

**ADVISORY NEIGHBORHOOD COMMISSION 2F REGULAR MONTHLY PUBLIC  
MEETING Wednesday, July 2, 2008 – 7:00 PM  
WASHINGTON PLAZA HOTEL  
10 THOMAS CIRCLE, NW**

**Present:** Charles Reed (2F01) (Chairman), Chris Dyer (2F03), Mike Benardo (2F06), Dustin Cole (2F05), Monica Schneider (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 the Executive Director file a copy of the notice of the meeting with the minutes. **Commissioner Dyer** requested that the Commission first address the required appointment of new commissioners so as to enfranchise them for all purposes. Without objection, the Chair opened the floor to motions to seat commissioners as required by law.

***Appointment of Commissioners***

Upon motion by **Reed**, seconded by **Trock**, and after further discussion, the following resolution was unanimously adopted:

*Whereas*, due to the resignations of Commissioners Jim Richardson (on account of disqualification due to a move of residence outside his Single Member District (“SMD”) and Jerome Sikorski (on account of incapacity due to illness) vacancies arose on Advisory Neighborhood Commission 2F for the seats of SMD 2F02 and 2F05, respectively; and

*Whereas*, such vacancies arose more than six months from the end of the term of said resigned Commissioners, and were duly declared vacant by the District of Columbia Board of Elections and Ethics pursuant to D.C. Code §1-308.06(d)(1) and ; and

*Whereas*, said Board gave due notice to Advisory Neighborhood Commission (“ANC”) 2F that with respect to each of the two vacancies one and only one candidate was qualified to serve as a Commissioner; namely, Monica Schneider with respect to SMD 2F02 and Dustin Cole with respect to SMD 2F05;

*Whereas*, in accordance with D.C. Code § 1-309.06(d)(6)(D), at the next regular public meeting following receipt of notice from the Board of the qualifications of Monica Schneider and Dustin Cole, the regular monthly meeting of ANC2F for July 2008 was held pursuant to notice, whereat a quorum was present and acting throughout; now be it,

**RESOLVED**, That ANC2F hereby pursuant to D.C. Code § 1-309.06(d)(6)(D) hereby appoints Monica Schnieder to be ANC Commissioner for SMD 2F02 and hereby appoints Dustin Cole to be ANC Commissioner for SMD 2F05, said appointees to hold office until their terms expire, and it is,

**FURTHER RESOLVED**, That in accordance with law, this resolution be signed by two officers of ANC2F and that the appropriate officers of ANC2F be and are hereby authorized and directed to deliver copies of this resolution duly signed to the District of Columbia Board of Elections and Elections, the Mayor, the City Council and the above two appointees.

**Vote (4-0) Unanimous**

**Cole** and **Schneider** each represented to the Chair that they had been duly sworn into office by Councilmember Jack Evans, whereupon **Reed** welcomed the new commissioners and announced that they were qualified to exercise their rights and privileges and to assume their responsibilities as ANC Commissioners.

**Election of Officers**

**Reed** noted that the offices of the Secretary and of the Treasurer of the ANC were being held respectively by Commissioners **Benardo** and **Trock**, as a result of the resignations Jim **Richardson** and Jerome **Sikorski**, which has posed undue burdens of the current incumbents due to their respective duties as Chairman of the Community Development Committee and the presidency of the Logan Circle Community Association.

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

**RESOLVED**, That Commissioner Monica Schneider be and is hereby elected Secretary of ANC 2F to serve until her successor is appointed and qualified to serve; and it is,

**FURTHER RESOLVED**, That Commission Dustin Cole be and is hereby elected Treasurer of ANC 2F to serve until his successor is appointed and qualified to serve.

**Commissioner Announcements**

**Dyer** announced that ANC elections will be held in the fall (Nov) and he will not be running for ANC2F03 seat. He stated that he made the announcement early so that persons interested in filing for his seat have advance notice. Petitions for ANC commissioner positions are due in September. He urged qualified and interested persons to run.

**Chairman Reed** cleared up a rumor that 75 rental spaces at Metropole Condo Association (15<sup>th</sup> and P) were going to be sold. **Reed** said that Mr. Hofthysen at Metropolis had confirmed that the spaces are going to be available for community parking to support shopping theater going and dining in the area

**PSA 307 Report – Lt. Smith**

**Lt. Smith** announced that while overall crime is down, crime in PSA 307 is crime, and the Logan Circle area's is mostly robberies and auto thief. Lt. Smith advises residents not to

leave anything in their cars such as cell phones, iPods, GPS (these leave marks in the windows so please clean your windows when removing a GPS). The US Attorney's Office has not supportive with "buy bust" drug arrests. MPD has continued work on making appropriate drug related arrests. **Ed Six** asked, "Do you see a correlation between the crimes against cars, robberies and drug activities?" **Lt. Smith** said the connection is that all three are closely related to drug and alcohol addicted homeless persons.

### **Mayor's Office Ward 2 Coordinators- Abby Petersen and Mark Bjorge**

**Abby Petersen** and **Commissioner Dyer** have been working with together on the construction site located at the 1300 block of 14<sup>th</sup> Street and checking to make sure that the proper permits are in order. **Petersen** stated that Ft Richardson – (the red fence next to Whole Foods and around the dumpster) that the owners put up extra security fencing.

**Mark Bjorge** and **Abby Petersen** can be reached at the Office of Community Relations and Services 202-442-9509 or at [mark.bjorge@dc.gov](mailto:mark.bjorge@dc.gov) or [abby.petersen@dc.gov](mailto:abby.petersen@dc.gov)

### **Community Announcements**

Jason Cross, Small Business Counselor at the Business Resource Center (BRC) at 7059 Blair Road, NW, Suite 203, Washington, D.C., 20012, brought this agency to the community's attention. The BRC uses its partnership with the DC Chamber of Commerce, the DC Dept. of Housing and Community Development, and Verizon to provide assistance to entrepreneurs and small businesses, offering access to relevant educational resources, counseling and a secure, hi-speed wireless Internet connection. Contract: Jason Cross, [jcross@dchamber.org](mailto:jcross@dchamber.org), tele.: 202-545-0220.

- 10 Minute Recess -

### **BUSINESS MEETING**

#### **Approval of Agenda**

Upon motion by **Dyer**, seconded by **Trock** and after further discussion, the agenda was approved with the following amendments and a copy directed to be filed with the minutes and posted on the ANC2F website:

*Remove under:* CDC 901 K Street, NW- DDOT New driveway

*Add under* New Business: Advise grant of park application on 10<sup>th</sup> Street;  
Election of ANC 2F Secretary and Treasurer; DC City Council: Bill 17-799  
Moritorium on Single Sales of Beer and Ale.

*Add under* DDOT: 1416 Rhode Island, NW; 1300 block, traffic reconfiguration on Rhode Island Avenue, NW

**Vote: (6-0) Unanimous**

### **Approval of ANC 2F Minutes of Meetings of June 4, 2008**

Minutes of the meeting of June 4, 2008, were presented for approval.

Upon motion by **Dyer**, seconded by **Benardo**, and after further discussion, the minutes were approved with direction to the Executive Director to post the same on the ANC2F website.

**Vote: (6-0) Unanimous**

### **DDOT**

At the request of **Ken Rossenau**, in response to the report of Abbie Petersen, the ANC by unanimous consent invoked orders of the to consider traffic reconfiguration in the 1300 block of Rhode Island Avenue, NW. Mr. Rossenau reported that as a result of a recent storm, a downed tree branch forced closure of a lane ordinarily open due rush hour parking. He observed that traffic was not disrupted, leading him to question whether additional street parking could be reclaimed.

Upon motion by **Dyer** and second by **Schneider**, and after further discussion, it was,

**RESOLVED**, That ANC2F advise to DDOT to conduct a traffic study regarding the 1300 block of Rhode Island Avenue, NW., exploring the question whether rush hour traffic parking restrictions may be eased, it appearing to the Commission upon the advice of Mr. Ken Rossenau such traffic restrictions may not necessarily be required.

**Vote: (6-0) Unanimous**

### **Public Space Permit – 1416 Rhode Island Ave, NW**

The Commission noted that the advice of the Commission to the DDOT to deny the public space permit application of **William Kidd**, 1416 Rhode Island Ave., NW, was rejected, and that a permit was authorized pending submission of additional drawings. The matter was discussed at length.

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

**RESOLVED**, That it is the determination of ANC2F that relaxation of existing traffic regulations barring parking in the public space between residential property and the street is poor public policy, in that it will lead to unacceptable esthetic degradation in the community and will lead to due process issues with respect to other applications; and is

**FURTHER RESOLVED**, That the action of the DDOT Public Space Committee fails to comply with Advisory Neighborhood Commission Act, D.C. Code §1-309.10 in that the action of the DDOT did not evidence that it had given “great weight” to the advice of the ANC with respect to the application; and it is,

**FURTHER RESOLVED**, That DDOT be requested to reconsider its action; and it is,

**FURTHER RESOLVED**, That DDOT be informed that it wishes the opportunity to review and advise upon any additional drawings submitted by the applicant with respect to the application; and it is,

**FURTHER RESOLVED**, That Charles Reed and any other commissioner be and is hereby authorized to take such further action, including commencing action in the appropriate court seeking relief from the DDOT action taken with respect to its approval of the said public space application.

**Vote: (6-0) Unanimous**

**Crime and Public Safety Matters**

ANC2F Crime and Public Safety Committee Report (Helen Kramer, Chair)

**Reed** and **Kramer** met with Jack Evens and Phil Mendelson's office with respect to drafting new legislation to make clear that ANCs be empowered to allocate before judges in the District of Columbia on sentencing matters.

**Kramer** reported that property located at 1426 12th Street, NW seems to be operating as a brothel. With the help of **Lt Smith** and **Michele Molotsky**, from Jack Evan's office, DCRA, DC and the Office of the Attorney General, numerous violations were noted at the property. The brothel was closed down.

Next meeting Crime and Public Safety Committee meeting is July 7<sup>th</sup> at 1310 P Street, NW.

**ABRA Matters**

*Vegas Lounge* – 1415 P St NW Class CN 01 #1273 Voluntary Agreement.

**Reed** reported that he and Cooper Lewis Condo president **Richard Pinnell** met with Vegas owners to negotiate a VA. Although a revised draft was sent to the Vegas owners, no response had been received. The matter is set down for protest hearing September 3. Reed indicated he will seek to have the matter resolved in advance of the hearing.

*Commissary Restaurant* -1443 P Street, NW Class - Voluntary Agreement.

A form of amended Voluntary Agreement was presented to the meeting with respect, essentially, to a change in name of what is now Mercado, and a change in operating hours to facilitate breakfast service.

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

**RESOLVED**, That the Amended and Restated Voluntary Agreement presented to this meeting be and is hereby approved; that the Alcohol Beverage Control Board

(“ABC Board”) be and is hereby advised to accept and approve the same; and that, subject to applicant’s continued compliance with the Agreement, and it is,

**FURTHER RESOLVED.** That pending consideration by the ABC Board of the Amended and Restated Voluntary Agreement, this ANC2F authorizes and directs Charles D. Reed and Michael Benardo to protest on its behalf any application for renewal or substantial change in operations, on grounds that such change will adversely disturb the peace order and quiet of residents near the applicant’s premises and diminish the value of their properties; but that such protest be not filed if the ABC Board approves said voluntary agreement in advance of the Petition Date, and that the same be withdrawn if the ABC Board approves said voluntary agreement after the protest has been filed.

**Vote: (6-0) Unanimous**

*CulinAerie*- 1131 14<sup>th</sup> Street, NW Class CX – Stipulated License

**Reed** indicated that the ANC 2F does not normally seek to enter into voluntary agreements with liquor licensees whose operations are conducted at business district locations where there are no significant likelihood of disturbance of residential tenancies. Although the applicant is adjacent to a residential condominium, itself in the business district, the usual policy was followed in view of the fact that the co-owners association provided written support for the liquor license application.

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

**RESOLVED**, That ANC2F, having noted that the only residential property near the application has supported its application, advise the Alcoholic Beverage Control Board, to grant such application and to grant a stipulated license pending consideration of the application.

**Vote: (6-0) Unanimous**

*Café Salsa*- 1712 14<sup>th</sup> Street, NW CR- Stipulated License/Voluntary Agreement

Upon motion by **Reed** and second by **Trock**, and after further discussion, it was,

**RESOLVED**, ANC2F enter into a voluntary agreement with the owners of Café Salas regarding their application upon terms and conditions in accordance with the policies of this ANC2F, advise the Alcoholic Beverage Control Board (ABC Board) to accept such agreement and to issue a stipulated license pending consideration of such application; and that pending consideration by the ABC Board of the such voluntary agreement ANC2F authorizes and directs Charles D. Reed, Dustin Cole and Monica Schneider to protest on its behalf any application for renewal or substantial change in operations, on grounds that such change will adversely disturb the peace order and quiet of residents near the applicant’s premises and diminish the value of their properties; but that such protest be not filed if the ABC Board approves said voluntary agreement in advance of the

Petition Date, and that the same be withdrawn if the ABC Board approves said voluntary agreement after the protest has been filed.

**Vote: (6-0) Unanimous**

*Ray Restaurant- 901 9<sup>th</sup> Street, NW Class C*

The Commission noting that this restaurant is located in the business district at an address where no residential tenancies exist, took no action on the notice from the ABC Board.

*Bill 17-799, Single Sale Moratorium -*

**Reed** moved and **Trock** seconded the following:

**RESOLVED**, That ANC2F advise the Committee on Public Works and the Environment of the District of Columbia to enact Bill 17-799, the ANC having determined that the moratorium provided in such Bill on single sales of beer and ale in containers of less than 70 ounces contributes materially to public drinking, is contrary to the public health and safety and poses problems of trash generation. .we will support the ban of single sale alcohol sales before City Counsel and Evans includes on ANC2f in single sale ban.

**Vote: (3-3)**

Resolution failed for lack of a majority.

### **Community Development Committee Matters**

*Wesley Theological Seminary*

**Richard Newman**, a member of the law firm of Arent Fox, representing the Wesley Theological Seminary (“Wesley”), appeared before the Commission to provide information about a bond financing request pending before the District of Columbia City Council. The bonds would finance the purchase of space in a mixed-use project that Wesley Theological Seminary will use for graduate school dorms. The property is located between the Mt. Vernon Methodist Church and the Henley Park Hotel (between 9<sup>th</sup> & 10<sup>th</sup> Streets, NW and K Street and Massachusetts Avenue, NW). Wesley is looking to expand programs to include community and urban based teaching at the graduate level. Wesley is requesting approval from the District of Columbia IRB Program for the use of tax exempt conduit revenue bonds, the proceeds of which would be used to finance the acquisition of apartments to be used as dormitory space at 900 Massachusetts Avenue, NW. Conduit revenue bonds do not represent a loan or guaranty by the District, are not public debt, and do not impact the City’s debt rating or debt capacity. Conduit bonds of this sort are also not subject to a volume cap and the approval of bonds for Wesley will not diminish the District’s ability to assist other entities. Governmental involvement in these transactions merely provides for what is, in effect, an approval at the local level of the use of a federal tax subsidy to spur economic development.

Mr. Newman stated that no action by the Commission was requested.

*# 4 Logan Circle, NW Rear Deck Addition* BZA Application No. 17804

The Applicant is requesting an area variance pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, and a variance from the nonconforming structure provisions under subsection 2001.3, to construct a deck addition to an existing apartment building. Previously, the Applicant appeared before ANC 2F's Community Development Committee on June 27, 2007 and the ANC's regular monthly public meeting on July 11, 2007 to discuss the concept, design and massing of the proposed project, as part of the Historic Preservation Review Board Hearing.

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

**RESOLVED**, That the unanimous recommendations of the Community Development Committee as set forth above be and are hereby approved, and that the appropriate agencies of the District of Columbia be and are hereby advised to approve the respective pending applications for the reasons stated above in the report of the Community Development Committee.

**Vote: (6-0) Unanimous**

**New Business**

*DPW Proposal*

Jim Loucks presented a need for letter of support to Park and Recreation for the *Friends of 10th Street Park* located between L and M Streets, NW.

Upon motion by **Reed** and second by **Trock**, and after further discussion, it was,

**RESOLVED**, That ANC2F advise Department of Parks and Recreation to grant the request of Friends of 10th Park pending before the Department to create a park at City property located on 10<sup>th</sup> Street, NW, between L and M Streets.

**Vote (6-0) Unanimous**

*Zip Car - Elise Perez* ,

Zip Car manager attended the June meeting as well as July. She stated that based upon the ANC's complaints about the 14<sup>th</sup> and Corcoran Streets, Zip Car parking lot, the company is seeking to address the problem, however the owner of the lot is out of the country and Zip Car's hands are tied. **Perez** requested further advice on the nature of the objections. **Reed** stated that the lot is an eye sore, and that the company is in violation of the agreement with the ANC. **Perez** asked for recommendations; **Reed** indicated that it was the obligation of Zip Car to address the problem, and he suggested the company to contact a landscape for direction on this project. **Reed** asked whether Zip Car would relinquish the street parking spaces it holds adjacent to the John Wesley Church at the same



corner, in light of the Church's parking problems on Sundays. **Perez** stated that this would not be possible, and she had so indicated to Reverend Shannon of John Wesley Church. **Reed** asked **Perez** if Zip Car is prepared to come back to the ANC2F with a plan to beautify the lot. **Perez** said that the owner is willing to take better care of this lot. However, she stated that the lease does not address the beautification issues on the lot. ANC recommended to DDOT a public space permit under the condition that Zipcar keep the parking spaces in good keeping in a good faith way to remove the eyesore. Zip Car will be placed on the September agenda and has been asked to come back with an appropriate beautification project.

Proposed Changes in parking requirements

**Dan Emerine**, Office of Planning (OP), appeared at the meeting to inform the Commission and the community that OP is conducting a comprehensive review of parking in the City. Parking regulations were written 50 years ago and outdated for current traffic and parking regulations. OP is considering removing minimum parking requirements under the zoning regulation. A public hearing on the issue will be held t July 31, 2008 at the DC Office of Planning building located at 777 North Capitol Street, NE. please plan to attend and confirm meeting location. Contact Dan Emerine, DC Office of Planning at [dan.emerine@dc.gov](mailto:dan.emerine@dc.gov) or 202-442-8812 for more information.

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

**RESOLVED**, That **Reed** represent ANC2F and testify at the July 31 meeting of the Office of Planning on the proposals and request that further studies be undertaken that apply more specifics to certain areas or neighborhoods.

**Vote (6-0) Unanimous**

**Treasurer's Report (Jennifer Trock, Treasurer)**

Upon motion by **Reed**, seconded by **Schneider** and after further discussion, the following expenses were approved;

Cynthia Cota	\$938.70
Verizon	65.80
DC Treasurer	54.00
IRS	\$1,1173.45

<b>August expenses</b>	
Cynthia Cota	\$938.70
Verizon	65.00
DC Treasurer	54.00

**Vote: (6-0) Unanimous**

**Adjournment**

There being no further business, the meeting was duly adjourned at 9:15 pm.