

ADVISORY NEIGHBORHOOD COMMISSION 2F
Minutes of Regular Monthly Public Meeting
Wednesday, April 3, 2013 – 7:00 PM
WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Present: Peter Lallas (2F01), Walt Cain (2F02), Chris Linn (2F03), John Fanning (2F04), Jim Lamare (2F05), Matt Raymond (2F07), and Matt Connolly (2F08)

Absent: Greg Melcher (2F06)

Chairman Raymond 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.

Commissioner Announcements

Commissioner Raymond shared that there are several businesses that will be coming up for renewal. They will be releasing a list shortly. The licenses will be review by the ANC3F APC (Alcohol Policy Committee Meeting which is tentatively scheduled for April 17th.) In addition, there are copies in the back of proposed resolutions on liquor licenses which the ANC will be addressing shortly.

Commissioner Raymond then welcomed and introduced guest speakers from the City Office for Planning.

Harriet Tregoning, Director for the City Office for Planning, along with Joel Lawson, Deputy Associate Director for Development Review and Jennifer Steingasser, Deputy Director for Development Review and Historic Preservation. Ms. Tregoning Chair Raymond noted that they have made a significant revamp of zoning regulations. Commissioner Cain expressed appreciation for both Ms. Tregoning and to Sheri Kimbel for arranging the presentation.

Ms. Tregoning gave a status report and a little bit of background on the process and the history behind the changes being made to the Zoning Code. She noted that the zoning code was passed in 1958 which reflected a vision for the future, but which is quite different than the current situation. The zoning regulations predate Metro, home rule, etc. Baltimore, New York. Boston and Denver are all redeveloping their zoning codes to reflect current needs. There are approximately 1, 000 amendments to the current code. A major objective of the redevelopment of the code is to make it more user- friendly.

The plan for updating began under Mayor Williams to create an inclusive city. The Objectives included Managing Growth and Change, Connection the Whole City, Creating Successful Neighborhoods, Building Green and Healthy Cities, and Increasing Access to Education and Employment.

The current vision for the code going forward focuses on Great Neighborhoods on the following fundamentals Sustainable, Affordable, Transportation Choices, Walkable, Resilient Economy, Broad Employment Options, Diversity, and being an Innovative City.

According to Director Tregoning, the proposals going forward have a specific focus on supporting transportation choices. Current Parking requirements are based on 1950s assumption on a very auto-dependent city. Today 38.5% of DC households do not own a car (she shared that the rate is higher in 2F-over 45% of households do not own a car). She reported that between 2006 and 2010, the District of Columbia gained 23, 000 residents while shedding 400+ private automobiles. She recognized the need for tools to incentivize shared resources. Automobiles are driven 8% of the time and sit parked (in different spots) 92% of the time. She noted that each structured parking space can add \$15K to \$50K to the cost of the home, potentially limiting some of the affordability of a home.

The proposal is to designate Transit Areas which must be able to move 13, 000 people. In the designated transit areas, they would remove parking minimums and apply specified standards to creating more pedestrian-oriented spaces.

Transit Eligible Zones in 2F will be defined in the zoning code now, but will be mapped later after further consultation with ANCs and neighborhoods.

She then addressed the proposed parking changes. When asked about parking issues for commuters, Ms. Tregoning responded that they are working on a revamp of residential parking permits in addition to employing travel-demand management, a process by which the city works with developers and employers to get them to offer bike share memberships, Metro passes, and other incentives to encourage their employees to use alternative methods of transportation.

Ms. Tregoning also highlighted a new feature in the code called the GAR (Green Area Ratio). According to Ms. Tregoning; DC is the second city in the US to implement a GAR. GAR is an environmental sustainability measure, which requires landscape and site standards as part of its zoning.

Preserving Community Character establish front-yard set-backs, add pervious surface requirements, eliminate current incentives to “fill in” narrow courts and side yards in row house zones, and revise measuring point for height of houses.

Commissioner Cain asked two questions regarding alley dwellings and uses. Ms. Tregoning noted they had a lot of ongoing interest in the zoning re-write they are not doing anything yet, but because of the survey they noted a growing interest and expect the trend to continue. Zoning changes only address residential units in alleys and greening alleys.

Report from the Office of Jack Evans, City Council Member, Ward 2:

Sheri Kimbel, Director of Constituent Services, reported that the Mayor’s budget passed and included funding to open libraries on Sundays, funding for 400 police officers, and monies to tear down and rebuild Shaw Middle School which, she shared, should not affect the dog park. In addition, Jack’s push to keep the DMV at the Georgetown Mall was also successful. Ms. Kimbel noted they have a bi-weekly newsletter from Jack Evans’ office. If you are interested in receiving the e-mail or are having trouble accessing it, please contact her at skimbel@dccouncil.com.

A resident of the 1330 Massachusetts retirement community inquired as to rent controls for elderly constituents. She reported that they raise rents between 2% and 8% a year. **John Fanning** shared that they Office of the Tenant Advocate, located on the third floor of the Reeves Center at 2000 14th Street, NW, and established during the Williams' administration to provide pro-bono counsel and address these specific issues, would be an excellent resource. Commissioner Connolly also offered to meet with her and help her and asked that she contact him.

PSA 307 Report – Lieutenant Jeffrey Carroll

Lieutenant Jeffrey Carroll reviewed crime statistics for the prior month in Police Service Area (PSA) 307, covering a large portion of the ANC 2F area. **Lt. Carroll** shared that the Crime Mapping Tool is back online after months of being out of commission. **Lt. Carroll** gave a report on the last thirty days from March 3rd, to April 3rd. During that time period, there were two sexual abuse cases, one robbery with gun and one with out and one assault with a deadly weapon for a total of 5. He noted that there were ten last year during the same period. According to Lt. Carroll, during the last thirty days there were 2 burglaries, 15 thefts, 21 thefts from vehicles, and one theft of an auto. He shared that theft from autos continues to be an issue, although it has declined from last year. Lt. Carroll reported 21 arrests in the PSA. Two arrests were for prostitution, one arrest was for first degree sexual abuse for a minor, and one arrest for theft from auto. According to Lt. Carroll, a citizen observed the theft from an automobile, called MPD, enabling them to track the perpetrator, observe his illegal activities and follow up with arrest.

Commissioner Linn noted that crime was down overall to include a 45% decrease in violent crime as compared to last year. Noted that there will be a community event and outreach to local neighborhoods to help sustain these drops as we move to the warmer months. Linn inquired about youth throwing apples at unsuspecting pedestrians and younger people engaging in some illegal activities.

Commissioner Lallas inquired as to whether the drop in crime could be attributed to decoy operations, community outreach and education. Lt. Carroll confirmed that it was a multi-faceted approach.

If you need immediate assistance, call 911, for questions or ideas send an e-mail to jeffreyw.carroll@dc.gov.

Community Announcements- None.

COMMUNITY FORUM

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

UNDER ABRA-ADD Black Whiskey for 1410 14th Street, NW CT Settlement Agreement and support for Stipulated License

DELETE DDOT

AMEND Approval of March 14(not March 6), 2013 Meeting

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

Vote: (7-0) Unanimous

Approval of ANC 2F Minutes of Meeting of March 14, 2013

Postponed until May to allow commissioners the opportunity to further review.

Vote: (7-0) Unanimous

ABRA (APC-John Fanning, Chair)

Proposed Liquor License Moratorium for 14th and U Streets, NW

Raymond shared that ANC2F had a community meeting along with the Logan Circle Community Association, ANC1B at the Thurgood Marshall Center on March 20th, in addition to hearing from constituents via multiple methods of communication regarding the moratorium. He also noted that the ABRA Policy Committee Meeting (APC) is tentatively scheduled on Wednesday, April 17th. Raymond shared they received formal notice that there will be a hearing on May 22; they are requesting formal written notice from affected ANCS. According to Raymond at the community meeting at the Thurgood Marshall Center specifically for the purpose of addressing this issue, 59 people spoke, 49 were opposed to the moratorium, 8 were in favor, and a couple were undetermined. He also shared that the ANC has been tracking an online petition which has attracted close to 1200 signatures. Resolution requests that the ANC 2F advise ABRA of its opposition to the moratorium. (Copy attached)

John Guggemos, 1301 R Street, NW shared that a local ABRA committed voted 10-3 in opposition to the moratorium and the neighborhood did not support candidates who were pro-moratorium in a recent vote.

John Fanning, Chair of the APC reported that he will be meeting with Tim Christenson, JBG and ANC1B, in addition to meeting with other businesses. They are hoping to use the momentum around the moratorium to promote more community involvement. Fanning reports that they are in the early stages of putting together a bid and are seeking to ensure support from local agencies and Jack Evans' office.

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

RESOLVED, That ANC2F send ABRA a letter advising of its opposition to the pending petition to create a retail liquor moratorium zone in the Historic 14th and u Street Corridor in its entirety.

Vote: (7-0) Unanimous

1608 14th Street, NW Rice Restaurant, Amendment to Existing Settlement Agreement (SA)

Raymond reported that Tim Christenson and he met with Mr. Andrew Klein regarding an amendment to the existing Settlement Agreement (SA) which goes back to 2003. He noted that the amendments bring it into conformity with the new legislation and in-line with other neighboring restaurants. The hours are extended and there is provision requiring parking across the street, which they would like to eliminate.

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

RESOLVED, That ANC2F send ABRA a letter advising of support for increased hours for both indoor and outdoor and deletion of the parking provision for 1608 14th Street, NW Rice Restaurant.

Vote: (7-0) Unanimous

1440 P Street, NW, Whole Foods, Amendment to Existing Settlement Agreement (SA)

Raymond shared that the ANC had a single sales exception vote that expired back in October 2007 so they are requesting an amendment to their existing Settlement Agreement. The exception will apply to containers of less than 16oz.

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

RESOLVED, That ANC2F send ABRA a letter advising of support for amendments to Settlement Agreement to continue to permit exception of single sales.

Vote: (7-0) Unanimous

1410 14th Street, NW Black Whiskey, CT License and Stipulated License

Raymond shared that they have been in contact with Mr. Andrew Klein who is the representative for the client. Raymond highlighted portions of the Settlement Agreement (SA) Black Whiskey will serve food as well. Closing hours 1:45am weeknight and 2:45am weekend nights and summer garden 11pm weeknight and 12am weekend as well as holiday hours which allow for Sundays before a Federal Holiday to be extended which are consistent with other CT's

in the area. Noise provisions are standard, with requirements for trash in enclosed containers, maintenance of complaint log and a 14-day cure period with the exception noise complaints, which must be rectified immediately.

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

RESOLVED, That ANC2F send ABRA a letter advising of its support for the pending application for 1410 14th Street, NW, Black Whiskey for a CT license.

Vote: (7-0) Unanimous

Klein noted that the reason they are seeking a stipulated license as they have an event scheduled on May 1st with an important artist in town and would like to have the option in case they cannot get the permanent license in place.

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

RESOLVED, That ANC2F send ABRA a letter advising of its support for the pending application for 1410 14th Street, NW, Black Whiskey for a stipulated license

Vote: (7-0) Unanimous (Klein offered to prepare a letter)

Community Development Committee (Walt Cain, Chair)

1216-1228 9th Street, NW, Gang of Three Project-Presentation for Support for HPRB, Andrea Gourdine, Douglas Development Corporation

Paul Milstein and Andrea Gourdine, from the developer and Kevin Sperry with Antunovich Associates, Architects and Planners, gave a presentation on a project where they are seeking support for HPRB concept and massing. The project is consolidating three row houses with no zoning variances requested. They are adding to the rear of building, however, it will not be visible from the front. The front side will be primarily renovation project maintain and restoring the façade. They are proposing to reinstall a historic garage door with a glass insert-the intention is for retail. The current building will be at 1.25 FAR for a total of approximately 1100 square feet. There will be a roof deck accessible from the second floor.

Loucks inquired as to plans for a trash space. According to the developer, there are options for both indoor and outdoor trash storage depending on the tenant. Melcher asked about noise with the project being next to a residential building. The developer indicated they would insulate their project appropriately, that they were in dialogue with the neighboring developers, and expressed hope that the neighboring project would also hopefully insulate appropriately given their location and knowledge of the area. According to the developer they have no parking requirement.

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

RESOLVED that the ANC recommended to HPRB Gang of Three for concept and massing for HPRB. In addition, the CDC requested that the project return to present to the CDC for final design and materials.

(7-0) Unanimous

1601 14th Street, NW, The Diplomat, Crystal Car & Park Ride-DDOT Presentation for Support of Valet Parking

Cain shared that a representative did not attend the meeting and that they voiced concern for the proposed route which currently goes through Kingman Place which is potentially an unsuitable for that volume of traffic. Not opposed to the application, but concerned about the routing.

Upon motion by **Cain** seconded by **Lallas**, and after further discussion it was

RESOLVED that the ANC recommended to DDOT they deny the pending application and to share their concerns regarding the proposed route for the valet parking.

(7-0) Unanimous

Parking Forum Enhanced Residential Parking Program (ERPP)

Walt Cain, Chair of the CDC Committee shared that **Damon Harvey and Angelo Rao** of DDOT, along with Sheri Kimbel, Director of Constituent Services for the Office of Jack Evans, gave a presentation on parking issues in the District. Mr. Rao shared that DDOT is trying to blend, to the best of their ability, the needs of the neighborhood residents and the needs of the congregations, community, etc. He shared some details on the history and evolution of RPP which he indicated began approximately 30 years ago which helped cure the problem of residents not being able to locate a parking place near their home. The standard traditionally allowed for two hours of parking for non-zoned residents M-F from 7:30am to 8:30pm. With the new growth in the city and greater demand for parking, enhanced residential parking was adopted in 2008 to further facilitate protection for immediate residents of the zoned area. The key difference, according to Mr. Rao, was that ERPP switched 7:30am to 8:30pm for one side of the street for residents only. For some residents, this has been extended in time and days. (Extended beyond 8:30pm and beyond M-F). He then turned it over to Damon Harvey.

Mr. Harvey clarified that the designations for RPP and ERPP are related to a residents' zone, and that RPP and ERPP provide the "fishing license" to the resident, they still have to find the parking spot. He then expressed DDOT's Desire to work cooperatively with everyone who has an interest to come up with an approach to address the various needs. Finally, he indicated that he was at tonight's meeting to address questions and concerns and to have a dialogue.

Sheri Kimbel shared that Jack Evans office got involved in the parking situation, particularly RPP, because of the amount of communication they have received from their constituents. She is working cooperatively with DDOT and residents in achieving a viable solution.

Education Committee (Matt Connolly & Evelyn Boyd Simmons)

Commissioner Connolly shared that the Education Committee met a couple of weeks ago with two city council candidates, 20 neighbors, Chairman of the City Council's Education Committee, and David Catania. Mr. Catania agreed to come back on a future date and noted that on the next session on April 13th they will have the principal from Cardozo, an individual from the 20th Century school fund and an Education Committee member. They will continue to have their meetings on Saturdays along with the LCCA.

Out of this meeting, they have started to bring the ANC and more communities together to speak about education and beyond.

Crime and Public Safety Committee (Chris Linn, Chair)

Community Awareness & Updates

Linn shared the Crime and Public Safety Committee voted to meet by-monthly so he has limited updates. They are currently working on a neighborhood watch program and a targeted outreach as crime tends to uptick in the warmer weather. Linn also reported that MPD is still having issues with their reporting system and so the committee has no access to crime data. He gave updates on park issues with the Shaw Skate Park. According to Beth White, who lives at 1615 11th Street, the lights are installed and now turn off in the middle of the night. In addition to reporting on the park, Ms. White also shared that bicycles were stolen out of their garage. Finally, **Linn** noted that the Crime & Public Safety Committee posted its meetings on the ANC2F website. He would like to get DDOT to a meeting prior to voting on the resolution. They will bring it back next month for the agenda and invite for more people to be a part of the discussion.

New Business

Linn inquired as to whether ANC2F would be interested in adopting a resolution in support of the Zoning Re-Write that the ANC heard a presentation on this evening. Commissioners expressed support as well as voicing many concerns about the re-write. Raymond encouraged the CDC to make recommendations to the ANC as the most beneficial outcome.

Treasurer's Report (Matt Connolly)

Approval of Expenses

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

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

Jennifer Dusek (#1183)	\$662.62 (March 2013 Monthly Salary)
Verizon (#1184).....	\$71.42
Verizon (#1184).....	\$40.50

Vote: (7-0) Unanimous

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

RESOLVED, that the following expenses be amended from last month's meeting \$75 (\$225):

Jennifer Dusek (#1183)	\$662.62 (March 2013 Monthly Salary)
Verizon (#1184).....	\$71.42
Verizon (#1184).....	\$40.50

Vote: (7-0) Unanimous

New Business

Kathy Markus, 1001 L Street, reported that she came before ANC five years ago to discuss Morrison Clark Bed and Breakfast (Historical Hotel) at 1015 L Street Project. Ms. Markus noted that the BZA is reopening the project. She shared that they have recently received notice that the project is officially ramping up again. Ms. Markus inquired as the procedures for notification and options in these situations. In light of her inquires, Commissioner Greg Melcher shared three thoughts he believed were important to mention.

- 1) Proper signage/notification issue, wondering about how people are notified if they do not attend.
- 2) What if the project does not follow the plan-not in compliance. (Melcher noted three different situations that have arisen recently in the ANC which questioned the projects compliance with BZA code).
- 3) How are residents notified if they are not involved in the community? (i.e. don't attend ANC meetings or association meetings). Can it be added to the approval process that it is a requirement that neighbors are notified?

Adjournment

There being no further business, the meeting was duly adjourned at 9:11 PM.

A Resolution by Advisory Neighborhood Commission 2F
Regarding a Proposed Liquor License Moratorium With a Radius of 1,800 Feet
Centered on 1211 U Street, Northwest

WHEREAS, The Shaw Dupont Citizens Alliance and the Residential Action Coalition on December 10, 2012, petitioned the Alcoholic Beverage Control Board of the District of Columbia (“ABC Board”) seeking to establish a moratorium on the issuance of new retailer-class liquor licensees; and

WHEREAS, The proposed moratorium would encompass a zone with a radius of 1,800 feet centered on 1211 U St., N.W.; and

WHEREAS, The proposed moratorium zone would extend as far south as a point on 13th Street, N.W., between R Street, N.W., and Corcoran Street, N.W., which is within the boundaries of Advisory Neighborhood Commission 2F (“ANC 2F”); and

WHEREAS, The written advice of ANC 2F, as an affected ANC, must be accorded Great Weight by the ABC Board, pursuant to section 13(d)(3) of the Advisory Neighborhood Commissions Act of 1975; and

WHEREAS, The proposed moratorium zone affects three ANCs in addition to ANC 2F; and

WHEREAS, It is in the best interests of the community that the affected ANCs coordinate their respective efforts to facilitate public input and provide written advice to the ABC Board so that such advice may be accorded Great Weight; and

WHEREAS, Article VII of ANC 2F bylaws provides for “joint meetings with other ANCs to deal more effectively with or respond to concerns and issues that transcend and affect the areas of the Commissions”; therefore, be it

RESOLVED, That one or more joint meetings of ANC 2F be authorized in conjunction with and among ANCs 2B, 1B and/or 6E for purposes of gathering public input and providing official advice to the ABC Board regarding said petition; and

FURTHER RESOLVED, That any joint meetings of appropriate ANC 2F committees in conjunction with any appropriate committees of ANCs 2B, 1B and/or 6E be similarly authorized for the purposes of carrying out this resolution, except that any votes taken in such committees shall not be binding upon the full Commission.