

Please note: In addition to the text and vote counts of the official actions taken by the Commission, these minutes may contain summaries of comments that were made and discussions that took place at the meeting. Such summaries are not intended to be a verbatim account of the meeting.

**Advisory Neighborhood Commission 1C  
Adams Morgan  
Minutes of September 9, 2015**

**I. Call to Order and Introduction of Commissioners**

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on September 9, 2015 at Mary's Center. Chair Simpson called the meeting to order at 7:05 pm. Approximately 22 members of the public attended. In attendance were Commissioners Julie Seiwel (1C01), Hector Huezo (1C02), Ted Guthrie (1C03), Gabriela Mossi (1C04), Alan Gambrell (1C05), Billy Simpson (1C06), Wilson Reynolds (1C07), and JonMarc Buffa (1C08).

**II. Officers' Reports**

**a. Chair's Report**

**i. Notice of Intent to Seek Amendment to By-Laws**

Chair Simpson announced that he will be seeking a change to the ANC 1C by-laws at the Commission's October 7<sup>th</sup> meeting. He explained that the amendment is related to the transparency requirements that the Commission adopted two years ago to require two-weeks advance notice of agenda items, and reporting to the community within two days any votes taken at a meeting. Chair Simpson said there are occasions when these requirements can be difficult to meet. He will propose changing the two-week requirement for agenda items to 10 days advance notice, and extending the reporting of votes taken to 4 days.

**b. Secretary's Report**

**i. Minutes for August 5, 2015 meeting**

Secretary Seiwel moved to approve the draft minutes for the August 5, 2015 monthly ANC 1C meeting. Commissioner Guthrie seconded the motion. The Commissioners then voted 5 to 0, with 2 abstentions to approve the minutes. (Commissioners Huezo and Gambrell did not vote because they were not present at the August meeting; Commissioner Mossi had not yet arrived.)

**c. Treasurer's Report**

Treasurer Gambrell had nothing to report.

**III. Commissioner Announcements/Comments**

**a. Report from MPD on Recent Shootings**

Lieutenant Whiteside and Third District Commander Jeffery Carroll of the DC Metropolitan Police Department reported on the recent two shootings in the area – one on 18<sup>th</sup> Street and one on Belmont Road. They also reported on the recent increase in robberies.

Members of the public asked about the number of officers who are assigned to Adams Morgan and about sobriety checkpoints.

Commissioner Buffa expressed concern that one of the shootings occurred during a period of full police presence and asked if any plain clothes officers are assigned to the area. The officers answered that no undercover officers are assigned to the Third District. In addition, they responded that there is no anecdotal evidence to support a correlation between a decrease in plain clothes officers, and an increase in crime.

Commissioner Huezo commented that there was a police response to the shooting on Belmont Road within five minutes of the incident. He stressed the importance of maintaining police presence in the surrounding streets where people return to parked cars after leaving commercial establishments.

Kristen Barden, Executive Director of the Adams Morgan Partnership BID, asked why there was no BOLO or “be on the look-out” report issued after the shooting on 18<sup>th</sup> Street incident. The officers explained that there was no description of the person who did the shooting, so they could not issue a BOLO, but they did post a report on a listserv.

Denis James of the Kalorama Citizens’ Association asked how the suspect of the 18<sup>th</sup> Street shooting got away. The officers explained that he probably ran up the street in a crowd of people running the same direction after the shooting.

In response to a question about the robbery and shooting on Belmont Road, the officers said it is always better to cooperate with a robber rather than jeopardize one’s life, and then call the police as soon as possible with a specific description.

Commissioner Buffa noted the current lack of confidence among the public and asked if the officers had anything to offer to boost confidence. Commissioner Huezo agreed on the need to boost public confidence. The officers reiterated the coverage plan for Adams Morgan, especially on weekends, and urged the public to call 911 with specifics if they see something suspicious.

Commissioner Simpson noted that while there has been some maturation of our community, there are still a few establishments that are catering to a rowdy crowd who are more likely to fight and to have guns. Denis James added that the community has been working on these issues for years through voluntary agreements with establishments. The officers said that violations of voluntary agreements should be reported.

Commissioner Seiwell asked for clarification about reporting. The officers said if you see something suspicious, for example someone looking into all parked cars, call 911, but reports of an establishment’s ongoing violation of a voluntary agreement can be emailed to Lieutenant Santiago who handles community outreach, for a longer term response. Commissioner Huezo thanked Lieutenant Whiteside and Third District Commander Jeffery Carroll for attending the full ANC meeting and asked them to continue to work with the community on these safety matters.

Chair Simpson paused to recognize Councilmember Nadeau who had arrived.

#### **b. September Committee Meetings**

Commissioner Guthrie noted that the September Committee meetings would be held at the Marie Reed recreation center and that the entrance is on Champlain Street.

Commissioner Guthrie reported that the agenda for the ABC and Public Safety Committee meeting would include a report on police issues, an alcohol license for an Adams Morgan coffee shop, an ABRA noise control issue, and a report from Councilmember Bonds on the Public Safety Forum.

Commissioner Buffa reported that the Planning, Zoning, and Transportation Committee had no pending agenda items so September meeting would be cancelled with no objection.

Commissioner Huezco said that the Public Services and Environment Committee would meet on September 30 to consider proposed regulations for personal trainers, and that the DC Office of Planning will present draft recommendations for the Adams Morgan Vision Framework and receive feedback from the community. Commissioner Buffa explained that proposed DC regulations for personal trainers would determine when those services are covered by insurance, but that many trainers would not fit the proposed new definition, and gyms and cross-fit locations may have to close because their trainers no longer qualify.

#### **c. Commissioner Announcements**

- Commissioner Gambrell thanked Ben Case, liaison to Mayor Bowser's office, for doing a walk around of SMD ANC 1C05.
- Commissioner Huezco announced that there would be another Kalorama neighborhood clean-up on Saturday morning, September 19.
- Commissioner Guthrie also thanked Ben Case for a walk around his district, and reminded everyone that Adams Morgan Day was on Sunday, September 13 from noon to 6 pm.
- Commissioner Reynolds announced that the reward has been increased for tips on illegal guns or tips on shootings. He provided the tip phone number (202-727-9099) and placed flyers in the back with more information on where to report tips on guns and crimes.
- Commissioner Reynolds also mentioned Mayor Bowser's decision to close the DC General shelter and replace it with smaller shelters. He said the Mayor's office is gathering names of those who want to pledge to work to end homelessness.

#### **IV. Public Announcements / Comments**

- Larry Hargrove announced that the Zoning Commission has draft regulations on roof structures out for comment and that ANC 1C would be well-advised to comment. Commissioner Buffa asked about the deadline for commenting. Commissioner Gambrell noted that he would be happy to work with Larry on this.
- Councilmember Nadeau invited the public to a meeting on public safety including neighborhood watch training on Saturday, September 12 from 9:30 to 11:30.
- Kristen Barden, Executive Director of the Adams Morgan Partnership BID, announced that the Great Streets grant program deadline for small businesses has been extended to October 2. She also announced that Porchfest, featuring live music on 16 residential porches, would be held again this year on Saturday, October 3<sup>rd</sup> from 3 to 7pm. Ms. Barden also announced that the BID would be doing an apple fest in October conjunction with the Adams Morgan farmers market including an apple pie baking contest. She said details will be provided on the Adams Morgan listserv. Finally, she announced that the BID would have a table at Adams Morgan Day on in front of the BB&T bank. Commissioner Seiwel asked if more volunteers were still needed for Adams Morgan Day and Ms. Barden said those interested in volunteering could contact A. Tianna Scozzaro.
- Ben Case, liaison to Mayor Bowser's office, thanked the Commissioners for the walks through their districts. He reported on the Mayor's public safety agenda including putting more police on the street; camera programs; and increased penalties for crimes on public transit, in parks and recreation centers. Mr. Case also spoke about the Mayor's effort to end homelessness and urged members of the public to sign a pledge to help end homelessness in DC. Finally, he noted that the Kids Ride Free program has been extended to Metro Rail. Commissioner Huezco mentioned that he raised the issue of budgeting for Marie Reed modernization during the Mayor's meeting with ANC Commissioners that day.

## **V. Scheduled Business**

### **a. Public Services and the Environment**

#### **i. Sarah's Circle – Grant Application to DCHD**

Chair Simpson introduced Jessica Petro, Executive Director of Sarah's Circle, an independent living residence for low-income seniors who cannot pay market rate rent. Ms. Petro briefly described the support services, meals, and housing offered at Sarah's Circle designed to keep seniors independent. She described plans to renovate the building and add 15 units, allowing them to move a few people off the waiting list of 295.

Commissioner Reynolds moved to adopt a resolution to send correspondence to the Department of Housing and Community Development (DCHD) stating ANC C1's support for Sarah Circle's application for financing to renovate the building and add 15 new units. Commissioner Gambrell seconded the motion. Commissioner Reynolds said he has long been familiar with Sarah's Circle and the great work they do.

Chair Simpson asked where current residents would go during construction. Ms. Petro said the construction would be done one wing at a time with 50% of the residents remaining in the building and the other 50% relocated in Adams Morgan during renovations. She said the plan is for those who are relocated to return to Sarah's Circle in approximately 10 months.

Commissioner Huezo asked about the financing. Ms. Petro said the request includes a tax credit and a loan.

Denis James asked if they are increasing the size of the building, or just re-building with smaller rooms. Ms. Petro said they are not increasing the overall size of the building, just using the property more effectively.

Chair Simpson asked whether any of the Sarah Circle residents who were present would like to speak. One resident spoke about the need for senior housing and the advantage of maintaining diversity in Adams Morgan while luxury condos are being built all around them. The resident said that Sarah's Circle staff is very dedicated to working with senior citizens and the residents in turn support efforts being made to improve the building and increase the number of units.

Another resident said they will have major concerns if the loan does not go through. A third resident agreed and said it is very difficult for seniors to find affordable housing. She also said that some residents have breathing problems so they are hoping to get central air conditioning.

Chair Simpson said he is inclined to support the request, but would like to add that ANC 1C's support is contingent on an assurance that temporary relocation of residents will be in Adams Morgan and that those relocated residents have a priority to move back in to Sarah's Circle once the renovations are complete.

Another resident raised a separate issue of having trouble crossing the street at the crosswalks because signs are missing. Ben Case of the Mayor's office said he would look into it.

Chair Simpson proposed incorporating language for the two items clarifying that residents would be relocated in Adams Morgan and that those who have to move out of the building would have priority to move back in. Commissioner Reynolds thanked Chair Simpson for his suggestion.

Ms. Petra said their plan is to place relocated residents in Adams Morgan and that they would have priority to return. She said she did not have a problem with Chair Simpson's caveat. The additional language was accepted as a friendly amendment without opposition.

Commissioner Buffa offered an amendment to specify number of extra units being added and the significant wait list, and to note that Sarah's Circle is a nonprofit organization doing this for community service, not profit. Commissioner Reynolds said he would accept those as friendly amendments. The revised language was accepted as a friendly amendment without opposition.

Commissioner Guthrie commented that adding 15 units may not sound like a lot, but it helps.

Chair Simpson thanked Commissioner Reynolds for drafting the letter of support.

Commissioners then voted 8 to 0 to pass the resolution to send a letter in support of Sarah's Circle's application to DCHD. (Commissioner Mossi had arrived.)

Ms. Petra noted that they would need the letter by October 5 to include it with their application.

## **b. Planning, Zoning, and Transportation**

### **i. 2001 18th Street NW – HPRB Application**

Commissioner Buffa introduced the architects of a proposed project at 2001 18<sup>th</sup> Street, NW and 1771 U Street, NW scheduled to go before the Historic Preservation Review Board in September. The architects presented a proposal to combine the properties into one restaurant with a roof deck on top. They said they are working with HPRB to ensure that the façades are historically sensitive and asked for ANC 1C support for the project.

Commissioner Buffa expressed concerns about maintaining the historic façade; noise levels and visibility of the roof deck; and possible obstruction of the alley. The owner, Bill Thomas, said they had discussed roof deck visibility with Anne Brockett and she said no umbrellas could be used, but that noise is not an HPRB issue. Mr. Thomas also said that all the buildings along that alley have given up easements for dumpsters. He said they plan to work out access issues with the owners of El Tamerindo, but that meeting had not yet occurred.

Commissioner Buffa moved for adoption of a resolution asking HPRB to ensure that the historic façades are protected, the roof deck has minimal visibility from the street, and the alleyway is not encroached; and authorizing him to represent ANC 1C before the HPRB in this matter.

Commissioner Guthrie seconded the motion. Commissioner Buffa said he thought the proposed building would be an overall positive development and a benefit to the community if those conditions are met.

Commissioner Huerdo asked about whether people would be visible on the rooftop. Mr. Thomas said that people would be visible, but that is allowable. The architect added that part of the rooftop structure will also be visible from the street.

Denis James, President of the Kalorama Citizens' Association, asked about visibility from the opposite side of street. The architects said Anne Brockett told them that people and activity are

not a concern of HPRB. The architects also confirmed that the drawings they were presenting to the ANC were the same drawings they would be submitting to Anne Brockett.

Commissioner Gambrell observed that it seemed like the owner had responded to concerns raised in the PZT committee meeting. Commissioner Buffa said he is not sure that the architects' plan to drop the height of the roof deck by a foot was going to be enough, thus the resolution asks HPRB to carefully look at that issue to make sure it is right. Commissioner Reynolds suggested substituting the word "confirm" for the word "introduce" in the proposed resolution regarding roof deck visibility to strengthen the recommendation to HPRB.

Chair Simpson said he was comfortable with what he saw in the plans and moved adoption of a substitute resolution consisting of a single sentence to HPRB saying that ANC 1C does not oppose these plans. Commissioner Mossi seconded the motion noting that Bill Thomas has been a participant in businesses in Adams Morgan for years and he has rehabilitated many buildings in this corridor and worked with the community to contribute to the welfare of all.

Commissioner Buffa said HPRB has to do its job to evaluate the historic impact and can't approve a project just because owner is a good guy. He added that there he feels there is still some confusion about the height and the view.

Mr. Thomas said they are presenting what the Historic Preservation Office staff has approved and that it has been whittled down significantly from what was originally requested.

Denis James noted that the corner of 18<sup>th</sup> Street and U Street is a special location that is a confluence of 3 historic districts.

Commissioner Reynolds said he agreed with Chair Simpson that the back and forth with HPRB has produced an acceptable final product.

Commissioners then passed Chair Simpson's resolution stating that ANC 1C does not oppose the project, by a roll call vote of 5 to 3, with Commissioners Mossi, Simpson, Huevo, Gambrell, and Reynolds voting aye; and Commissioners Guthrie, Buffa, and Seiwel voting no.

#### **ii. 2910 and 2920 18th Street NW – BZA Appeal**

Commissioner Gambrell provided background information regarding two properties – 2910 and 2920 18<sup>th</sup> Street, NW – that have been gutted with their roofs removed awaiting conversion to multi-unit condominium buildings. Commissioner Gambrell moved that ANC 1C file appeals of permits for these two properties, if and when they are issued. Commissioner Buffa seconded the motion. Commissioner Gambrell said the appeal has the support of surrounding neighbors.

A developer representing the owner, Sean Ruppert, engaged in a discussion with Commissioner Gambrell about cellar versus basement calculations, and about parking spaces.

Commissioner Guthrie asked if this resolution is consistent with previous resolutions adopted by ANC 1C. Commissioner Gambrell confirmed that it is consistent with past resolutions, adding that ANC 1C is not opposed to the conversion of buildings in Adams Morgan, but Commissioners want zoning regulations and the building code to be enforced. He also said there seems to be a lack of clarity about the permitting process.

Commissioners then passed the resolution by a vote of 8 to 0.

### **ANC1C Resolution on BZA Appeals of Permits for 2910 and 2920 18<sup>th</sup> Street NW**

The row houses located at 2910 and 2920 18<sup>th</sup> Street, NW both currently sit vacant and open to the elements with Stop Work Orders (SWOs) for violating the scope of permitted renovation work. There are permit applications pending for conversion to multi-unit condominium buildings. Both properties were gutted and their roofs removed, leaving them exposed to the elements and creating hazardous conditions for the buildings and abutting properties. DCRA has failed to enforce DCMR 12A Section 3307.4 that requires party wall maintenance. (3307.4 Party wall maintenance. Where construction work occurs that could affect the structural integrity of a party wall, the person causing the work shall preserve the party wall from injury and ensure the structural stability of the party wall at said person's own expense. The party wall shall be maintained weatherproof and structurally stable.)

The Zoning Administrator has been engaged in discussions with the developer to release the SWOs that were issued at the end of March 2015. The developer seeks to designate the lower levels as cellars to discount the floor area from the FAR calculations, which are limited to 1.8 in R-5B districts.

In spite of the standing SWOs on the properties from March, three separate applications were accepted by DCRA. One on 7/29/15 with a permit issued 8/3/15 (4 business days) at 2920 18<sup>th</sup> Street, NW for "A complete renovation of existing 2-story and cellar building to concrete, joist, roof, siding and MEP including a new entry to cellar with new 3rd level addition." This permit was issued in 4-days without even been reviewed by the Zoning Administrator. That permit has a new SWO that was posted 9/4/15.

The applications all incorrectly indicate the lower levels as cellars and, in addition, DCRA has communicated the developer's intent to secure a similar permit for 2910 18<sup>th</sup> Street NW. It is easily shown that all of the properties in the 2900 block of 18<sup>th</sup> Street have perimeter measurements in both the front and back that are well over 4 feet from grade to ceiling of the lower level—consistent with the DCMR Title 11 definition of a Basement.

ANC 1C has unanimously passed several resolutions in support of enforcement of current zoning regulations and building codes that are specifically raised in the permits issued or planned for issuance for 2910 and 2920 18<sup>th</sup> Street, NW, including:

- Support for compliance with R-5-B regulations governing GFA, FAR, lot occupancy, means of egress, structural building requirements, and parking requirements. In addition, the resolution calls for an administrative review of the performance of DCRA in terms of its building permit and building code compliance enforcement (ANC1C Resolution to Direct Improvements in DCRA Administration of Zoning Regulations passed 7-0 on March 4, 2015).
- Support for filing of BZA 18980 and the ANC1C's position that of compliance with current zoning regulations was essential, with specific reference to FAR and GFA rules (see ANC1C Resolution to Support BZA Appeal 18980 by Argonne Place Residents, passed 6-0 on April 1, 2015).
- Support for enforcement of DCMR parking regulations, with specific attention to adhering to requirements for 1 space for every 2 units, minimum size requirements of 9' x 19', and relief from such requirements to be only in exceptional circumstances and be a matter for the BZA to resolve (ANC1C Resolution on Parking, passed 7-0 on May 6, 2015).

Therefore, ANC 1C is authorized to file ANC appeals of permits for 2910 18<sup>th</sup> Street NW and 2920 18<sup>th</sup> Street NW.

*Finally, be it resolved that filing and representation may be carried out by any Commissioner on ANC 1C and expert designees.*

**iii. 2329 20<sup>th</sup> Street NW – Enclosure of rear porch**

Commissioner Huezo introduced the architect who is working on renovating a row house at 2329 20<sup>th</sup> Street, NW. He explained that the row house needs a lot of work and that the neighbors agreed at a community meeting to discuss the renovation of this single family home that will remain a single family home.

The architect, Gayll Worsley, presented plans for enclosing the rear porch, replacing a brick retaining wall, and removing a car port. Chair Simpson noted that the drawings appeared to indicate that the building occupies less than the maximum amount of the lot allowed by zoning regulations. Ms. Worsley confirmed that and said that the Historic Preservation Office staff is comfortable with the design.

Commissioner Gambrell asked about parking and removal of the car port.

In response to a question from Denis James, Ms. Worsley confirmed that the building does not approach its Floor Area Ratio limit.

In response to a question from Commissioner Gambrell, Ms. Worsley confirmed that the existing porches are covered.

Commissioner Buffa said this is the kind of project that the Commission can support and he hopes others will follow this example. Commissioner Buffa then moved to send a letter of support to HPRB for the proposed renovations. Commissioner Huezo seconded the motion that then passed by a vote of 8 to 0.

**iv. Zoning Regulations Rewrite**

Commissioner Gambrell moved to adopt a resolution recommending that the Zoning Regulation Rewrite adopt the same Issuance of Order submission date requirements for the Board of Zoning Adjustment that are currently used by the Zoning Commission.

Larry Hargrove commented that this is a worthwhile suggestion. Commissioner Guthrie commented that BZA should be issuing orders in a timely fashion. Commissioner Buffa noted that governmental bodies need deadlines to get things done and he would support this resolution because they are not draconian deadlines. Commissioner Buffa seconded Commissioner Gambrell's resolution.

Commissioner Reynolds suggested moving the phrase "for the BZA" after the word "requirements" for clarity. No one opposed this friendly amendment.

Commissioners then voted 8 to 0 to pass the resolution as amended.

*ANC1C ZRR Resolution  
BZA Issuance of Written Orders  
September 9, 2015*

*ANC 1C recommends that the ZRR adopt the Issuance of Orders submission date requirements for*

*the Board of Zoning Adjustment as used by the Zoning Commission, under 11-3028.5.*

Commissioner Gambrell then asked Larry Hargrove to provide background on four resolutions that ANC1C passed in 2014 addressing the DC zoning regulations review and how the resolutions could be updated to provide comments on the Zoning Commission's final draft regulations. Mr. Hargrove summarized ANC 1C positions on Mixed Use Zones (Subtitles G and K); Residential Flat Zones (Subtitle E); Roof Structures in Residential Apartment and Mixed Use Zones (Subtitle C); and Residential Apartment Zones (Subtitle F).

Commissioner Seiwel asked whether any current corner stores would be affected by proposed changes to Subtitle E - Residential Flat Zones. Mr. Hargrove answered that no current stores would be affected.

Chair Simpson said that the proposed resolutions are previously passed ANC 1C resolutions that have been updated in light of subsequent changes to the draft regulations. With no opposition, Chair Simpson moved to adopt the four updated resolutions in aggregate and to authorize Commissioner Gambrell to send the resolutions to the Zoning Commission. Commissioner Gambrell seconded the motion that then passed by a vote of 8 to 0.

The Commissioners all thanked Larry Hargrove for his assistance in updating the resolutions.

## **VI. Adjournment**

Commissioner Buffa moved to adjourn at 10:18 pm. Commissioner Huezo seconded the motion which passed unanimously.