

ADVISORY NEIGHBORHOOD COMMISSION 2F
Minutes of Regular Monthly Public Meeting
Wednesday, July 11, 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), Matt Connolly (2F05), Mike Benardo (2F06-Chariman)

Absent:

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

Charles Reed announced that regretfully, he will not be running for ANC2F Commissioner. **Nick Barron** also announced that he will not be seeking re-election. **Sam Goekjian** announced that he is undecided.

Chair Benardo announced that the maps which show the changed boundaries for ANC have been posted to the government website, however, He was unable to access it earlier. The URL is http://www.dcboee.org/popup.asp?url=/pdf_files/ANC02_2F.pdf. ANC2F is growing from six SMDs to eight SMDs. In November of 2012, elections will occur for additional spots that will be available. Applications may be picked up at the Board of Elections. **Chair Benardo** encourages anyone who is interested to please apply. The filing deadline is August 8th.

Report from the Executive Office of the Mayor

No one was present to offer a report. If you have any questions, James Bulger, from the Office of the Mayor, can be reached at james.bulger@dc.gov or via cell at 202-340-7229.

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

Sheri Kimbel, Director of Constituent Services, announced that there will be an ABRA hearing tomorrow, noting that the issues will not be taken up by the full council until Fall as they are on break until the end of this week. There was also a taxi discussion and a bill passed requiring taxis to take credit cards. The Council also decided to institute a temporary bill to allow minimum trip charge usage until December 2012 when the issue will be revisited.

Councilmember Evans is currently asking for extended hours for city libraries and is confident that there are funds available in the budget to support this initiative.

Ms. Kimbel shared that the Ward 2 “Save the Schools” meeting was finally held two weeks ago, as it had to be postponed due to Kwame Brown stepping down from his chairmanship. The turnout was limited due to the rescheduling and many families being out of town. Proposals

include tearing down Shaw to make an improved facility, better designating Middle School attendance, and reopening of school libraries. Ms. Kimbel reported that it was the smallest turnout for any Ward that they have seen.

PSA 307 Report – Sergeant Terestre

Sergeant Terestre from PSA 307 reviewed crime statistics for the prior month in Police Service Area (PSA) 307, covering a large portion of the ANC 2F area. **Sgt Terestre** suggested inviting Lieutenant McDonnell to the meeting to get a comprehensive snapshot of the entire area covered by the ANC which extends beyond PSA 307. **Sgt Terestre** reported that there have been several arrests for prostitution in recent weeks. According to **Sgt Terestre**, from June 11-July 10, violent crime is down 53%. Street robberies have decreased markedly, burglaries are down 67%. Increases in the area continue to be theft from autos, which is historically been an issue in this PSA. He reminded residents to be vigilant and to also communicate with visitors safe practices.

Sergeant Terestre also shared that he had received questions via e-mail which he chose to address during the ANC meeting regarding the details of burglaries, and specific crimes that have occurred in the PSA. He reported that MPD is hoping to get secure funding for breathalyzers for DUIs, last Saturday night there was a homicide which was gang related, arrests will be made shortly, and there have been dozens of arrests related to other crimes in the PSA. **Sergeant Terestre** may be reached via cell **Sergeant Terestre** can be reached via email at [david.terestre@dc.gov](mailto: david.terestre@dc.gov). If it is an emergency, please call 911 for immediate response.

Christopher Linn, Chair of the Public Safety Committee, shared concern over the increase in thefts and auto thefts in the area. **Sgt Terestre** noted that thefts often increase during the summer months and then lower in the Fall to rise again around the holiday season. He also noted that many of the thefts have been from unsecured residences and garages.

Evelyn Boyd Simmons expressed appreciation on behalf of the community for their support and patrol efforts.

To see updated information on things happening in the individual PSAs individuals may go to www.mpddc.dc.gov and sign on to link to Yahoo Groups and you can receive e-mails every day about incidents.

Community Announcements

Jack Jacobson, ANC commissioner for Dupont Circle, announced his candidacy for Ward 2 State Board of Education in the Fall. He shared that he has worked on several educational initiatives and hopes to received community support for his candidacy. His website is www.JackJacobsondc.com .

- 10 Minute Recess –

BUSINESS MEETING

Approval of Agenda

Add under DCHSEMA Navy Air Force Half Marathon and Navy 5-miler and Best Buddies Race presentation by Julie Hanson.

Add under ABRA –VA for Lalibela

Add under ABRA-Table at 903 M Street and Woody Creek

Delete under ABRA-Belga Café

Table item for establishing ANC Committee for ABRA items to September meeting

Add under DDOT Request for support of Banners for Shaw Main Street

Upon motion by **Benardo** seconded by **Raymond** and after further discussion, the draft agenda was approved with additions and deletions, 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 June 6, 2012

Minutes of the meeting of June 6, 2012 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 changes have been made.

Vote: (6-0) Unanimous

DCHSEMA/Street Closures

Navy Air Force Half Marathon & Navy 5-Miler on Sunday, September 16, 2012

Julie Hanson presented a request for street closing for Navy Air Force Half Marathon & Navy 5-Miler planned for Sunday, September 16, 2012 and for the Best Buddies Challenge planned for Saturday, October 20, 2012. **Hanson** stated that the requests comply with ANC 2F published street closing policy and that she has made substantial progress in dealing with others entitled to notice and opportunity to comment. **Hanson** can be reached at 703-307-2734 or at jewl_hanson@msn.com .

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

RESOLVED, That after review of the street closing application of the Navy Air Force Half Marathon and the Navy 5-Miler, Trot for Hunger and Kid's Fun Run to

be held on Sunday, September 16, 2012 and the Best Buddies Challenge to be held on Saturday, October 20, 2012 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise DCHSEMA to grant such application.

Vote: (6-0) Unanimous

ABRA

1227 11th Street, NW-El Sauce Restaurant-Application for a Class “D” Retailer’s License. ABRA #072654

No one was available to present. **Benardo** noted that they are seeking to reapply and to add an entertainment endorsement. It was also noted that two murders occurred at that location. Community members expressed adamant opposition to an entertainment establishment. **Reed** shared that he has received many complaints that the establishment operates in total disregard of order and peace and that they are not in compliance with their VA.

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

RESOLVED, ANC2F send a letter to ABC Board protesting the application as the establishment violates the peace, order, and quiet and diminishes the value of neighboring properties.

Vote: (6-0) Unanimous

Ted's Bulletin 1818 14th Street-- Petition Date Aug 6th, Hearing Date Aug 20.

Ted’s Bulletin is a block outside the boundary or 2F. It is in 2B. Stephen O’Brien’s firm represents the client and noted that the ANC action should be taken by 2B. No action taken.

1622 14th Street, NW Barcelona Cafe

Chris Collins, ABC Counsel from Holland and Knight for Barcelona Café, gave a presentation on behalf of his client. He noted that Barcelona Cafe came to ANC 2F last month for HPRB review. The applicant is here this evening because of that fact that there is no August meeting for the ANC. They will be placarding tomorrow, but do not have a hearing or petition date as of yet. They are seeking a Class “C” Retailer’s license. They have applied for 12 pm -12 am closing on Sunday and Monday and 2 am closing Tuesday through Saturday. The estimated seating is 220 seats inside with a total occupancy load with 359. The summer garden will have room for 48. They have been in extensive discussions with **Commissioner Matt Raymond** and are prepared to enter into a Voluntary Agreement which includes limiting exterior hours 11pm and 12 midnight and interior hours to 1am and 2 am, respectively. They have asked for an entertainment endorsement so that they can have live acoustical music.

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

RESOLVED, ANC2F protest the application on the grounds that it will disturb the peace, quiet, and order of surrounding neighborhood, but to appoint a commissioner to move to enter into and adopt a VA as indicated and that it send letter to ABC requesting they accept the Voluntary Agreement as once they enter into agreement protest will be withdrawn.

Vote: (6-0) Unanimous

Lalibela 1409 14th Street, NW

Due to landlord requirements, Lalibela restaurant has been forced to relocate their eating establishment. **Tim Hillard**, on behalf of the Rockingham, and the restaurateur gave a presentation on the highlights of the proposed Voluntary Agreement. **Andrew Klein**, attorney for the applicant was also present. The applicant is requesting a sidewalk café which will operate Sunday-Thursday from 8am-11pm, and Friday and Saturday from 8am- Midnight. The occupancy will be for 50 seats with 90 for total occupancy. The sidewalk café will also require a public space permit. The agreement includes standard noise language and requirements for complaint log. The applicant is also requesting an entertainment endorsement to allow for karaoke and a single Ethiopian entertainer.

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

RESOLVED, ANC2F adopt VA as indicated and that it send letter to ABC Board requesting they accept the Voluntary Agreement as presented with accepted deletions along with a cover letter which states that if the board fails to accept the VA prior to the protest date that the letter serves as a protest.

Vote: (6-0) Unanimous

M Café, 1634 14th Street, NW, Retailer Class “C” License (the Aston building under construction at the corner of R)

Applicant is seeking support for a new Class “C” Retailers license. The restaurant will be an Italian Bistro café with 96 seats inside and a sidewalk café with 54 seats on the 14th street side of the building. The application is limited to 11pm on weekdays and Midnight on the weekend. The owner, **Iraklis Karabassis**, has several other successful restaurants in the area. Mr. O’Brien has been in contact with Commissioner Raymond and is prepared to enter into a VA.

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

RESOLVED, ANC2F adopt VA as indicated and that it send letter to ABC Board requesting they accept the Voluntary Agreement as presented and that we withdraw our protest on acceptance.

Vote: (6-0) Unanimous

903 M Street-Retailer Class “C” License

Owner is proposing small restaurant with a small summer garden.

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

RESOLVED, ANC2F protest the application on the grounds that the operation will breach peace, order, and quiet of the surrounding residential community with the understanding that a VA is to be put in place with the applicants for the license with the ANC. Further, that the ANC empower before the ABC board, that any one of the commissioners may represent the ANC in coordinating a VA and the protest will be withdrawn on acceptance of the VA.

Vote: (6-0) Unanimous

“Woody Creek” Gordon Restaurant Group, LLC, 1529 14th Street, NW-Retailer Class “C” License (former site of ACKC)

Stephen O’Brien noted that they gave a presentation on the application to the Commission in May. They are applying for new Class “C” Restaurant License. The trade name will be Woody Creek and the restaurant will be going into the space formerly occupied by ACKC. The application limits the closing hours to 11pm weekdays and midnight on weekends. The concept is a small neighborhood restaurant focusing on American dishes with atmosphere and tapas. There will be 80 seats inside 16 seats outside. The Matrix condominium association filed a protest with the ABC Board, but were not granted status. The Gordon Restaurant Group has been in extensive communications with Commissioner Raymond and has put Matrix-specific provisions in the draft of the VA.

William Rappolt, Treasurer from the Matrix Condominium Association on behalf of the association and their President, Jeremy Stein, who was unable to attend the meeting, stated their willingness to enter into the joint agreement, although he expressed disappointment with the process.

Raymond noted that the applicants did a sound engineer report and therefore they have included measures to alleviate possible noise issues in the VA. The VA includes specific provisions to benefit the Matrix on the basis of the sound engineer’s report. There has been a considerable amount of effort put into the VA and he believes that it is in line with other VAs in the area in terms of hours and noise issues.

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

RESOLVED, That ANC2F send a letter to ABC Board requesting they accept the Voluntary Agreement that includes provisions for the Matrix Condo Association and includes the Matrix as a signatory as presented and that ANC2F will withdraw our protest on acceptance of said VA.

Vote: (6-0) Unanimous

Omnibus Alcoholic Beverage Regulation Amendment Act of 2012 introduced by Councilmember Graham

Commissioner Reed shared that has been a working group for revision of ABC laws headed by Councilmember Graham. The bill is now before the council. **Reed** noted that the bill includes some provisions that are not as favorable to the neighborhoods. The controversy is around Hank's Oyster Bar's ability to cancel its Voluntary Agreement based on an erroneous interpretation of the law by the Board which was overturned in court. There is a hearing tomorrow on the Omnibus Bill. **Reed** suggests that the ANC advise the Council not to adopt certain provisions that are not in the best interest of our ANC. The issues include the existing provision for any five people to protest an application for the license if they state common issues. The bill restricts the five people to those who own property or reside within 400 feet of the establishment. Other provisions that **Commissioner Reed** believes are objectionable include 1) an ANC can overturn an individual protestant if it enters into an agreement-the individual's protest is dismissed, 2) a list of provisions which cannot be included in a VA.

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

RESOLVED, 1) ANC2F advise the Committee on Human Resources that it not adopt the bill in its current form and that it change the following provisions 2) 400 feet provision be removed, 3) the ANC not trump individual protestants, and 4) measurement of noise be done with windows and doors open, not closed.

Vote: (5-1) Motion Passed #1

Vote: (4-2) Motion Passed #2

Vote: (6-0) Unanimous #3

Vote: (6-0) Unanimous #4

AMENDMENT to the motion by **Connolly** to clarify that the list of things that can be included in VA (4) is not limited to just those that listed and that the commission votes on each individual provision.

DDOT

Pizzoli's Pizza on 12th St NW-Noise concerns after midnight

Benardo shared that both he and **Raymond** have received complaints regarding this establishment and noise issues. No action taken at this time.

Shaw Main Streets Banner Proposal

Ralph Brabham gave a presentation on a proposal for banners called the “Legends of Shaw” project to highlight famous individuals who have been associated with the Shaw neighborhood. In addition to beautifying the area, **Brabham** shared that it will also educate people. Martin Moulton is the graphic artist who is helping design the banners. There will be a complementary website funded by a HUD grant. Part of their scope of work includes maintenance and upkeep of the banners.

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

RESOLVED, ANC2F send a letter to DDOT of their support for the banners as proposed and that they recommend approval.

Vote: (6-0) Unanimous

Education Committee (Evelyn Boyd Simmons, Chair)

Evelyn Boyd Simmons shared that there has been a lot of change in the feeder schools in the ANC and voiced concerns about the way that the schools are managed across the system. Four out of the nine school principals are being replaced. **Ms. Simmons** served on the interview panel for Garrison Elementary and she reported that the candidate that was selected was “the parents’ choice.” The ground improvement plan at Garrison has made great progress and they are looking forward to having architectural renderings in September. **Ms. Simmons** also reported that Jack Evans secured \$1 million to get the improvements started and they hope to get DCPS to consider funding more work in the near future. She also stated that she has been working with a committee to develop educational recommendations to pass to the Chancellor in September, including coordinating improvement of PTAs, and supporting a formal Brown Bag Lunch/ “Pastor Playdates” Program in relationship to education.

Crime and Public Safety Committee (Christopher Linn, Chair)

Christopher Linn, Chair of the Crime and Public Safety Committee shared that there have been two crime-related community meetings in the last month. He noted that there is a lot of passion around bicycle issues. Thefts have increased, but he reiterated that it is important to be aware of surroundings, know your PSA officers, and don’t be afraid to dial 911. **Mr. Linn** also noted that prostitution has become more noticeable in recent months.

Community Development Committee (Matt Raymond, Chair)

Raymond shared developments from the four items that were considered at the June CDC meeting.

1601 14th Street, NW-BZA Application No. 18396

Raymond shared that the CDC heard a presentation from **Carolyn Brown**, of Holland & Knight, on behalf of her client. The applicant is seeking a letter of support for Parc Deux Restaurant LP to allow a one-story addition to an existing commercial building in the ARTS/C-3-A District with a hearing set for Tuesday, September 18, 2012. This BZA application is for a special exception to reduce the required rear yard depth and has been approved at staff level for HPRB. The proposed single-story addition on the rear of the alley of the property will be for coolers, trash and additional food storage. They are requesting relief on the rear yard requirement under BZA. The proposed addition is screened by a fence and does not have any windows. The CDC recommended support.

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

RESOLVED, ANC2F send letters that it send a letter of support to BZA for BZA #18396 recommending that it grant the special exception for rear yard mandate for the single-story addition to property at 1601 14th Street, NW

Vote: (6-0) Unanimous

Tortino Restaurant -1228 11th street N.W.-Application for Sidewalk Café

Tortino Restaurant is proposing a sidewalk café in front of their space. The café will consist of just a few tables, is well supported by the neighbors, and will adhere to public space requirements and was supported by the CDC committee.

Upon motion by **Raymond** seconded by **Connolly**,

RESOLVED, that ANC2F send a letter of support to DDOT to approve application of sidewalk café at 1228 11th Street, NW.

Vote: (6-0) Unanimous

1728 14th Street, NW HPRB –Concept Review Application

Raymond shared that **Chris Collins**, Holland & Knight, gave a presentation on behalf of client for HPRB approval for concept and massing. The building is a commercial building with offices. Perseus Realty is the developer. The ground floor plan will have office entry, core to south, retail and possible access for second story retail. The existing structure will remain in place, however the façade will be removed. The project includes no excavation plans due to the fragile nature of abutting buildings. They have HPRB hearing on July 26, 2012. The proposal follows Arts Overlay requirements for floor heights. They plan on going to BZA for parking variance.

Upon motion by **Raymond** seconded by **Reed**,

RESOLVED, That ANC2F write a letter advising HPRB of its support for concept and massing for 1728 14th Street, NW.

Vote: (6-0) Unanimous

B Too Café-1324 14th Street, NW-Presentation, Demian, Wilbur Architects

Raymond shared that the CDC committee heard a presentation on the bay window for B Too Café at 1324 14th Street, NW. They are seeking approval only for the bay window. The building itself has been approved, however, they are simply seeking staff level approval from HPRB and support for bay window.

Upon motion by **Raymond** seconded by **Barron**,

RESOLVED, That ANC2F write a letter advising HPRB of its support for the bay window for B Too Café at 1324 14th Street, NW.

Vote: (6-0) Unanimous

Treasurer’s Report (Sam Goekjian)

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

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

Jennifer Dusek (#1156)	\$683.20
DC Treasurer (#1157).....	\$670.16
IRS (#1158).	\$426.40
Jennifer Dusek (#1159)	\$683.20
IRS (#1160).....	\$439.74
Verizon (#1161).....	\$70.13
DOES (#1162).....	\$40.50

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

RESOLVED, That ANC2F approve expenses as listed by Treasurer Goekjian.

Vote: (6-0) Unanimous

Goekjian gave a quick update on issues involving the D.C. Auditor and also presented the Quarterly Report.

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

RESOLVED, That ANC2F approve the Quarterly Report as presented.

Vote: (6-0) Unanimous

Adjournment

There being no further business, and upon motion by **Reed**, seconded by **Barron**, the meeting was duly adjourned at 8:49 PM.