

ADVISORY NEIGHBORHOOD COMMISSION 2F
Minutes of Regular Monthly Public Meeting
Wednesday, February 1, 2012 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Charles Reed (2F01), Nick Barron (2F02-Secretary), Samuel V. Goekjian (2F03-Treasurer), Matt Raymond (2F04-Vice-Chairman), Mike Benardo (2F06-Chairman) Matt Connolly (2F05)

Chairman Benardo called the meeting to order at 7:00 p.m. He noted that a quorum was present and that the meeting had been duly noticed, and he directed that a copy of the notice of the meeting be filed with the minutes.

COMMUNITY FORUM

Commissioner Announcements

Mike Benardo announced that a second dog park has been added to the community at the Bundy Fields in ANC2C. There are a dog run and a dog park, as well as sports fields. There are brochures on the iDecide campaign on teen pregnancy which are available in the back.

Reed announced that the next meeting of the Tim Graham ABC working group will be held on February 6th. **Matt Raymond** will attend on behalf of **Reed**.

Report from the Executive Office of the Mayor

James Bulger from the Office of the Mayor can be reached at jamesbulger@dc.gov or via cell at 202-340-7229. Bulger shared that the One City Summit is on February 11th and lunch will be served. The Summit is an opportunity to bring the entire city together to discuss concerns. On February 7th at the Synagogue at 6th Street and I Street at 7pm the Mayor will give the State of the District Address (SODA). Limited seating will be available, so please arrive early. The address will also be televised on Channel 16. **Commissioner Benardo** will come to the ANC Chairman meeting on Monday, February 13th at 7pm.

PSA 307 Report – Lieutenant Carroll and Officer Terestre

Officer **Terestre** shared that there is redistricting in the PSAs. PSA is lighter and smaller and because of that they hope to provide a more rapid response to policing and public safety needs. **Terestre** introduced the new head of PSA 307, **Lieutenant Carroll**. **Lt. Carroll** previously served in 308. Feel free to contact them if you have any issues. They are working as a team and additionally, there are sergeants in all three shifts to address any concerns. **Lieutenant Carroll** reviewed crime statistics for the prior month in Police Service Area (PSA) 307, covering a large portion of the ANC 2F area. **Lieutenant Carroll** can be reached via cell phone at 202-437-8198 or via email at jeffreyw.carroll@dc.gov. If it is an emergency, please call 911 for immediate response.

Carroll reported that there have been nine robberies. Most of these robberies involve people walking with their personal electronics (cell phones, iPads, iPhones, etc.), not paying

attention often occurring in the late evening to midnight. Robbery prevention is critical. Lt. Carroll recommends that pay attention to your surroundings and avoid dark alleys. In order to assist with arrests, pay close attention to shoes and coats. **Lt. Carroll** reports that theft from autos is a completely preventable crime. There have been two assaults with dangerous weapons, one burglary, seven thefts, and 36 thefts from autos.

To see updated information on things happening in the individual PSAs individuals may go to www.mpddc.gov and sign on to link to yahoo groups and they can receive e-mails everyday about incidents.

Helen shared that a pair of thieves have been operating from Franklin Square area up to Thomas Circle. A friend was at Starbucks in 1D and a new cell phone was taken from her purse that was under the table. Hotels and concierges around the area are aware of this issue.

Evelyn Boyd Simmons expressed concern about the 1400 block of R Street where a shooting happened a little over a month ago. Simmons asked **Lieutenant Carroll** about what PSA it was in and what the status was of the case.

Carroll reported that he was familiar with the shooting and that it is in PSA 301 which is in Lieutenant Moore. He will be happy to get contact information for Lt. Moore. He offered to answer any other questions.

Sheri Kimbel, Office of Jack Evans, City Councilmember, Ward 2

Sheri Kimbel, Director of Constituent Services, shared that Finance and Revenue Committee, which **Councilmember Evans** chairs, had a hearing on iGaming. He moved at a meeting today to disallow iGaming and it was passed by the Committee it will now go to the full Council. Tomorrow at Dupont Circle they will have the first Groundhog Day at 8:30am. Fox5 News will be there to do their weather reports and **Councilmember Evans** will share a resolution. She also reported that Washington Gas has put the divots on 13th Street on a priority list. **Councilmember Evans** will hold his annual Constituent Services Fundraiser on February 13th from 6pm to 7:30pm at the Hampton. On February 11th the Mother's Group of Logan Circle will do a Valentine Party in the Mezzanine at Whole Foods from 11am to 2pm. **Ms. Kimbel** then opened it up to the community for questions.

Office of the State Superintendent (OSSE)-Mary Lord, Ward 2 Representative on the DC Board of Education

Mary Lord shared history of the No Child Left Behind legislations and its testing requirements for students to meet grade level expectations. Forty to Forty-Five percent of DC students currently read and do math at grade level and only 25 schools have made progress. US Dept of Education has given states opportunity to apply for exception to the 2014 deadline. Lord is here to give a brief on their proposal and to solicit feedback stating that strong schools are vital to the community and input is valued.

They are working on a draft for waiver from the Dept of Education. Entire online waiver application is available for viewing at www.osse.dc.gov . Application was released will accept public comments up until February 14th. They passed around a list of FAQs. The formal name for the waiver is called Elementary and Secondary Education Act (ESEA) Flexibility/Waiver Request, Due February 21, 2012.

Benardo inquired as to whether individual districts were being engaged in the process. OSSE is to spearhead. They have been engaging with school districts, community members, parents, students, and others since November and earlier.

Raymond asked about how many other states are applying for this waiver. Jeremy reported that 11 applied in November and 30 more will apply in February including DC.

Reed commended the individuals from the community who voiced concerns and willingness to be involved with education reform.

Community Announcements

Belinda Roebuck, Special Projects Manager of the DC Office on Aging reported that they have completed comprehensive senior needs assessments. The last one that was done was in 1978. The assessments were done by a third party and they will come out at stakeholder review meetings in the next few weeks. The meetings will be held at the DC Office on Aging at 500 K Street, NE. Individuals may call the DC Office on Aging to get meeting times and dates. The office phone number is 202-724-5622. Results have not been officially published yet, but will eventually be online.

E.Gail Anderson Holness shared that she is currently the Commissioner on 1B11 and a Candidate for DC City Council At-Large. She states that she is focused on Education Reform, Affordable Housing, Senior Citizens, Resident and Youth Employment. Her petitions have been challenge, but she is confident she has enough valid signatures.

John Guggenmos offered his support of **Ms. Holness** and commended her accomplishments as a Commissioner.

Joel reported that there was gentleman with a dog in the inner portion of Thomas Circle. Please help remind our neighbors to follow the rules regarding the circles and animals.

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

Add under ABRA Continental Liquors requested for extension of single sales exception which has expired

Add under Crime and Public Safety-nomination of Christopher Lynn as New Chair of Crime

Under CDC Nominating new CDC member for 2F01

Add under other business Co-hosting a Community Forum for Ward 2 Primary Democratic At-Large Candidates

Upon motion by **Benardo** seconded by **Reed** and after further discussion, the draft agenda was approved with additions, with a direction that a copy of the amended agenda be filed with the minutes and posted on the ANC 2F website:

Vote: (6-0) Unanimous

Approval of ANC 2F Minutes of Meeting of December 7, 2011

Minutes of the meeting of December 7, 2011, were presented for approval. Upon motion by **Benardo** seconded by **Barron** and after further discussion, the minutes were approved with some minor editorials and non substantive changes with direction to the Executive Director to post the same on the ANC 2F website after the change.

Vote: (5-0-1) Approved with one abstention (2F05)

Approval of ANC 2F Minutes of Meeting of January 11, 2012

Minutes of the meeting of January 11, 2012, were presented for approval. Upon motion by **Benardo** seconded by **Barron** and after further discussion, the minutes were approved with direction to the Executive Director to post the same on the ANC 2F website after the change.

Vote: (6-0) Unanimous

DCHSEMA/Street Closures

Scope-It-Out 5K Race-Chris4Life Colon Cancer Foundation

Michael Sapienza presented a request for street closing for the Scope-it Out Walk/Race, to be held Sunday, April 29th from 5:30 AM to 11 AM. **Sapienza** stated that the request complies with ANC 2F published street closing policy and that he had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Brandon**

Hammond, Race Director can be reached at 571-257-7679 and brandon.hommond@crctoday.com .

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

RESOLVED, That after review of the street closing application of the Scope it Out, to be held on Sunday, April 29, 2012 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise HSEMA to grant such application.

Vote: (6-0) Unanimous

2012 USA Rock N’Roll Marathon

Diane Thomas presented a request for street closing for the 2012 USA Rock N’ Roll Marathon, to will be held Saturday, March 17th from 5:00 AM to 11:00AM. This is the 7th year for this marathon. It is the only marathon run in Washington, DC. Runners will be traveling westbound on Constitution through the ANC around 8:15am. **Thomas** stated that the request complies with ANC 2F published street closing policy and that they have made substantial progress in dealing with others entitled to notice and opportunity to comment. **Thomas** can be reached at 202-407-8560 and dthomas@gwsportsalliance.com . There will no bands in this ANC. The closest ones will be at 18th and Constitution.

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

RESOLVED, That after review of the street closing application of the National Marathon, to be held Saturday, March 17, 2012 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise HSEMA to grant such application.

Vote: (6-0) Unanimous

International Race to Stop the Silence (Stop Child Sexual Abuse)-Rick Freedman

Rick Freedman presented a request for street closing for the International Race to Stop the Silence, to be held Sunday, April 29th from 9:00 AM to 10:45AM. **Freedman** stated that the request complies with ANC 2F published street closing policy and that he had made substantial progress in dealing with others entitled to notice and opportunity to comment. **Freedman** can be reached at 301-840-2042 and rick@runwashington.com .

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

RESOLVED, That after review of the street closing application of the International Race to Stop the Silence, to be held on Sunday, April 29, 2012 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise HSEMA to grant such application.

Vote: (6-0) Unanimous

ABRA

Sav-On Liquors-Request for Ammended VA

Benardo stated that the parties are looking to extend their hours to reflect the new regulations in DC law. The establishments that have a VA (Voluntary Agreements) with the ANC have to get an amended agreement approval the extension of hours. Owner would like to extend Friday and Saturday nights. We have not had any complaints with this establishment.

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

RESOLVED, That ANC where we have VA which the closing hours that specify less than the DC statue we amend the VA up to the legal limit for off premise licensees with respect to the all licensees with VAs

Vote: (6-0) Unanimous

Mood Lounge 1318 9th Street, NW-Updated on January 13, 2012 hearing and ABRA reinstatement of license

Benardo shared that he and **Sheri Kimbel** from **Jack Evans** office were both present at the hearing. ABRA reinstated the license requiring Mood Lounge to create a security plan and to implement that plan which includes staff training, security cameras and a number of other provisions.

Mood Lounge 1318 9th Street, NW-Request for Show-Cause Hearing related to October 30, 2011 Assault in Mood Lounge.

This ANC has made a request for a show-cause hearing based on violations of the Voluntary Agreement (VA) and an assault that happened at Mood Lounge in October of 2011. The VA requires Mood Lounge to keep a log of resident complaints and provide on request. They have not been able to produce the required log which is a violation of the VA. As a result of the press from the stabbing at the end of this past year and number of other issues, a resident sent an e-mail complimenting Jack Evans' office on their role in holding Mood Lounge accountable and sharing that they were assaulted in Mood Lounge. The individual who allegedly committed the assault was the hired entertainment and according to **Ms. Kimbel**, they have recently turned themselves in.

Mood Lounge is a CT with an entertainment license. Liquor licensing runs on a three year cycle which will end September 20, 2012. Therefore the next opportunity to protest Mood Lounge will be end of this year. They cannot ask for an amendment to their license until they have been in business for four years.

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

RESOLVED, the ANC write a letter to ABRA advising them on the unreported incident on October 30, 2011 and recommend the establishment be cited for multiple violations of the VA and request that a show cause hearing be held.

Vote: (6-0) Unanimous

Parc Deux Restaurant 1601 14th Street, NW-Voluntary Agreement

Reed noted that the prior administration failed to protest the license within the necessary timeframe, taking responsibility for missing the deadline. Counsel on behalf of Parc Restaurant has been working with the ANC on mutually agreeable VA. Steven O'Brien noted that Melissa McCloud, General Counsel for Starr Restaurants and Michael Palermo were in also attendance and pointed out the points of divergence on the VA. In response to the concerns, they have made several changes. During the week, the restaurant is willing to move interior hours back to 1am on Sundays through Thursdays and 1:45am on Fridays and Saturdays. The sidewalk café will close 11:30pm (Sunday-Thursday) and 12:30am (Friday and Saturday). The restaurant has also reduced the interior seating from 246 to 194 and the sidewalk café seating from 144 to 102.

Mr. O'Brien indicated that there would be planters marking the sidewalk café and offered the opportunity for community members to view the floor plan. **Reed** expressed concerns on behalf of his SMD regarding noise emanating from the sidewalk café and requested that Parc reconsider the hours of the original VA for the sidewalk cafe pending a trial period, which if successful, hours could be extended. **Goekjian** requested a few weeks and a private session to vet out terms that are agreeable. **O'Brien** pointed out that he initiated contact in November with the ANC and a couple more weeks are less than ideal. They are trying to reach accommodation, and **O'Brien** asked that the commission make a decision this evening.

Raymond acknowledged the efforts of O'Brien and his clients to accommodate this ANC and make a VA that is mutually agreeable and acknowledged the complex position **Reed** and other commissioners are given the situation and their efforts to best serve their communities and their interests. The commission discussed the matter at length. **Barron** suggested the possibility that the restaurant shave half hour off of the 70% of revenue is from food, more than half of the remaining 30% is wine. The business model requires a certain number of operational hours. **O'Brien** indicated that his client is willing to move the hours by half hour. Several community members who live nearly adjacent to the proposed establishment shared their belief that the thirty minute compromise is reasonable and welcome. **Reed** indicated he could accept the compromise with the understanding that negotiations would be reopened if there were complaints.

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

RESOLVED, the ANC accept the draft Voluntary Agreement provided that the closing hours for the outdoor café be reduced by 30 minutes and after a period of 6 months that either party may seek to alter the hours based on experience.

Vote: (6-0) Unanimous

Continental Liquors-Requesting letter of renewal for single sale exception.

Raymond noted that the September 2011 minutes reflect a resolution to recommend to ABRA that it renew the exception to the single sale moratorium and the existing side agreement that it has with the ANC.

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

RESOLVED, the ANC recommend to ABRA that it renew the exception to the single sale moratorium and the existing side agreement that it has with the ANC.

(6-0) Unanimous

DDOT

FRESHFARM Market (by White House)-Reg Godin, Markets and Program Manager

Reg Godin, Markets and Program Manager for FRESHFARM Market is requesting ANC support for the continuation of a public space permit for FRESHFARM Market. It has been operating for three seasons. Godin reports that they are proposing to change the market operating hours from 3pm to 7pm to 11am to 2:30pm in order to make the market more convenient to workers in the general vicinity of the marketplace. They hope the change will increase customer activity to make the market more accessible and to reduce traffic safety concerns with evening rush hour traffic.

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

RESOLVED, the ANC provide a letter of support recommending to DDOT to approve continuation of a public space permit for FRESHFARM Market.

(6-0) Unanimous

Crime and Public Safety Committee

Benardo shared that **Bryan Goodman**, former Chair of the Public Safety Committee, has moved outside of the ANC and therefore no longer can chair the committee. **Benardo** publicly acknowledged Bryan's service to the ANC as the chair. The ANC would like to nominate Christopher Lynn to be the new chair of this ANC's Crime and Public Safety Committee. Christopher Lynn has been a member of the Committee since September and has working knowledge of the community and MPD.

Upon motion by **Barron**, seconded by **Goekjian**, and after further discussion, it was,

RESOLVED, That ANC advise the Board of Zoning Adjustments to grant the pending application for the rear house addition variance at 1432 Q Street, NW.

Vote: (6-0) Unanimous

Community Development Committee

Benardo noted that now that his role as Chair of the CDC, he would like to resign his post as CDC Chairman. **Benardo** nominated **Matt Raymond. Reed** seconded. No other nominations were made, and a vote was called. **Matt Raymond** was elected Chair of the CDC Committee to serve until his statutory term expires or until his successor is duly qualified to serve.

(6-0) Unanimous

Reed introduced a new representative to the CDC by Charles Reed to CDC from 2F01. Joyce Cowan is new to ANC and has lived in the District since 1984, and has been active in ANCs. Partner at Morgan Lewis Law Firm Joyce Cowan. **Reed** nominated **Joyce Cowan, Raymond** seconded. No other nominations were made, and a vote was called. **Joyce Cowan** was elected to represent the CDC Committee as a member of 2F01, to serve until her statutory term expires or until her successor is duly qualified to serve.

Motion Reed, second Raymond.

Ratify appointment of Joyce Cowan to be member of CDC.

(6-0) Unanimous

- *Franklin School Building-Presentation by the Office of the Deputy Mayor for Planning and Economic Development*

They are interested applicants and proposals which fulfill three primary goals. First, that the funding be used to rehabilitate school, that they have an existing track record of successful projects in historic buildings, and it includes a viable economic plan so that it can continue to operate long term.

Bernado shared that historically the goal was to have the building be maintained for educational use, but now the goal is provide more foot traffic for the area which could be in the form of restaurants, boutique hotels, etc.

1328 14th Street, NW – Request for BZA variances and/or special exceptions for a new residential building that will include ground floor retail, with residential above.

Benardo reported that the applicant is seeking three BZA variances and one special exception. The first variance requested is for exception to penthouse height. The maximum height allowed is 75', and proposed penthouse structure is 83 1/2'. The second variance the applicant is seeking

is from loading requirements. The for reduction in amount of required parking (required to have 31 (27 resident, 4 retail), currently have 20 resident no retail) and 85% of their parking spaces are compact (maximum allowed is 40%) Current plan has 1 loading berth and no service/delivery. Special exception Applicant is seeking penthouse relief for the 1 to 1 setback and for multiple roof structure heights At the last CDC meeting the CDC recommended to the full ANC

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

RESOLVED, the ANC that write a letter recommending the BZA support the application for three variances and one special exception

Vote (6-0) Unanimous

926 N Street, NW-Meghan Mitchell, Suzane Reatig Architecture

Megan Mitchell gave a presentation on a project at 926th N Street. They are working on scale and mass for four-story mixed-use building with 3, 000 square feet of retail space, and 14 apartments. Massing of building appears to be approximately five stories. **Mitchell** reported that they are not seeking any variances for the project. The existing building is currently owned by The United House of Prayer for All People. The project will not include the existing building. Mitchell expressed that she has not reached out to neighbors, but is willing to work with the community.

Benardo shared excitement about developing a space that has not been well maintained and has been something of an eyesore for the community. He then opened it up to questions from the community.

Brian Allanby, who lives next door at 936 N Street, shared that he is not opposed to massing or scope of project but is concerned about the design based on the concept presented to HPRB. **Mr. Allanby** believes the design does not conform to HPRB standards in reflecting character or truly relate to the other buildings in the historic area and presented a copy of proposal which serves as a “prelude to planning and development of 926 N Street, NW” which concretely shares his concerns about the proposed project.

Jim Loucks, a member of this ANC’s CDC committee indicated that they would need more information to make any sort of decision and traditionally it is provided prior to any approval or recommendations. This position was supported by many community members.

Benardo asked that they come back and present to the ANC’s CDC Committee at their meeting on February 22, 2012.

New Business

Co-hosting a Community Forum for Ward 2 Primary Democratic At-Large Candidates

Barron shared that Jack Jacobson, Commissioner on the Dupont ANC inquired if this ANC was interested in co-hosting a Community Forum for Ward 2 Primary Democratic At-Large Candidates. Barron reports that a moderator has been confirmed and all candidates have been invited to attend.

Reed believes that the ANC should be non-partisan.
No action taken.

Treasurer’s Report (Sam Goekjian)

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

RESOLVED, That the following expenses be and are hereby adopted:

Jennifer Dusek	\$669.62
Verizon.....	\$63.43

Goekjian noted that Check #1145 was voided.

Vote: (6-0) Unanimous

Adjournment

There being no further business, and upon motion by **Raymond**, seconded by **Barron**, the meeting was duly adjourned at 9:50 PM.