

ADVISORY NEIGHBORHOOD COMMISSION 2F REGULAR MONTHLY PUBLIC MEETING
Wednesday, March 4, 2009 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Charles Reed (2F01) (Chairman), Brian Vargas (2F03), Mike Dustin Cole (2F05), Matt Raymond (2F04), Monica Schneider (2F02)

Absent: Mike Benardo (2F06) (Vice Chairman)

COMMUNITY FORUM

Commissioner Announcements

Commissioner Vargas announced he has asked DCRA to issue its list of permits in electronic form. The report is long (all permits throughout the City are listed) and wastes both paper and postage. Vargas also announced that the Logan Circle Community Association will host its monthly social on March 5, at 1409 Playbill Cafe, from 4-8 p.m. The Happy Hour will also include a celebration of the late Connie Maffin's life and Sayed's (the Playbill's co-owner) birthday. A free light appetizer buffet will be served from 6-7 p.m.; the monthly meeting for the Logan Circle Community Association will be held March 11th at the Washington Plaza Hotel.

Commissioner Raymond announced that as the chair of the Crime and Safety Committee he met with Chief Brooms PSA 307.

Commissioner Reed announced that a new Alcoholics Anonymous chapter has opened in the community. AA will meet at the Luther Place Memorial Church, 1226 Vermont Ave.

PSA 307 Report - Officer Michelle Caron

Officer Michelle Caron introduced Sergeant **Allen** and Captain. **Snyder**. As to crime statistics, robbery increased 200% but this only means this there were three robberies in February as compared to one in February 2008. One of the robberies took place at Sav-on Liquors, 1414 14th Street. Masked men with guns entered and took cash and the store owner's wallet, including credit cards. The robbers used the credit card within an hour—without wearing masks—at a gas station with surveillance camera. Property crime including theft from auto was down 20%. Commissioner Raymond asked Officer Caron about the rate of recovery of property stolen from autos. Officer Caron said it is both difficult to convict the perpetrator and that it is difficult for property owners to recover stolen property. She reminded everyone to note the serial numbers and other identifying features before property is taken.

Sergeant-Kim Allen introduced himself to the ANC community meeting and stated he is new to MPD Third District. Sergeant **Allen** can be reached at kim.allen@dc.gov. Officer **Totaro** was recognized for his good work in removing violent criminals from the streets of Logan Circle and received an achievement award.

Officer Caron can be reached at 202-423-8091 or by email at michelle.caron@dc.gov.

DDOT (Chris Ziemann, Ward 2 Coordinator)

15th Street NW Reconfiguration Analysis

Since the summer of 2007, DDOT has been reviewing access, safety and speeding along 15th Street, NW between Massachusetts Avenue and Florida Avenue. DDOT presented four alternative configurations for public comment and analyzed them on the basis of bicycle level of service, vehicle level of service, cost, and timing. DDOT accepted public comments via mail and email and on June 19, 2008 presented the analysis in a public meeting at the 15th Street Presbyterian Church. At the meeting, attendees were asked to rank each of the four alternatives and the existing condition of 4 northbound lanes 1-5 (one being the most preferred 5 the least). Based upon these ratings, participant comments, and the numerous e-mail received, there was no clear outcome.

Due to the lack of a clear consensus, DDOT developed a fifth alternative as a compromise between the desire to maintain one-way traffic and the desire for more bicycle facilities. This hybrid alternative features three northbound travel lanes, and bicycle lanes in both directions. Next, the existing conditions and five alternatives were evaluated using 11 criteria that reflect the objectives stated in the June 2008 "15th St, NW Reconfiguration Alternatives and Analysis" report and the comments from the public meeting and emails. These included reflecting the street's residential character, slowing traffic, and improving bicycle and pedestrian safety, etc. Please send comments and/or questions to Christopher Ziemann at christopher.ziemann@dc.gov or at the Reeves Center, 2000 14th Street, NW, Washington, DC 20010.

Community Announcements

DC Consolidated Forensic Laboratory Community

The District of Columbia will open the Consolidated Forensic Laboratory (CFL) to be located at 4th and E Streets, SW. CFL will house the DC Public Health lab, the Office of the Chief of Medical Examiner and the city's first full-service Crime Lab.

Unity of Washington, DC (Patricia Mitchell)

Unity of Washington, DC, a non-denominational church, will occupy the premises at 1225 R Street, NW, which had been the site of the Metropolitan Baptist Church. The first services are scheduled for late March 2009. Worship services will include service for elementary-aged children, service for middle and high school children. Unity services consist of music, meditation and message. All are welcome to participate in services, classes and membership is not required. Contact **Patricia Mitchell** at 202-667-5077 or pmitchell@columbiaDB.com for more information. Chairman Reed asked whether the church had a parking program that would avoid illegal parking during times of heavy traffic at the church. Ms. Mitchell said the church had extensive parking facilities and were looking for more. She said the church will not pose a parking problem to nearby residents. Chairman Reed expressed the best wishes of the community and welcomed the arrival of the church.

Community Health Fair

A community health fair will be held on Saturday, March 14, 2009 from 9:00- 12:00 p.m. at the National Christian Church, 5 Thomas Circle. This event is free and health screenings in diabetes, cholesterol, glucose, HIV, vision, blood pressure and more will be available. Contact The 1417 N Street, NW Tenant Association for more information at NorwoodTenants@Gmail.com or www.norwoodtenants.org.

Ward 2 Councilman Jack Evans Office

Sherri Kimbel (skimbel@dccouncil.us) announced that Jack Evans introduced legislation to help lower the tax burden on small businesses.

Pothole Reporting

With rising temperatures, “pothole season is beginning. Residents are being encouraged to report potholes to the District Department of Transportation (DDOT). Residents and commuters can notify DDOT in a variety of ways: (1) call the Mayor’s Call Center at 311; (2) use the On-line Service Request Center at www.dc.gov; (3) text message or Tweet to twitter.com/DDOTDC, or (4) e-mail to Potholepalooza@dc.gov. Callers must identify the location including the correct quadrant (NW, SW, NE, and SE) in the city and as much detail as possible about the hazard, including the approximate size and depth of the pothole. (DDOT crews will also be out on the streets seeking to locate potholes. DDOT repairs an average of 220,000 potholes per year at an average annual cost of \$900K.

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

Upon motion by **Raymond**, seconded by **Schneider** 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:

Add under ABRA:

- Hermanos Amaya, Inc. (La Villa Restaurant, 1317 14th Street, NW, Class C Restaurant #060123,) - entertainment endorsement
- Don Ho, Inc. (District Liquor, 1211 11th Street, NW, Class A Retailer, # 23) – Single sale ban exception
- Continental Beverages, LLC (Continental Beverages Retailer A, 1100 Vermont Avenue, NW, Class A Retailer, #60039) – Single sale ban exception
- K H&C, Inc. (S & W Liquors, 1428 9th Street, NW, Class A Retailer, #10963) – Single sale ban exception
- International-Lifestyles LLC (The Space, 903 N Street, NW, Class CX Retailer) – Show cause hearing to rescind license.
- Ak Foods Inc. (Ollies Restaurant, 1426 L Street, NW, Class CR Retailer

Add under HSEMA:

- Colon Cancer Awareness Foundation Run/Walk
- ITU World Championship Triathlon

Add under CDC:

1329 R Street- Renovation and addition
Morrison-Clark expansion
901 K Street - Public space permit

Vote: (5-0) Unanimous

Approval of ANC 2F Minutes of Meeting of January 7, 2009

Amended minutes of the meeting of January 7, 2009, were presented for approval.

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

Vote: (5-0) Unanimous

Approval of ANC 2F Minutes of Meeting of February 4, 2009

Minutes of the meeting of February 4, 2009, were presented for approval.

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

Vote: (5-0) Unanimous

HSEMA/Street Closures

Elizabeth Muniot presented a request for street closing for the Lupus Foundation Walk/Run, which will be held on Saturday, April 18, 2009 from 6:00 AM -12:30 AM. **Muniot** 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. **Muniot** can be reached at elizabhtmuniot@lupusgw.org for more information.

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

RESOLVED, That upon review of the street closing application of Lupus Foundation Walk/Run, to be held on Saturday, April 18, 2009 pending before the Homeland Security Emergency Management Agency (“HSEMA”) and presented to the ANC, ANC2F advise HSEMA to grant such application.

Vote: (5-0) Unanimous

Julie Clowes presented a request for street closing for the Colon Cancer Awareness Foundation 5 K Walk/Run, to be held on Sunday, March 29, 2009 from 9:00 AM -10:30 AM. **Clowes** 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. **Clowes** can be reached at julieclowes@hotmail.com for more information.

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

RESOLVED, That upon review of the street closing application of Colon Cancer Awareness Foundation 5 K Walk/Run, to be held on Sunday, March 29, 2009 pending before the Homeland Security Emergency Management Agency (“HSEMA”) and presented to the ANC, ANC2F advise HSEMA to grant such application.

Vote: (5-0) Unanimous

Molly Klem presented for Charles Brosky a request for street closing for the ITU World Championship Triathlon, to be held on Sunday June 21, 2009 from 6:00 AM-12:00 PM. **Klem** stated that the request complies with the published street closing policy of this ANC and that he had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Charles Brosky**, Director can be reached at chuck@wseminc.com for more information.

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

RESOLVED, That upon review of the street closing application of ITU World Championship Triathlon, to be held on Sunday June 21, 2009 pending before the Homeland Security Emergency Management Agency (“HSEMA”) and presented to the ANC, ANC2F advise HSEMA to grant such application.

Vote: (5-0) Unanimous

ABRA

International Lifestyles- The Space 903 N Street, NW CX Club 076926

Commissioner Reed announced the DC Attorney General has determined to prosecute a “show cause hearing” to revoke the license of this licensee. **Reed** will advise the ANC and the community as case moves forward.

Single sale exemptions

The Commission conducted a broad discussion on its previously adopted policy relating to the ANC support of exceptions to the Single Sales Moratorium Act of 2008. A number of licensees were present at the meeting and sought such support. The Commissioners concluded after such discussion that the terms included in the Barrel House voluntary agreement amendment approved at the February public meeting would be appropriate for all the licensees present whose locations were within the residential districts within the ANC’s boundaries. As to those licensees in the business district, it will generally be the approach of the ANC that a minimum of constraints will be requested, but in appropriate circumstances, voluntary agreements may be required to evidence such constraints.

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

RESOLVED, That, ANC2F enter into a Voluntary Agreement with the liquor

licensees listed below (or an amendment to the existing voluntary agreements of those licensees which have them) and that subject to acceptance of such agreements by the Alcoholic Beverage Control Board and continued compliance with such agreements, ANC2F advise the Board to advise the Board to grant an exception to the Single Sales Moratorium Act of 2008.in accordance with the DC Code "§ 25-345(c):

Don Ho, Inc., t/a District Liquor, 1211 11th Street, NW, Class A Retailer, # 23)

Continental Beverages, LLC, t/a Continental Beverages Retailer A, 1100 Vermont Avenue, NW, Class A Retailer, #60039

K H&C, Inc., t/a S & W Liquors, 1428 9th Street, NW, Class A Retailer, #10963; and it is,

FURTHER RESOLVED, That the form of the voluntary or amended voluntary agreement be substantially in the form previously approved in February 2009 by this Commission with respect to Barrel House Liquors, with such amended or changed terms deemed appropriate by the Chairman and the Commissioner in whose Single Member District the licensee's premises are located, it being understood that any such amendments or changes shall be consistent with the policy of this Commission adopted February 4, 2009, with respect to single sales ban exceptions; and it is,

FURTHER RESOLVED, That the appropriate officers of this Commission be and are hereby authorized and directed to implement the foregoing resolution.

Vote: (5-0) Unanimous

*Capitol Supermarket
11-M Corner Market*

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

RESOLVED, That, ANC2F hereby approves the form of Voluntary Agreement and Amended And Restated Voluntary with Amko International Inc; t/a Capitol Supermarket 1231 11th Street, NW Retailer B #1688 and, Market Koo Kimberly; t/a 11-M Corner Market, 1133 11th Street, NW Class B #12446 respectively, as presented to this Commission and, subject to the acceptance of such agreements by the Alcoholic Beverage Control Board and continued compliance with such agreements, ANC2F advise the Board to withdraw the pending protests for the renewal of these licensees; and it is,

FURTHER RESOLVED, That the appropriate officers of this Commission be and are hereby authorized and directed to implement the foregoing resolution.

Vote: (5-0) Unanimous

Press Liquors

A form of voluntary agreement was presented to the Commission for approval.

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

RESOLVED, That, ANC2F enter into a Voluntary Agreement in the form presented to the Commission, with Lim Enterprises, Corp, t/a Press Liquors, 525 14th Street NW, Class A Retailer, License # 76191 and that subject to acceptance of such agreement by the Alcoholic Beverage Control Board and continued compliance with such agreement, ANC2F advise the Board to grant an exception to the Single Sales Moratorium Act of 2008.in accordance with the DC Code "§ 25-345(c): and it is,

FURTHER RESOLVED, That the appropriate officers of this Commission be and are hereby authorized and directed to implement the foregoing resolution.

Vote: (5-0) Unanimous

Continental Beverages

Continental Beverages was represented by its manager at the meeting, who asked for the support of the Commission in an application for an exception from the single sale ban. It appearing to the ANC that the location of the licensee's premises are in a business district which no significant residential tenancies nearby, the consensus of the Commission was that support for such exception could be provided upon the same terms as Press Liquor.

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

RESOLVED, That, ANC2F enter into a Voluntary Agreement in form and substance substantially the same as that approved by this Commission with respect to Press Liquor with Continental Beverages, LLC, t/a Continental Beverages Retailer A, 1100 Vermont Avenue, NW, Class A Retailer, #60039, and that subject to acceptance of such agreement by the Alcoholic Beverage Control Board and continued compliance with such agreement, ANC2F advise the Board to grant an exception to the Single Sales Moratorium Act of 2008.in accordance with the DC Code "§ 25-345(c):

Hermanos Amaya, Inc.- La Villa Restaurant 1317 14th Street –entertainment petition
Tabled for April

Community Development Committee

1332 Vermont Avenue- Renovation and small addition to the ground level and first floor. At the request of the owners of the property, this matter was removed from the agenda for the meeting.

1329 R Street- Renovation and addition- seeking special exemptions before the Board of Zoning Adjustments (BZA) -Hayes Nuss, Owner, appeared before the CDC which reported to the

meeting that the front of the existing house is three floor (plus basement), and the back is two floors (plus basement) with an open court to the east. The proposed addition will occupy a portion of the existing court; add a third floor to the back of the house and a roof structure to accommodate elevator and stair access to the roof for a roof deck. The finished house will be consistently three floors, front-to-back, with a closed-court and roof structure.

The three special exceptions requested are:

1. Relief for the setback requirements of roof structures- the roof structure is required to be set back from the exterior wall a distance equal to the height of the roof structure.
2. Relief from court requirement because the property has an existing open court that, due to its dimensions, is nonconforming. In closing the court, the owner will convert the existing open court into a nonconforming closed court.
3. Relief for lot occupancy to increase the lot occupancy from 58.4% to 66.5% to change an existing non-conforming open court into a new non-conforming closed court, and to locate the roof structure within the required setback from the closed court.

All neighbors have been notified either in person or by mail. BZA hearing date is set for March 24, 2009.

The CDC unanimously recommended advising the BZA to approve all requested exceptions, the Committee having determined that the applicant had demonstrated compliance with the statutory criteria for the grant of such exceptions.

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

RESOLVED, That, ANC2F advise the Board of Zoning Adjustments to grant the above three special exceptions, having demonstrated compliance with the statutory criteria for such exceptions.

Vote: (5-0) Unanimous

901 K Street Public Space commercial office building- bollards

An application pending with the Department of Transportation for a public space permit to construct bollards at 901K Street was presented to the meeting. The location of the space is in a business district, and not within any historic district.

Upon motion by **Vargas**, seconded by **Raymond**, and after further discussion, it was

RESOLVED, That, ANC2F, having determined that the public space is in a business district in which bollards would serve to protect a commercial building and noting that the space is not in a historic district, advise the Department of Transportation to grant the public space permit based on the plans submitted to this meeting.

Vote: (5-0) Unanimous

Appeal of BZA Ruling with Respect to Morrison-Clark

Chairman **Reed** reported that the Quincy Park Condominium has noted an appeal to the Board of Zoning Adjustments ruling denying a rehearing of the application of owners of the Morrison Clark Hotel (11th and H Streets, NW) for special exceptions and variances and granting the requested exceptions and variances. In addition, counsel for the Condominium has requested that ANC2F file an *amicus* brief supporting the position of the Condominium. Noting that this Commission had also advised the BZA to grant a full rehearing, and that the BZA denied such advice, Reed recommended that this Commission accede to the request to file an *amicus* brief.

Upon motion by **Vargas**, seconded by **Schneider**, and after further discussion, it was

RESOLVED, That, ANC2F file a brief, *amicus curia*, with the District of Columbia Court of Appeals, in support of overruling the ruling of the Board of Zoning Appeals which denied the motion of the Quincy Condominium to rehear the application of Morrison Clark hotel for special exceptions and variations; and it is,

FURTHER RESOLVED, That ANC2F Chairman Charles Reed and Commissioner Monica Schneider be and hereby are authorized and directed to implement the foregoing resolution in support of the Appellant.

Vote: (5-0) Unanimous

Treasurer's Report (Dustin Cole, Treasurer)

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

Cynthia Cota	\$938.70
Verizon	51.20
DC Treasurer	54.00

Vote: (5-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 9:20 PM.