

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 January 7, 2015**

I. Call to Order and Introduction of Commissioners

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on January 7, 2015 at Mary's Center. Chair Simpson called the meeting to order at 7:00 pm. Approximately 26 members of the public attended. In attendance were Commissioners Hector Huezo (1C02), Ted Guthrie (1C03), Gabriela Mossi (1C04), Alan Gambrell (1C05), Billy Simpson (1C06), and Jon Marc Buffa (1C08). Chair Simpson welcomed the newly elected Commissioners and reported that the Commissioner-elect for Single Member District 1C01 had moved back to New York. Chair Simpson said he is in conversation with the DC Office of Advisory Neighborhood Commissions about how to set up a special election for SMD 1C01.

II. Election of 2015 Officers and Committees

Election of Officers

Commissioner Guthrie nominated Commissioner Simpson for the office of Chair of ANC 1C for 2015. Commissioner Buffa seconded the nomination. Commissioner Guthrie said that one of the traits that best qualifies Commissioner Simpson for Chair is his dedication to and ability to get the community involved on a continuing basis. He said Commissioner Simpson did this through regular and open communication with the community, and by giving people the opportunity to be heard in a transparent and open process. Commissioner Guthrie added that he is glad that Commissioner Simpson has agreed to take this on for another year. There were no other nominations for chair. Commissioner Simpson was elected Chair for 2015 by a unanimous vote of 6 to 0.

Chair Simpson nominated Commissioner Guthrie for the office of Vice-Chair for 2015. Commissioner Gambrell seconded the motion. Chair Simpson thanked Commissioner Guthrie for longstanding dedication to the community and for his willingness to represent ANC 1C at District government level functions. Chair Simpson noted that he and Commissioner Guthrie often share similar views, but even when their views differ, Chair Simpson appreciates and respects Commissioner Guthrie's perspectives. There were no other nominations for Vice-Chair. Commissioner Guthrie was elected Vice-Chair for 2015 by a unanimous vote of 6 to 0.

Commissioner Mossi nominated Commissioner Guthrie for the office of Secretary for 2015. She noted that the ANC is asking Commissioner Guthrie to do a lot until a new Commissioner is elected for SMD 1C01. She thanked him for his willingness to take on these responsibilities. Chair Simpson seconded the nomination. There were no other nominations for Secretary. Commissioner Guthrie was elected Secretary for 2015 by a unanimous vote of 6 to 0.

Chair Simpson nominated Commissioner Gambrell for the office of Treasurer for 2015. Commissioner Huezo seconded the nomination. Chair Simpson noted the difficulty of this role and thanked former Commissioner Dehbozorgi for the great job she did as Treasurer. He said he was overjoyed to hear that Commissioner Gambrell was willing to take this on. Chair Simpson added that Commissioner Gambrell owns a business, has experience keeping books, and is fastidious about details, so he is well-suited for this office. There were no other nominations for Treasurer. Commissioner Gambrell was elected Treasurer for 2015 by a unanimous vote of 6 to 0.

Commissioner Huezo nominated Commissioner Mossi as the ANC Representative to the Adams Morgan Business Improvement District for 2015. Commissioner Buffa seconded the nomination. Commissioner Huezo said he has been closely following the activities of the ANC for the past year and he noted Commissioner Mossi's expertise in working with the business community. There were no other nominations for Representative to the Adams Morgan BID and Commissioner Mossi was elected to this post for 2015 by a unanimous vote of 6 to 0.

Committee Assignments

Chair Simpson moved a resolution to set up the committee structure for 2015. Commissioner Mossi seconded the motion which passed by a unanimous vote of 6 to 0.

Committee Assignments

Resolved that the Committee structure, Chairpersons, and membership for ANC1C in calendar year 2015 will be as follows:

- ABC and Public Safety: Chair Guthrie, members Simpson and Huezo*
- Planning, Zoning, and Transportation: Chair Buffa, members Gambrell and Reynolds*
- Public Services and the Environment: Chair Huezo, members Mossi and Gambrell*

Vice-Chair Guthrie moved a resolution to authorize each Commissioner of ANC 1C to act on the Commission's behalf in all matters before the Alcoholic Beverage Regulation Administration and the Alcoholic Beverage Control Board and to send a letter to ABRA confirming this. Chair Simpson seconded the motion. Vice-Chair Guthrie explained that this allows flexibility in representing the Commission at procedural hearings. The resolution passed by a unanimous vote of 6 to 0.

III. Officers' Reports

a. Chair's Report

Chair Simpson moved a resolution for the meeting schedule for ANC 1C for 2015. He noted that the Commission generally meets the first Wednesday of the month, but in July and September the Commission will meet on the second Wednesday of the month. Commissioner Mossi seconded the motion that then passed by a unanimous vote of 6 to 0.

Meeting Schedule

Resolved that the meeting schedule for ANC1C for calendar year 2015 will be as follows:

- Wednesday, January 7, 7:00 pm*
- Wednesday, February 4, 7:00 pm*
- Wednesday, March 4, 7:00 pm*
- Wednesday, April 1, 7:00 pm*
- Wednesday, May 6, 7:00 pm*
- Wednesday, June 3, 7:00 pm*
- Wednesday, July 8, 7:00 pm [note delay]*
- August – No Meeting*
- Wednesday, September 9, 7:00 pm [note delay]*
- Wednesday, October 7, 7:00 pm*
- Wednesday, November 4, 7:00 pm*
- Wednesday, December 2, 7:00 pm*

b. Secretary’s Report

Secretary Guthrie reported that minutes for the special forum on Lanier Heights zoning and the revised draft minutes for the ANC 1C December meeting will be voted on at the February meeting and will be posted in advance of that meeting.

c. Treasurer’s Report

Treasurer Gambrell moved four resolutions related to ANC 1C finances.

i. Authorized agents for checking account for 2015

Treasurer Gambrell moved a resolution to designate the authorized check signers on the ANC 1C checking account. Vice-Chair Guthrie seconded the motion that then passed by a unanimous vote of 6 to 0.

Designation of Authorized Agents for Checking Account

Resolved that the following Commissioners will be listed on ANC1C’s BB&T checking account as authorized check signers:

- Chair Simpson*
- Vice Chair Guthrie*
- Secretary Guthrie*
- Treasurer Gambrell*

ii. ANC Security Fund for 2015

Treasurer Gambrell moved a resolution approving ANC 1C participation in the DC ANC Security Fund and authorizing payment of the necessary \$25 fee to participate. Vice-Chair Guthrie seconded the motion that then passed by a unanimous vote of 6 to 0.

Participation in ANC Security Fund

Resolved that ANC1C approves participation in the ANC Security Fund, authorizes the Treasurer to pay the \$25.00 fee for the period January 1, 2015 to December 31, 2015, and authorizes the Chair, Secretary, and Treasurer to execute the applicable ANC Security Fund agreement.

iii. Budget for 2015

Treasurer Gambrell moved a resolution to adopt the ANC 1C budget for 2015 and gave an overview of the line items. Commissioner Buffa seconded the motion. Chair Simpson noted that the budget will be posted on the new website which would be launched within the week. The budget was then adopted by a unanimous vote of 6 to 0.

Budget

Resolved that ANC1C adopts the attached budget for 2015.

2015 BUDGET

1. Net Salary & Wages	\$4,000
2. Insurance:	
a. Health	\$0
b. Casualty/Property	\$25
3. Total Federal Wages Taxes (Income and Soc. Sec.)	\$800

4. State and Local (DC, MD, VA) Income Taxes Paid	\$0
5. Unemployment Insurance Taxes	\$150
6. Tax Penalties Paid	\$0
7. Local Transportation	\$0
8. Office Rent	\$2,500
9. Telecommunication Services	
a. Landline Telephone	\$0
b. Cellular Telephone	\$0
c. Cable/Internet Services	\$0
10. Postage and Delivery	\$500
11. Utilities	\$0
12. Printing and Copying	\$1,500
13. Flyer Distribution	\$0
14. Purchase of Service	\$0
15. Office Supplies	\$0
16. Office Equipment	
a. Rental	\$0
b. Purchase	\$0
17. Grants	\$6,000
18. Training	\$0
19. Petty Cash Reimbursement	\$0
20. Transfer to Savings Account	\$0
21. Bank Service Charges	\$150
22. Website/webhosting	\$200
23. Other	\$0
Total	\$15,825

iv. Rental of meeting space at Mary's Center for 2015

Treasurer Gambrell moved a resolution to authorize the rental of meeting space at Mary's Center for ANC 1C meetings in 2014. Commissioner Mossi seconded the motion that then passed by a unanimous vote of 6 to 0.

Meeting Space

Resolved that ANC1C is authorized to rent meeting space from Mary's Center (2355 Ontario Road NW) for each meeting on ANC1C's meeting schedule for calendar year 2015.

III. Commissioner Announcements/Comments

- Commissioner Huezo announced that there would be a volunteer street clean-up day on Saturday January 17th and those who were interested could contact him for details.

- Commissioner Mossi introduced Ben Case from Mayor Bowser's office. Mr. Case said he would be handling community relations for Ward 1 for the Mayor's office and said he could be contacted for assistance at: Ben.case@dc.gov or 202-285-9238.
- Commissioner Mossi also introduced Tania Jackson, Chief of Staff for Ward 1 Councilmember Brianne Nadeau, and Claudia Barahona, Constituent Services Director for Brianne Nadeau. They said they will attend most ANC 1C meetings and can be contacted with any issues or problems: Ms. Barahona at: Cbarahona@dccouncil.us, and Ms. Jackson at: tjackson@dccouncil.us. The office phone number is: 202-724-0483. Ms. Jackson also said that Councilmember Nadeau will hold Coffee Talks on Saturdays at 10 am at different spots around the Ward to learn about issues in the community.

IV. Public Announcements / Comments (2 minutes each)

- Susana Castillo of the DC Prevention Center announced that there would be an event on Friday, January 30 for National Drug Fact Week at the Latin American Youth Center. She provided fliers with contact information on table in the back.
- Robert Robinson from the Grid 2.0 Working Group talked about the Pepco-Exelon merger and said that a decision on the merger will probably be reached by the DC Public Service Commission in April. He asked to do a presentation on the issue at a future ANC meeting and left materials on the back table.
- Kristen Barden, Executive Director of the Adams Morgan Partnership BID, welcomed the new and returning Commissioners. She noted that the BID's Clean Team will be collecting Christmas trees that are put out on curbs every Monday morning until early February.
- Denis James announced that Envision Adams Morgan would be holding a walking tour on Saturday, January 10 from to noon and that Kim Williams of the Historic Preservation Review Board will attend. He added that Envision Adams Morgan would hold office hours after the walking tour at Goodwill Baptist Church from 1 to 3 with a focus on issues related to historic districts. Commissioner Mossi asked if the Envision Adams Morgan survey was still open and Commissioner Huezco confirmed that the survey remains open.
- Benedicte Aubrun announced that Talking Transition DC would be meeting on January 17 at the Convention Center to make recommendations to the Mayor.

V. Upcoming Meeting Agendas for January

Chair Simpson reported that the meeting times and agendas for ANC 1C Committees were printed on back of this meeting's agenda. He highlighted the fact that the Public Services and the Environment Committee will be starting the conversation about modernization of Marie Reed Elementary School.

Commissioner Guthrie, Chair of the ABC and Public Safety Committee, noted that his Committee will be discussing a proposed Saint Patrick's Day pub crawl that has been suggested by Event Nation.

VI. Scheduled Business

a. Planning, Zoning, and Transportation

i. Proposed addition at 2719 Ontario Road NW

The owner of 2719 Ontario Road NW and his architect made a presentation of a proposed addition to their home. The architect explained that they are requesting a variance from the Board of Zoning Adjustment (BZA) based on the angled shape of the lot. The requests are for (i) a

variance to allow 74.35% lot occupancy, (ii) a variance to allow a floor area ratio of 2.32, and (iii) a special exception to allow a non-conforming court, in connection with a proposed addition at this location.

Commissioners asked about the plans for the addition, the floor area ratio (FAR), and the garage. Chair Simpson said he is sympathetic to the owners, but said variances are supposed to be for exceptional circumstances, and this appears to be like any other row house except for a slight angle. He moved a resolution to oppose the owner's BZA application on the grounds that it fails to meet the requirements for variance relief. Commissioner Gambrell seconded the motion.

Commissioner Buffa commented on the importance of following zoning regulations but noted they may be changing. Commissioner Mossi expressed concern about setting precedent by allowing the variance and said she wanted to hear from the neighbors about the proposed addition. Commissioner Guthrie said he would be inclined to support the proposal if it was limited to enclosing two porches. He noted that a goal for changing the Lanier Heights zoning was to preserve row houses, but said he would oppose this application because it also includes the addition of a third floor.

Chair Simpson asked if any members of the public wanted to speak on the application. A member of the public noted that the proposal to change Lanier Heights zoning to R-4 is to curb some of the excessive building that developers are doing, but that other restrictions would still apply in an R-4 zone.

The homeowners clarified that a small business is not operating in the home and that the request to expand their square footage is thus not related to a desire to accommodate such operations. The owner of the property said that families live differently than they did when these row houses were first built and that zoning restrictions are making it more difficult for families to stay in their homes.

The Commission passed the resolution by a vote of 5 to 0 to 1 (5 in favor, 0 opposed, and 1 abstaining).

2719 Ontario Road NW

Resolved that ANC1C opposes Board of Zoning Adjustment Application No. 18910 because the subject property, 2719 Ontario Road NW, fails to satisfy the requirements for variance relief set forth in DC Municipal Regulations 11-3103. In particular:

(i) The property does not have exceptional narrowness, shallowness, or shape, or exceptional topographical conditions, or other extraordinary or exceptional situations or conditions. Rather, the property is a typical rectangular rowhouse lot in the District of Columbia.

(ii) The strict application of the existing zoning would not result in peculiar or exceptional practical difficulties to the owners. Rather, the owners face the same typical challenges of adequate space that most owners of real property experience in the District of Columbia.

(iii) To grant the requested relief would impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. Specifically, the variance application is significantly out of compliance with current zoning standards in that it requests major exemptions from both the FAR limit of 1.8 (FAR 2.3) and the lot occupancy limit of 60% (74.35%). By way of clarification, the fact that 2719 Ontario Road NW is currently non-conforming to the existing zoning appears to be entirely due to the fact that a covered garage was built on the property at some point in the past. When the square footage of the covered garage is removed from the lot occupancy and floor area ratio calculations, the existing house is exactly conforming to the existing zoning. It should be required to remain conforming.

If the application were to be approved, it would seriously undermine the ability of zoning officials to require others to remain in conformity with the zoning that applies to their properties.

ii. Zoning Regulations Rewrite

Chair Simpson moved a proposed resolution stating ANC 1C's support of the Office of Planning's proposals concerning the R-4 zone. Commissioner Mossi seconded the motion. Chair Simpson explained that some pop-ups are allowed under current zoning regulations for zone R-4 and that the Office of Planning recommendation would (i) lower the height limit from 40 feet to 35 feet (up to 40 feet by special exception), (ii) require that mezzanines be counted as stories, and (iii) limit the instances where buildings can hold more than 2 units.

Commissioners spoke in support of protecting the integrity and appearance of the neighborhood. The resolution was then adopted by a unanimous vote of 6 to 0.

R-4 Zone

Resolved that ANC1C supports the Office of Planning's proposals and recommendations concerning the R-4 zone as set forth in Zoning Commission Case No. 14-11.

Chair Simpson moved a proposed resolution addressing the Office of Planning's proposals concerning occupancy of penthouses. Commissioner Guthrie seconded the motion. Chair Simpson explained that the proposal is related to changes to the Height Act.

Commissioners discussed the interplay of federal and DC law with respect to height restrictions. Following a suggestion from Larry Hargrove, Chair Simpson proposed a friendly amendment recommending a 10 foot height limit for penthouses on top of rowhouses. There was no opposition to including this revision. The resolution as amended passed by a unanimous vote of 6 to 0.

Penthouses

Resolved that with respect to the Office of Planning's proposals and recommendations concerning human occupancy in penthouses (in light of the amendment to the Height Act), ANC1C calls on the Zoning Commission to:

(i) Follow the text of the amended Height Act and allow only a single story of human occupancy within a penthouse, rather than two stories of human occupancy as proposed by the Office of Planning.

(ii) Retain the 1:1 setback ratio and the 1/3 roof occupancy limitations, particularly on any rowhouses (including rowhouses in the R-5-B zone). Apply a 10' penthouse height limit on any rowhouses (including rowhouses in the R-5-B zone).

(iii) Require that any occupied space within a penthouse count against the floor area ratio limitations of the existing zone.

b. ABC and Public Safety

Commissioner Guthrie said there are two pending applications for restaurant alcohol licenses that the Commission would either need to consider at this meeting, or lose its chance to protest them. He made a procedural motion to include in the agenda consideration of these applications without the typical two week advance notice on the grounds that not doing so would be adverse to the community. Commissioner Simpson seconded the motion that then passed by a unanimous vote of 6 to 0.

i. Restaurant alcohol license application for Risky Ventures

Commissioner Guthrie provided background on Risky Ventures and the process for reaching a settlement agreement with businesses. He moved a resolution to protest Risky Ventures' application for a restaurant alcohol license on the grounds that it would have an adverse effect on peace, order, and quiet in the community. Chair Simpson seconded the motion and explained that this would provide time to work out a settlement agreement with the owners. The resolution then passed by a unanimous vote of 6 to 0.

Resolution to Protest Application for CR license by Risky Ventures

Be it resolved that ANC 1C protests the application by Risky Ventures for a CR license on the grounds that granting the license would have an adverse effect on peace, order and quiet in the community.

ii. Restaurant alcohol license application for Exotic Hookah Lounge

Commissioner Guthrie moved a resolution to protest the application of Exotic Hookah Lounge for a restaurant alcohol license on the grounds that it would have an adverse effect on peace, order, and quiet in the community. Chair Simpson seconded the motion. Commissioners briefly discussed laws pertaining to hookah lounges and indoor tobacco use. The resolution then passed by a unanimous vote of 6 to 0.

Resolution to Protest Application for CR license by Exotic Hookah Lounge

Be it resolved that ANC 1C protests the application by Exotic Hookah Lounge for a CR license on the grounds that granting the license would have an adverse effect on peace, order and quiet in the community.

VII. Adjournment

Commissioner Gambrell moved to adjourn at 9:12 pm. Commissioner Huevo seconded the motion which passed by a unanimous vote of 6 to 0.