was apprised of the situation, the project is in good shape.

Reed wanted to postpone voting, saying Camdon has to go before the CDC and the ANC a week later. He urged Camdon to work out a compromise with the neighbors. **Reed** is sensitive to Camdon's need to get the structural work done and suggested Camdon E-mail him with their plans. The ANC will try to accommodate **Camdon's** need to get structural work down, if it doesn't disturb the neighbors. **Reed** said the company said they were not paid for some time. **Andy** was unaware of this. **Reed** replied they had made unsuccessful attempts to contact Ms. Patterson .

Upon motion by **Reed**, seconded by **Dyer**, it was

RESOLVED, That ANC 2F postpone this issue until October.

Vote: (4-0) Unanimous

Treasurer's Report

In **Sandra Biasello's** absence, **Dyer** then gave the Treasurer's Report. Upon motion by Dyer, and seconded by Reed, it was

RESOLVED, That the Treasurer's report be accepted.

Vote: (4-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 10:20.