

**ADVISORY NEIGHBORHOOD COMMISSION 2F REGULAR MONTHLY
PUBLIC MEETING**

Wednesday, November 4, 2009 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Charles Reed (2F01) (Chairman), Brian Vargas (2F03), Vacant (2F02), Matt Raymond (2F04)

Absent: Mike Benardo (2F06) (Vice Chairman), Dustin Cole (2F05-Treasurer)

COMMUNITY FORUM

Upon motion duly made by **Reed**, and **Vargas** seconded, and after discussion, the following Resolution was unanimously adopted:

WHEREAS, the office of Advisory Neighborhood Commissioner for Single Member District 2F-02 became vacant by virtue of the resignation of Commissioner Monica Schneider, who, in accordance with DCMR §1-302.1, submitted a letter of resignation effective September 2, 2009; and,

WHEREAS, the BOEE on October 2, 2009 declared such vacancy by publication in the *District of Columbia Register* in accordance with DCMR §1-300.2, and by letter dated November 4, 2009, certified to ANC2F pursuant to DCMR §1-309.06(d)(6)(D) that Andrew Warth, 1435 N Street, NW # 308 Washington, DC 20005 was the sole individual meeting the qualifications to fill such vacancy; and,

WHEREAS, DCMR §1-310.1 specifies that where only one person is qualified to fill the vacancy, the Advisory Neighborhood Commission shall appoint the qualified person to the vacant ANC position at its next regularly scheduled meeting; and

WHEREAS, November 4, 2009, being the next scheduled meeting date of ANC2F after its receipt of the aforesaid BOEE certification under DCMR §1-309.06(d)(6)(D), and this ANC noting that the following resolution completes action required to be taken within the 90-day period specified by DCMR §1-300.3, it is, therefore,

RESOLVED, That at its duly noticed public meeting with all currently incumbent Commissioner present, and with a quorum acting throughout, ANC2F upon motion duly made, seconded, and after discussion on such motion, appointed Andrew Warth, residing at 1435 N Street, NW # 308 Washington, DC 20005, Washington, DC, to be Advisory Neighborhood Commissioner for Single Member District 2F-02, to serve the unexpired term of his predecessor in such office in accordance with law; and, it is,

FURTHER RESOLVED, That Andrew Warth, having this day taken his oath of office before Councilmember Jack Evans, be and is hereby seated as a member of this Commission with all the rights, privileges and obligations of such office as provided by law;; and, it is,

FURTHER RESOLVED, That ANC2F requests the BOEE to declare the vacancy filled by Andrew Warth by publication in the *District of Columbia Register*, and, it is,

FURTHER RESOLVED, That the appropriate officers of this ANC2F be and are hereby authorized and directed to forward copies of this Resolution to the BOEE, the Mayor, the Council of the District of Columbia and to Andrew Warth.

Vote: (3-0) Unanimous

Commissioner Announcements and Monthly Government Reports

Commissioner Vargas made the following announcements for LCCA:

Please join on **November 14** for LCCA's membership meeting and nominations for Board positions (elections to be held in November). The meeting will be at the Washington Plaza Hotel from 7-9 p.m. Please also note the following upcoming events:

November 19 – Annual Dinner (7 p.m. Washington Plaza Hotel)
Join LCCA for its annual awards dinner. Special guests include Mayor Fenty and Councilmember Jack Evans.

November 21 (NOTE DATE CHANGE) – Desi Deschaine Memorial Service
Details to come (see below), but please mark your calendar for a community-wide memorial service for LCCA Board Member, Desi Deschaine

PSA 307 Report – Lt. Vanessa Moore

Lieutenant Moore announced that overall crime is down 26% from this same time last year, with violent crime down 7%. Twenty people have been identified and the police will help take these guys in to arrest.

Brian Bray is handling prostitution cases. Bray can be reached at brian.bray@dc.gov. Please feel free to email him with prostitution problems. Lt. Vanessa Moore Lt. Moore can be reached at 202-553-9247 or by email at vanessa.moore@dc.gov

Report from Council Member Jack Evans

The memorial service for **Desi Deschaine** on Saturday, November 21, 2009 at 1:00 pm, St. Patrick's Catholic Church, 619 10th St, NW. For more information please contact Jeff Coudriet at jcoudriet@dccouncil.us.

Saturday, November 7, 2009 will mark the one year anniversary of the Shaw dog park. Council member, Jack Evans will be at the celebration from 12:00-2:00pm.

Executive Office of the Mayor

Andrew Huff repeated the willingness of City agencies to assist with dealing with graffiti and illegal dumping issues.

Chairman Reed asked for details as to the disposition of the City's actions against the illegal men's club at 14th and Corcoran Streets, NW which was closed by restraining order, such as whether other factors beyond lack of business license and certificate of occupancy are involved, and to whom does the restraining order run (owner of the property and/or operator?). Mr. Huff undertook to report back on these questions.

Francisco Fimbres, Outreach Specialist is available anytime to answer questions or to listen to community concerns. Mr. Fimbres can be reached at 202-727-9223 (office), 202-664-6119 (cell) or Francisco.fimbres@dc.gov.

DDOT- Chris Ziemann Ward 2 Transportation Planner

DDOT has started the installation of a protected south-bound bicycle lane on 15th Street NW between Massachusetts Avenue NW and U Street NW. It is the first of its kind in the District and the separation gives bicyclists more protection from cars than a typical bike lane.

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

Upon motion by **Reed**, seconded by **Warth** and after further discussion, the agenda was approved with the following amendments and a direction that a copy be filed with the minutes and posted on the ANC 2F website:

Upon motion by **Reed**, seconded by **Raymond** the following be added to the agenda:

Add: Under -ABRA VA Teakwood Restaurant-1323 14th Street, NW

Vote: (4-0) Unanimous

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

Minutes of the meeting of October 7, 2009, were presented for approval.

Upon motion by **Reed** seconded by **Vargas** and after further discussion, the minutes were approved with direction to the Executive Director to post the same on the ANC 2F website.

Vote: (4-0) Unanimous

ABRA

Teakwood Restaurant Voluntary Agreement

Edward Hill a resident on Vermont that shares the alley with the proposed restaurant was concerned about in increase in trash and rodents. The Voluntary Agreement contains provisions to take care of such issues.

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

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

Vote: (4-0) Unanimous

Commissary Restaurant Voluntary Agreement

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

RESOLVED, That the ANC 2F authorize the amendment to the existing of the Voluntary Agreement to include earlier opening at 8:00am as presented to this meeting and that such Agreement be delivered to the Alcohol Beverage Control Board (“ABC Board”) with the request that the pending protest be withdrawn subject to acceptance of the Voluntary Agreement by the ABC Board and applicant’s continued compliance with the Agreement.

Vote: (4-0) Unanimous

Community Development Committee

Cato Institute Building at Massachusetts Avenue and 10th, NW (Request for a rear yard variance and loading dock special exception) Presented by Jeffery Utz and Allison Prince, Pillsbury Winthrop Shaw Pittman

The Cato Institute’s headquarters building is located at 1000 Massachusetts Avenue, NW. The Institute has also acquired the National Medical Association building located at 1012 10th

Street, NW (directly to the south of the Cato building) and intends to expand its headquarters building onto the property. They also plan to increase the height of the existing Cato building by one story.

The National Medical Association building is an unattractive and inefficient use of that property and will be demolished. The project will contain approximately 68,752 square feet of office use, including the approximately 34,150 square feet provided by the expansion to the existing building.

In order to complete the project, the Cato Institute seeks a variance from the rear yard requirements of § 774.1. The applicant is proposing to include no rear yard on the south alley of the Property, although a rear yard of 19.58 feet is required. In addition, the Institute seeks special exceptions pursuant to 11 DCMR §§ 2202.2 and 3104.1 from certain aspects of the loading requirements § 2201.1. The Applicant is proposing one (1) thirty (30) foot deep loading berth, one (1) 200 square foot loading platform, and one (1) twenty (20) foot deep loading space although the project will require two (2) thirty (30) foot deep loading berths, two (2) loading 200 square foot platforms, and one (1) twenty (20) foot deep loading space under the Zoning Regulations. The project will maintain the existing number of loading facilities on the Property. Applicant has BZA hearing December 1, 2009.

The CDC unanimously resolved to recommend that the ANC 2F advise BZA to approve the requested variance and special exceptions, having determined that the Applicant had met the statutory requirements for them.

1431 11th Street, NW

Presentation by Ronald Schneck Jr. AIA and Paul Robinson

1431 11th Street, NW is a new, by-right, 12-unit condominium project. It is part adaptive reuse and part new construction. The existing historic structure will be converted into two units and the remaining ten units will be of new construction. The project team has already begun working with HPO to create a vibrant, yet historically sensitive development by providing an interior courtyard to separate the existing historic structure from the new construction. The presenters did not request specific action by the ANC at this time, but will appear before the CDC at its November 18th meeting and seek support for concept and massing at the CDC meeting.

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

RESOLVED, That ANC 2F accept the recommendations of the CDC and shall advise BZA to approve the variance for the rear yard requirements and the special exception related to the loading dock requirements accordingly in accordance with D.C. Code §1-309.10.

Vote: (4-0) Unanimous

ANC 2F Arts Overlay Review Committee's Economic Development Recommendations Part 2 – Will be on the CDC November 18th agenda for presentation and committee vote.

Mary Brown and **Andrea Doughty** reported (a) that the Neighborhood Investment Fund NIF- the request of ANC 2F for NIF funding in the ANC area sent to the Deputy Major's Office was not favorably acted upon, and (b) that Part 2 of the ART Committee Report can be found at <http://www.anc2f.org/arts/report2/>.

New Business

MayfieldGentry, LLC 1522 K Street, NW-application for DC bond financing

Project found not to be located in ANC2F- No vote necessary

Budget Fiscal Year 2010

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

RESOLVED, That ANC 2F adopt the budget for FY2010 the same as approved as FY2009

Vote: (4-0) Unanimous

Treasurer's Report (Dustin Cole, Treasurer)

Approval of 4th Quarter 2009 Report

Upon motion by **Raymond**, seconded by and after further discussion, the 4th Quarter 2009 be approved.

Vote: (4-0) Unanimous

Upon motion by **Raymond**, seconded by **Reed** and after further discussion, the following expenses were approved and the approval of the 4th Quarter Report:

Cynthia Cota	\$938.45
Verizon	\$61.37
DC Treasurer.....	\$54.00

Vote: (4-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 8:48 PM.