

ADVISORY NEIGHBORHOOD COMMISSION 2F
REGULAR MONTHLY PUBLIC MEETING
Wednesday, October 3, 2007 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Charles Reed (2F01) (Chairman), Chris Dyer (2F03), Mike Benardo (2F06), Jim Richardson (2F02), Jennifer Trock (2F04).

COMMUNITY FORUM

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

Commissioner Announcements

Chairman Reed announced that a special election will be held at this regular ANC2F meeting on October 3, 2007, pursuant to D.C. Code § 1-309.069(d). Dustin Cole and Jerome Sikorski have been certified by the BOEE as the qualified candidates for the seat. Voting is open to residents of SMD 05 who possess a valid voter registration card or who are on the Board of Elections and Ethic's official list of registered voters and provide identification. The polls will stay open until 8:45 PM. Both candidates were given a 5 minute presentation period to address the public meeting and to take questions from the community.

By unanimous consent of the ANC, Gottlieb Simon, Director of the Office of Advisory Neighborhood Commissions was appointed director of the election. The ballot box was shown to be empty prior to opening of voting. Voting was opened at 7:11 p.m.

PSA 307 Report – Lt. Mike Smith

Burglaries continue to plague the ANC2F neighborhood; the area hardest hit in north of Vermont Avenue. Bicycles and electronics are the most popular thief items.

Three youth were arrested in relationship to a robbery on the 1700 block of 9th Street, NW; the three youth confessed to 6 other robberies in the area. The CVS drug store on 10th Street, NW was robbed of \$2,000 dollars and a video surveillance camera got a good picture of the suspect and the tapes are being reviewed.

Neighborhood crime patterns may find information on the web at www.crimereports.com.

Mayor's Office Ward 2 Coordinators

Mark Bjorge, Neighborhood Services Coordinators for Ward 2 gave a description of the services provided by the Neighborhood Services Coordinators office. **Bjorge** discussed the growing trash problem at 1107 11th Street, NW and said the City placed the apartment building in receivership and the trash has been collected on time in the past three weeks. **Helen Kramer** asked **Bjorge** to check in to having the parking lines repainted on O Street, NW because they are

faded and people are parking too close to the curb.

Matthew Monett, a disabled person residing at 1221 Massachusetts Ave, NW and speaking through a sign-language interpreter, asked **Bjorge's** assistance in repairing the sidewalks in ANC2F, especially the one in front of his apartment building. **Monett** walks with a cane, and a number of sidewalks are passable only with great difficulty and creating walking hazards. **Chairman Reed** invited **Monett** see him after the meeting for additional help and guidance.

Bjorge can be reached at the Office of Community Relations and Services 202-442-9509 or at the following e-mail addresses: mark.bjorge@dc.gov or joseph.martin@dc.gov

DDOT Report – Chris Ziemann

Chris Ziemann, Transportation Planner Ward 2 was absent, and no report was given.

Dyer commented about the 11th Street NW reconstruction project between L Street and O Street and said DDOT has implemented the community input regarding the project.

Reed announced that the work on Q Street, NW between 13th and 14th Streets, NW, now in its 6th month is now completed on the North side and has shifted to the South side. DDOT estimates another 2 months to conclusion, and to the restoration of parking places removed during the construction.

Community Announcements

Chairman Reed announced that the Mayor's Office has responded to the ANC 2F advice regarding problems created by the curbside bus industry. Specifically, the Mayor acknowledges the problem, has directed that a study is being conducted, and that DPW has hired an additional 50 enforcement employees which should permit more effective enforcement of existing traffic regulations being violated by the busses.

Studio Theatre celebrating its 30th year awarded ANC2F a plaque in recognition for its outstanding contributions to the community.

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

The draft agenda for the meeting was presented for approval. By consent, amendments were made as follows:

Add:

Under ABRA

Nima's Voluntary Agreement

Under DCEMADHS

Fannie Mae Walk

Under DDOT

Park Place 918 14th Street, NW- Valet Parking and Taxi Stand

Remove:

Under Community Development Committee

1454 P Street, NW – HPRB and BZA Variance

Under New Business

Hot Spot No Loitering Zone Amendment Act, 2007 Bill #17-111

1107 11th Street, NW - Trash Collection

Upon motion by **Dyer**, seconded by **Richardson** and after further discussion, the agenda was approved as amended,

Vote: (5-0) Unanimous

Approval of ANC 2F Minutes of Meetings of September 5, 2007

Minutes of the meeting of September 5, 2007, were presented for approval. Upon motion by **Dyer**, seconded by **Reed**, and after further discussion, such minutes were adopted with direction to the Executive Director to post the approved minutes on the ANC2F website.

Vote: (5-0) Unanimous

DCEMADHS

Street Closings

Kathleen Wilbee presented a request for street closing for the “Fannie Mae 2007 Help the Homeless Walkathon.” The Walkathon will be held on Saturday, November 17, 2007 from 8:30 AM -11:30 AM. **Wilbee** stated that the request complies with the published street closing policy of this ANC and that she had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Wilbee** can be reached at 202/285-5910 or at Kathleen.Wilbee@gmail.com for more information.

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

RESOLVED, That ANC2F advise the D.C. Emergency Management Agency and Department of Homeland Security to grant the application pending before them for permits for the **Fannie Mae 2007 Help the Homeless Walkathon**, Saturday, November 17, 2007

Vote: (5-0) Unanimous

DDOT Matters

Studio Theatre – Light Pole Banner Application

Liane Jacobs appeared on behalf of the Studio Theatre to request ANC 2F support for the Theater’s pending space permit application for its street banners near 14th and P Streets, NW. Granting the permit would extend the previous permit for another year. **Chairman Reed** noted

that ANC approved the prior year's request, which approval contained a requirement that the banners be kept in good repair. **Reed** noted that no complaints have been received that the Theater has failed this requirement.

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

RESOLVED, That ANC 2F advise the District of Columbia Department of Transportation Public Space Committee ("DDOT PSC") that it grant the pending request of Studio Theatre for permits to affix banners on designated street lamps within ANC 2F.

Vote: (5-0) Unanimous

Park Place 918 14th Street, NW – Valet and Taxi Stand

Park Place indicated it is requesting traffic modifications between I and K Streets, NW on 14th Street, NW. **Ann Barnes**, an owner, presented the ANC with materials showing certain specifics of the request; namely, to rent 4-5 parking spaces in front of the club from the City for use as valet and taxi pickup after 7 PM, and to have DDOT establish a taxi stand on the Southern end of the block. A discussion ensued regarding the removal of parking spaces.

In view of the fact that DDOT has pending regulations for valet parking in the City which have not yet been adopted, and since the application by Park Place is not yet drafted, the matter was deferred until more specific information could be provided to the ANC. Mrs. Barnes was invited to return when the application was drafted and the ANC had had an opportunity to review final regulations, as adopted.

Crime and Public Safety Matters

Helen Kramer, Chair - reported Councilmember Jim Graham on the Hot Spot No Loitering Zone Amendment Act, 2007 Bill #17-11. This bill says, "The Chief of Police shall declare a Hot Spot No Loitering Zone in any area currently designated as a Hot Spot. The Chief of Police shall inform each of the 7 Police District Commanders and the Council of the District of Columbia of the declaration of the Hot Spot No Loitering Zone. The Hot Spot No Loitering Zone shall be in effect for so long as the Hot Spot designation is in effect." This will prohibit the congregation of 2 or more persons on any public space on public property, within an area currently designated as a Hot Spot, for the purpose of participating in the use, purchase, or sale of illegal drugs, within the perimeter of the Hot Sport No Loitering Zone. Currently, there are no Hot Spots within Ward 2.

The committee expressed concern as to the rise in burglaries. The CPSM continues to have a problem with he Assistant US Attorney's office not responding to request for allocation.

Kramer reported further as follows:

- The Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999, which prohibits idling of the engine on public space for more than three minutes in weather above 32 degrees. Excessive engine idling contributes to poor air quality and could

indicate criminal activity.

- The City needs to make better progress on vacant properties to collect back taxes.
- Residents reported nightly prostitution activity in the alley next to the Mr. Car Wash on the 1300 block of 13th Street, NW. A neighbor, **Lisa Guzzy**- 1310 12th Street, NW would like the ANC to write Mr. Steve Harris, manger, a letter requesting prompt installation of a motion sensor lights. The ANC has agreed to write such a letter. If no response or agreement is reached, Lisa Guzzy has offered to pay for the lights herself.

ABRA Matters

Logan Tavern 1423 P Street, NW CR #60706 – Voluntary Agreement Revision

Upon motion by **Reed**, seconded by **Dyer**, and after further discussion concerning the pending application to expand seating capacity of Logan Tavern by 26 seats in the interior and 14-16 spaces in an expanded sidewalk café, it was

RESOLVED, That form of amendment presented to the meeting of the existing voluntary agreement with Logan Tavern be and is hereby approved, and the appropriate Commissioners are directed to execute and deliver the same to the Alcoholic Beverage Control Board, with the request that it be approved, and upon approval that the ANC advises the Board to grant the pending application by this licensee for a substantial change in operations to expand its interior and sidewalk café capacities as indicated in the pending application.

Vote: (5-0) Unanimous

Stoney's (Class C) 1433 P Street, NW #75613 – Expansion to second floor

Chairman Reed reported that ANC and adjacent property owner protestors have been in negotiations over a Voluntary Agreement with respect to this establishment. **Reed** laid before the meeting a copy of the agreement drafted to reflect the agreement reached by the parties during Board directed mediation the prior week. Counsel for Stoney's had not yet responded to the draft.

Dyer expressed concern that the one hour longer dinning room hours are setting president for other establishments. **Reed** pointed out that hours of operation depend upon the situation and the surrounding area. If the people most likely to be affected support the hours, then the extension should be granted;

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

RESOLVED, That the terms of the Voluntary Agreement presented to the meeting be and is hereby authorized on behalf of the ANC, and the appropriate commissioners are hereby instructed to execute the agreement and to seek its acceptance by the Alcoholic Beverage Control Board, whereupon, assuming the agreement is executed by all parties, that the pending protest of this ANC be withdrawn provided the applicant remains in compliance with the agreement.

Vote: (5-0) Unanimous

Mar de Plata 1410 14th Street, NW CR#60043 – substantial change, sidewalk café

Mar de Plata has existing Voluntary Agreement and has been an exemplary business in the community.

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

RESOLVED, That Advisory Neighborhood Commission 2F (“ANC”), upon filing by Mar de Plata of an application for public space permit, advise DDOT to grant such application if it is in compliance with existing regulations relating to such cafes; and that, with respect to the applicant’s pending application for substantial change in operating conditions for such café before the Alcoholic Beverage Control Board, this ANC advise the Board to grant such application and to grant a stipulated license, this ANC having determined that there are no residential tenancies near the proposed location and that the operation of the café would not disturb the peace, order, or quiet; and it was,

FURTHER RESOLVED, That the agencies be informed that the advice herein given is intended to be formal and to be accorded “great weight” in accordance with § 1-309.10 of the District of Columbia Code

VOTE: Approved (5-0)

Sam-Sam, LLC t/a, Nima’s Restaurant & Bar, 1230 9th Street, NW CR #77000

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

RESOLVED, That the ANC 2F authorize the execution of the Voluntary Agreement as presented to this meeting and that such Voluntary Agreement be delivered to the Alcohol Beverage Control Board (“ABC Board”) with the request that the pending protest be withdrawn upon acceptance of the Voluntary Agreement by the ABC Board and the applicant’s continued compliance with the agreement.

Vote: (5-0) Unanimous

*El Sauce Restaurant and Carry-out 1227 11th Street, NW (Carcamo) (DR-01) #72654-
substantial change*

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

RESOLVED, That the Commission protest the application of El Sauce Restaurant and Carry-out, 1227 11th Street NW (DR-01) #72654 substantial change on the grounds that its operations would disturb the peace, order and quiet, of residential tenancies and lower property values, and that the Commission by represented by Commissioners Charles Reed and/or Jim Richardson, Chris Dyer,

Mike Benardo before the Alcohol Beverage Control Board (“ABC Board”) in connection with such protest.

Vote: (5-0) Unanimous

Community Development Committee Matters

Commissioner Benardo, Chair of the Community Development Committee (“CDC”), reported the following unanimous recommendation of the CDC reached at its September meeting:

1515 Vermont Ave, NW- BZA Variance

Residents are requesting Board of Zoning Adjustment (BZA) approve a variance from Section 2001.3(a) and (b) to permit an aggregate increase in the nonconformity of percentage of lot occupancy of an existing single family dwelling building.

Dyer moved that the ANC2F accept the CDC report and recommendations, **Richardson** seconded. After further discussion, it was,

RESOLVED, That Community Development Committee of ANC 2F having reviewed the application relating to 1515 Vermont Avenue, NW for a variance from §2001.3(a) and (b) as to the percentage of lot coverage of an exiting single family dwelling to accommodate a garage consistent with other garages on nearby lots, and having determined that the legal bases for such variance exist, this ANC does hereby approve such recommendation and advise the Board of Zoning Adjustment to grant the pending application, and the officers of this ANC are directed to implement this resolution..

Vote: (5-0) Unanimous

New Business

Special Election Results

Gottlieb Simon, Office of Advisory Neighborhood Commissions, announced **Jerome Sikorski** the winner in the SMD-05 election, by a vote of 17 to 16 over

Having received the report of Mr. Simon, upon motion by **Reed**, seconded by **Trock**, the following resolution was adopted:

Whereas, the Office of Advisory Neighborhood Commissioner for Single-Member District (SMD-05) was certified vacant, and the Board of Elections and Ethics submitted a list of qualified candidates to Advisory Neighborhood Commission 2F (“ANC 2F”) following the period for petition circulation and challenge pursuant to D.C. Code § 1-309.06(d) (2006 Repl.); and

Whereas, ANC 2F gave public notice pursuant to D.C. Code § 1-309.06(d) (2006 Repl.), and held an open vote of the members of the Single-Member District 2F-05 on October 3, 2007 at the ANC 2F regular monthly public meeting; and

Whereas, the voting was held in compliance with law and the ballots duly counted, it being determined that **Jerome Sikorski** was declared winner of the election by a vote of 17 to 16, following a count of votes by at least two impartial vote counters; it was, therefore,

RESOLVED, that ANC2F advise the Board of Elections and Ethics to declare the vacancy filled by **Jerome Sikorski** by publication in the District of Columbia Register.

Treasurer's Report (Jim Richardson, Treasurer)

Commissioner Dyer moved and **Benardo** seconded the approval of the following expenses:

Cynthia Cota	\$702.80
Verizon	64.87
Cynthia Cota	166.05 office supplies
Cynthia Cota	160.00 overtime compensation
DC DOES	36.00 quarterly employee contribution
DC Treasurer	25.00 July employee withholding, DC
	25.00 August employee withholding, D.C.
	25.00 September employee withholding, DC.
IRS	<u>583.80</u> Quarterly Federal withholding
TOTA:	1,788.52

Vote: (5-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 9:10 pm.