

ADVISORY NEIGHBORHOOD COMMISSION 1C
Adams Morgan

Minutes of June 5, 2002, Meeting

A scheduled business meeting of Advisory Neighborhood Commission 1C was held on June 5, 2002, at the 3rd District Police Station. A quorum being present, Chair Miscuk called the meeting to order at 7:05 pm.

Attending were Commissioners Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody and Klempay. Approximately 15 members of the public attended.

SECRETARY'S REPORT

Commissioner Klempay, Secretary, distributed copies of the Minutes of the May 1, 2002 meeting and moved their approval. The motion was seconded and the Minutes, as corrected, approved by voice vote.

The Secretary distributed copies of the draft Minutes of the May 20, 2002 meeting for review by the Commissioners prior to their being submitted for approval at the June 17, 2002 meeting.

TREASURER'S REPORT

Commissioner Gibson, Treasurer, reported a bank balance as of 6/5/02 of \$47,735.68.

COMMITTEE REPORTS

ABRA (ABC) and Public Safety - Commissioner Brody reported that cooperative agreements have been reached with Toledo Lounge and . Commissioner Klempay reported on the status of the Lauriol Plaza protest.

Lt. Fulton reported that crimes in May were down by seven incidents from May 2001.

Communications, Grants etc. - The Committee will meet on June 11, 2002, at 7:30 am, at The Diner.

NEW BUSINESS

Commissioner Brody recognized Jeff Schonberg, the new owner of the Kilimanjaro Building, who discussed plans for the building.

Lt. Fulton introduced Investigator Dave Swinson (invswinson@excite.com), who discussed the 9 arrests and closing of 50 burglaries with the recovered stolen property now being displayed in the 3rd District Community Room. Investigator Swinson stated the police are now going after the fences involved in these burglaries.

Commissioner Roth offered motions on the Blue Room and Crush Substantial Change Applications. The motions were seconded, debated and approved by roll call vote:

YEA Roth, Wright, Miscuk, Bailey, Gibson, Brody, Klempay

The motions read:

***ANC 1C RESOLUTION PROTESTING
BLUE ROOM SUBSTANTIAL CHANGE APPLICATION***

WHEREAS, Twenty Year Venture, Inc. T/A Blue Room, located at 2321 18th Street, NW, has applied to the Alcoholic Beverage Control Board for a substantial change to its license to allow operation of a sidewalk café with seating capacity for 12 persons (Application No. 26149), and

WHEREAS, according to District Department of Transportation public space records, said establishment has never been issued a public space permit or certificate of use for those premises, or paid the applicable rent and fees for such public space, and

WHEREAS, said establishment is located within the jurisdiction of ANC 1C, and

WHEREAS, before ANC 1C can negotiate or reach agreement with said establishment as to the operation of a sidewalk café or its seating capacity, it is necessary for said establishment to obtain proper authorization to use the public space and for the legal area of public space use to be defined, and to make payment arrangements for the applicable rents and fees,

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C protests said establishment's application for a substantial change on the ground of its potential adverse effect on peace, order, and quiet in the neighborhood, and be it further

RESOLVED, that following the application for and receipt of the proper

public space permit and certificate of use by said establishment, and its payment of the appropriate rents and fees, ANC 1C will endeavor to reach an agreement with said establishment regarding the operation of a sidewalk café on the public space, following which the ANC will withdraw this protest subject to incorporation of the agreement in any substantial change order by the ABC Board.

**ANC 1C RESOLUTION PROTESTING
CRUSH SUBSTANTIAL CHANGE APPLICATION**

WHEREAS, Esagh, Inc. T/A Crush, located at 2323 18th Street, NW, has applied to the Alcoholic Beverage Control Board for a substantial change to its license to allow operation of a sidewalk café with seating capacity for 25 persons (Application No. 33161), and

WHEREAS, according to District Department of Transportation public space records, said establishment has never been issued a certificate of use for the public space in front of its premises, is occupying substantially more public space than its public space permit allows, and may be in arrears for its annual public space rent and certificate of use fees, and

WHEREAS, said establishment is located within the jurisdiction of ANC 1C, and

WHEREAS, before ANC 1C can negotiate or reach agreement with said establishment as to the operation of a sidewalk café or its seating capacity, it is necessary for said establishment to obtain a proper certificate of use, seek an amendment to its public space permit if it wishes to continue occupying additional space, and make payment arrangements for any applicable rents and fees,

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C protests said establishment's application for a substantial change on the ground of its potential adverse effect on peace, order, and quiet in the neighborhood, and be it further

RESOLVED, that following the application for and receipt of the proper public space amendment and certificate of use by said establishment, and its payment of the appropriate rents and fees, ANC 1C will endeavor to reach an agreement with said establishment regarding the operation of a sidewalk café on the public space, following which the ANC will withdraw this protest subject to incorporation of the agreement in any substantial change order by the ABC Board.

Commissioner Roth offered a motion on Staccato Substantial Change Application. The motion was seconded, debated and approved by roll call vote:

YEA Roth, Wright, Miscuk, Bailey, Gibson, Brody, Klempay

The motion reads:

***ANC 1C RESOLUTION PROTESTING STACCATO
“SUBSTANTIAL CHANGE” APPLICATION***

WHEREAS, Staccato Enterprises, Inc. T/A Staccato, located at 2006 18th Street, N.W., has applied for a substantial change to its ABC license (C/R) to allow for “live piano with amplified vocal and/or acoustic instrument accompaniment and light percussion” (Application #50039), and

WHEREAS, said establishment was originally placarded and licensed by the Alcoholic Beverage Control Board to operate as a piano bar featuring classical music (License #27465), and

WHEREAS, said establishment has operated in violation of its license for several months as a venue featuring live bands playing amplified music other than classical, and

WHEREAS, following complaints from neighboring residents concerning the noise and music emanating from said establishment and its patrons, ANC 1C recently protested the renewal of said establishment’s ABC license, and

WHEREAS, said establishment is located within the jurisdiction of ANC 1C,

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C protests the proposed substantial change requested by said establishment on the grounds of its adverse effects on peace, order, and quiet in the community, and be it further

RESOLVED, that ANC 1C will seek to have this substantial change application consolidated by the ABC Board with said establishment’s pending application for renewal of its license so that both matters can be considered and addressed together, and be it further

RESOLVED, that ANC 1C will work to obtain a voluntary agreement with the licensee that is also acceptable to residents living in close proximity to the establishment, and will withdraw this protest upon ANC approval of such voluntary agreement, subject to its being incorporated by the ABC

Board in the license renewal and substantial change orders.

Commissioner Gibson offered a motion on the PN Hoffman Community Parking Lottery. The motion was seconded and debated. Commissioner Roth moved to amend by changing the date in the final Resolved clause to August 1. The motion to amend was seconded and approved by consent. The motion, as so amended, was approved by roll call vote:

YEA Roth, Wright, Miscuk Bailey, Gibson, Brody, Klempay
ABSTAIN Jovanka, Johnson

The motion reads:

***ADVISORY NEIGHBORHOOD COMMISSION 1C
RESOLUTION REGARDING PN HOFFMAN COMMUNITY
PARKING LOTTERY***

WHEREAS, PN Hoffman is nearing completion of The Lofts of Adams Morgan; and

WHEREAS, prior to the construction of The Lofts being allowed to move forward, PN Hoffman agreed to provide a certain number of parking spaces to resident members of the Adams Morgan community by means of a lottery; and

WHEREAS, both PN Hoffman and the Adams Morgan community are looking to Advisory Neighborhood Commission 1C (ANC 1C) to oversee the lottery process;

THEREFORE, BE IT RESOLVED that ANC 1C will dedicate twenty to thirty minutes of its June 17 meeting to hear a brief presentation on the non-negotiable aspects of the parking lot space, as well as to hear input from Adams Morgan residents on how the lottery should operate; and

FURTHER RESOLVED, that at the completion of that meeting, an ad hoc Parking Lottery Advisory Committee, chaired by Commissioner Josh Gibson and including representatives from the community, will be assembled to help create lottery guidelines; and

FURTHER RSOLVED, that at the ANC 1C meeting on July 3, these draft lottery guidelines will be presented, final input will be solicited from the community, and ultimately will be voted on by the Commission, and

FURTHER RESOLVED, that if lottery guidelines are adopted at the July 3 meeting, the lottery will be held at the August 1 ANC 1C meeting per these

guidelines.

Commissioner Roth moved that the Chair send a letter to the Metropolitan Police Department commending Investigator Swinson. The motion was seconded and approved by roll call vote:

YEA Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody, Klempay

Commissioners Johnson and Jovanka offered a motion on the Chandra Levy investigation. The motion was seconded and debated. Motions to amend the title of the resolution, the Whereas clauses, and the Resolved clause were made and approved by consent. The motion, as so amended, was approved by roll call vote:

YEA Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody, Klempay

The motion reads:

***MPD MISSING AND MURDER VICTIM WEB
SITE OUTREACH***

WHEREAS, Chandra Levy's murder highlights the difficulties within the Metropolitan Police Department;

THEREFORE, BE IT RESOLVED, that ANC 1C urges the DC Metropolitan Police Department to better publicize the victims web site that focuses on locating data and/or leads to solving these crimes.

Commissioner Johnson announced a meeting of the Quality of Life and Public Works Committee on June 24, 2002, 7:00 pm, at the Kalorama Recreation Center.

A motion to adjourn was made, seconded and approved by voice vote.

The meeting adjourned at 8:45 pm.

Peter L. Klempay
Secretary ANC 1C

Approved July 3, 2002