

ANC 2F | Regular Monthly Public Meeting

MINUTES

WEDNESDAY 7:00 P.M.
SEPTEMBER 6, 2017

NATIONAL CITY CHRISTIAN CHURCH
5 THOMAS CIRCLE, NW

Attendance

PRESENT

Jason Forman (2F01)
John Guggenmos (2F02)
Alex Graham (2F03)
John Fanning (2F04)
Ron Rubin (2F05)
Charlie Bengel (2F06)
Kevin Sylvester (2F07)
Kevin Deeley (2F08)

ABSENT

None

GUESTS AND PRESENTERS

Captain David Augustine, MPD, PSA 307
Sherri Kimbel, Councilmember Evans' office
Jerry Chapin, Ward 2 Liaison (Mayor's office)
Doreen Hope, Washington Gas

**denotes Commissioner not present for all votes*

Meeting **called to order** by Commissioner John Fanning at **7:02 p.m.**

Commissioner Announcements

1. Commissioner Graham encouraged residents to check their sewers and drains given recent heavy rainfall and call or tweet DC Water to address any issues.

Community Forum

Report from Metropolitan Police Department PSA 307

Captain David Augustine

Captain Augustine shared the monthly crime report, which compared crime statistics for August 5 – September 5 to the same period in 2016. Total violent crime is down 14% and property crime has increased. Augustine shared tips for reducing bike theft and recovering stolen bicycles. Augustine then addressed Commissioner questions about two recent robberies in PSA 301.

Report from Councilmember Jack Evans' office

Sherri Kimbel, Constituent Services Director

Sherri Kimbel shared four updates from Councilmember Evans' office: 1) the Council returns from summer recess on September 18 and has several items on its docket, including the AirBnB legislation and tenant/owner rights during the sale of a home; 2) the 10th street Pepco station will receive a new generator and possibly new plantings; 3) Sherri has spoken with the Marriott construction team about a series of recent noise complaints from neighbors; and 4) Jack's office is soliciting resident input about bicycle riding on sidewalks and the possibility of banning it in all of Ward 2. Kimbel also offered to invite a DDOT representative to the next ANC 2F meeting to address a variety of outstanding issues in the neighborhood.

Report from Executive Office of the Mayor

Jerry Chapin, Ward 2 Liaison

Jerry Chapin shared three updates from the Mayor's office: 1) there's a new Every Day Counts initiative to increase student attendance rates; 2) residents should continue to use 311 to report all issues; 3) the security camera rebate program is still active and funds are available for residents.

Doreen Hope, District Manager for Project Pipes spoke about the District-wide pipe replacement program. The project is currently in the third year of Phase 1 (a 5 year program), which has been approved by the Public Service Commission to replace forty miles of pipe.

Community Announcements

1. Robert Looper III, ANC Commissioner in Ward 5 and staff for Councilmember White, shared that he is attending tonight's meeting as part of a listening tour on behalf of White who will soon be co-chairing various committees.

BUSINESS MEETING

Commissioner Fanning noted there was quorum to conduct the business portion of the meeting (eight Commissioners present out of the required five), and instructed that a copy of the meeting minutes be filed with the meeting notice.

Approval of meeting agenda

Commissioner Fanning moved to adopt the draft meeting agenda without modification; the motion was seconded and approved unanimously by the Commission.

Vote: 8-0 (unanimous)

Approval of minutes for August 2, 2017 regular monthly public meeting

Fanning moved to approve the August 2, 2017 draft meeting minutes with two corrections: 1) a correction to the report from Councilmember Evan's report re: Interim DDOT Director; and 2) a summary of the Education Committee report. The motion was seconded and approved by the Commission.

Vote: 7-0-1

Committee Reports

ABRA Policy Committee

Commissioner Graham, Chair

Commissioner Graham presented the August 16 APC report. Graham first provided updates on Settlement Agreement negotiations Hando-Medo at 1315 14th St, NW and Tiger Fork at 922 N St, NW Rear.

Settlement Agreement amendment to allow for recorded music in summer garden at TG Cigar at 1118 9th St, NW)

Graham moved that ANC 2F support a Settlement Agreement amendment to allow recorded music at a prescribed sound level not to exceed "30"(on the equipment used during testing) in the summer garden on a trial basis through September 1, 2018, with the stipulation that the Applicant make its phone number, email address and other contact information readily available for neighbors; that the Applicant maintain a log of all noise complaints received; and that the ANC reevaluate this endorsement at the end of the trial period on September 1, 2018. The motion was seconded and approved by the Commission.

Vote: 7-0-1

New Class "B" Retailer license for Rice Market at 1608 14th St, NW

Graham moved that ANC 2F send a letter to ABRA in support of the new Class "B" Retailer license for Rice Market; the motion was seconded and approved by the Commission.

Vote: 7-0-1

New Class "C" Restaurant license for Pappes at 1317 14th St, NW

Graham moved that ANC 2F send a letter to ABRA protesting the new Class "C" restaurant license for Pappes since the Applicant had not yet engaged in the ANC review process, and based on the effect of the establishment on peace, order, and quiet, including the noise and litter provisions; the effect of the establishment on real property values; and the effect of the establishment upon residential parking needs and vehicular and pedestrian safety. The motion was seconded and approved by the Commission.

Vote: 7-0-1

Community Development Committee

Commissioner Deeley, Chair

Commissioner Deeley presented the committee report from the August 23 CDC meeting. Deeley first moved for approval and adoption of the four unanimous Committee recommendations:

- Support for the DDOT public space application for new unenclosed sidewalk café at 1401 K St, NW;
- Support for the DDOT public space application for fixture/bollards (exception) at 901 Massachusetts Ave, NW / Marriott Marquis;
- Opposition to the petition to allow residents at 1400 14th St NW to qualify for Residential Parking Permits;
- Support for the BZA variance relief to construct addition to existing nine-unit building at 1310 Vermont Ave, NW.

The motion was seconded and approved unanimously by the Commission.

Vote: 8-0 (unanimous)

HPRB concept, massing, and design for raze and new construction of three-story, two-unit condo at 1318 10th St, NW

Commissioner Guggenmos moved to adopt the CDC recommendation that ANC 2F send a letter to HPRB expressing disapproval of the proposed concept, massing, and design and requesting that 1) the Applicant take a more traditional approach to the concept and design that better comports with the prevailing historic architecture of the block and 2) that the applicant be directed to take an approach more consistent with the applicant's original intention to pursue a more traditional design approach. The motion was seconded and approved by the Commission.

Vote: 7-1

Commissioner Deeley then moved that ANC 2F send a letter to HPRB supporting the raze application after the Commission determined the structure in question was clearly not constructed during a period of historic significance and as such is presently incorrectly designated a contributing structure in the Shaw historic district; the motion was seconded and approved unanimously by the Commission.

Vote: 8-0 (unanimous)

DDOT public space application for new sidewalk café at 1740 14th Street, NW / Dacha Beer Garden

Commissioner Forman introduced a resolution to proactively address numerous community concerns related to Dacha's initial ideas for use of public space. Forman read the resolution in full (see copy at end of meeting minutes) and moved for its adoption; the motion was seconded and approved by the Commission.

Vote: 7-0-1

Education Committee

Commissioner Forman and Pepin Tuma, Co-Chairs

Commissioner Forman introduced a resolution (copy at the end of meeting minutes) to address community concerns about the playground construction at Garrison Elementary and request that DGS and DCPS take parents' input into consideration; the motion was seconded and approved unanimously by the Commission.

Vote: 8-0 (unanimous)

Old Business

[none]

New Business

Historic Preservation Office

Commissioner Sylvester

Commissioner Sylvester led a discussion about HPO staff review of applications from ANC 2F.

No action taken

Treasurer's Report

Approval of Expenses

Commissioner Graham

Commissioner Graham moved for approval of the following expenditure:

- 1. Check #1332 in the amount of \$770.00, payable to Executive Director Adam Beebe, for August 2017 salary;

Total expenses: \$770.00

Graham's motion was seconded and approved unanimously by the Commission.

Vote: 8-0 (unanimous)

Review of proposed FY18 budget

Commissioner Graham

Commissioner Graham presented the draft FY18 budget and requested that the Commissioners review it in advance of the September meeting, during which it will be adopted.

No action taken

Commissioner Fanning moved to adjourn the meeting; the motion was seconded and approved unanimously by the Commission. Meeting adjourned at **9:12 p.m.**

RESOLUTION ON DACHA BEER GARDEN'S PROPOSAL FOR USE OF PUBLIC SPACE

WHEREAS the Advisory Neighborhood Commission 2F (ANC 2F) Community Development Committee (CDC) does not yet have the final plans for the proposed Dacha beer garden/restaurant (1740 14th Street, NW) to consider, the CDC understands that ANC 2F and ABRA would appreciate a CDC readout of the current Dacha proposal especially with regard to its proposed use of public space.

For that reason the Committee considered the current Dacha proposal at its August 23, 2017 meeting, at which Dacha owner Dmitri Chekaldin and his legal counsel were in attendance.

The Committee's views on the current proposal, for consideration by the ANC and the Committee's ABRA colleagues follow:

The CDC wishes to encourage the creation of responsible, new businesses within the ANC2F area:

1. In this case, the Committee therefore encourages continuing discussions between Dacha representatives and the ANC, to include members of its ABRA Committee, toward a revision of plans for Dacha at this address that will better reflect the concerns of the ANC and the community;
2. With regard to the current Dacha proposal, the Committee has strong reservations about both the concept, massing, and design as well as the contemplated use of public space for the following reasons:
 - a. Consistent with 24 DCMR 316.9 a sidewalk café may only occupy 60% of any public space¹ desired to be utilized, and per 24 DCMR 312.3, in the case of an enclosed café, the structure and furnishings must be removable within 24 hours;
 - b. Notwithstanding the maximum limit set out above, it is the Committee's view that Dacha should be authorized to utilize only 40% of the public space (contiguous to its S Street side) with the rest reserved for green space and/or other public use.
 - c. Since DC requires that any windows of an enclosed sidewalk café (requested by Dacha's owners) be open during the café's operation, the Committee believes that the proposed use of public space poses the likelihood of a significant noise nuisance to the neighborhood if operated consistent with these requirements.
 - d. The Committee also finds that the proposed 250 seats in the Summer Garden similarly pose the danger of a significant noise nuisance to the neighborhood.

FOR THESE REASONS, the Committee judges that seating in the Summer Garden should be substantially reduced.

FINALLY, the Committee strongly endorses the modification of the existing plans to provide for creation of an acoustic sound barrier, along the property line² to run the length of the property on the S St side up to the property's end on 14th Street, NW.

¹ Dacha proposes only to utilize available public space available on the S Street side of the establishment and not any of the public space that exists on 14th Street.

This resolution was adopted (7-0-1) on September 6, 2017 by Advisory Neighborhood Commission 2F at a duly called and properly noticed public meeting with a quorum (at least five Commissioners) present and acting throughout.

² That is, not to encompass use of any public space.

RESOLUTION TO SUPPORT COMMUNITY INPUT FOR GARRISON ELEMENTARY SCHOOL'S PLAYGROUND RENOVATION AND FINAL MINOR MODIFICATIONS FOR THE SCHOOL RENOVATION

WHEREAS Advisory Neighborhood Commissions (ANCs) were created to “advise the Council of the District of Columbia, the Mayor, and each executive agency...with respect to all proposed matters of District government policy,” including to education;

WHEREAS the government of the District of Columbia by law is required to give “great weight” to comments from ANCs;

WHEREAS the purpose of the District of Columbia Public Schools’ (DCPS) is “to ensure that every student attends a great school, and that every school meets high standards in all areas that affect student achievement;”

WHEREAS ANC 2F recognizes that the community supports the promised modernization of Garrison Elementary School;

WHEREAS ANC 2F recognizes that the success of Garrison Elementary School is critical to the future of the neighborhood

WHEREAS ANC 2F desires modern, fully occupied DCPS schools to contribute to our community;

WHEREAS the Garrison community took the initiative in 2012 to secure professional pro bono resources to facilitate parent and community outreach, developed a broadly inclusive multi-stage design process for Garrison’s playground; and

WHEREAS the playground design process included consultation with and was informed by playground experts versed in the latest research.

THEREFORE, BE IT RESOLVED that ANC 2F strongly supports that the design for the Garrison playground should honor the thousands of hours devoted to community outreach, consultations with playground experts, and state-of-the art design, and should be based on the concept the community developed and with current community input and support.

BE IT FURTHER RESOLVED that the remaining issues for the Garrison Elementary School renovation be addressed in a way that is faithful to the plans the community developed and subsequent community input, including:

1. **fence height of 6 feet** around the playground despite the community’s evidence that Garrison would be an outlier in the neighborhood with a fence that high, and that the community has been advocating against visually obtrusive fences. Previous plans and the community call for a fence of 42 to 45 inches;
2. DCPS’s refusal to release the budget allocated to the playground. The Mayor allocated 3.5M to the Garrison grounds. **We need DCPS to request and obtain information on how that money was or will be spent.** Garrison must have a satisfactory playground for both lower

and upper grades that is thoughtfully incorporated with the existing and future vegetation, with the future art work and with the creative play spaces that the community has asked for;

3. **the railings, stairs and awnings to the East and the West entrances** apparently are not part of the scope of the school modernization and will remain rusted and anachronistic; and
4. **the air-conditioning units** that have been added to the school over the summer are an eyesore and were never shown in the school plans. We support efforts to improve the units' unsightliness.

BE IT FURTHER RESOLVED that the Chair or his designee be authorized to represent ANC 2F on this matter specifically to the District of Columbia Public Schools, the State Board of Education, the Department of General Services, the Executive Office of the Mayor, and Members of the Council of the District of Columbia.

This resolution was unanimously (8-0) adopted on September 6, 2017 by Advisory Neighborhood Commission 2F at a duly called and properly noticed public meeting with a quorum (at least five Commissioners) present and acting throughout.