

Advisory Neighborhood Commission 1C

Adams Morgan

January 9, 2013

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on January 9, 2013 at Mary's Center. Chairman Wilson Reynolds called the meeting to order at 7:05 pm. Approximately 38 members of the public attended.

In attendance were Commissioners Brian Hart (1C01), Martis Davis (1C02), Ted Guthrie (1C03), Gabriela Mossi (1C04), Elham Dehbozorgi (1C05), Billy Simpson (1C06), Wilson Reynolds (1C07) and Jimmy Rock (1C08).

I. Introduction of Commissioners

Outgoing Chairman Reynolds introduced the new and returning Commissioners.

II. Election of 2013 ANC Officers

Commissioner Billy Simpson was nominated for the position of Chair by Commissioner Dehbozorgi. The nomination was seconded by Commissioner Rock, discussed and passed by a show-of-hands vote with 7 in support, none opposed, and one abstention.

Commissioner Dehbozorgi was nominated for the position of Vice Chair by Commissioner Mossi. The nomination was seconded by Chair Simpson, discussed, and passed by a show-of-hands vote with 8 in support and none opposed.

Commissioner Ted Guthrie was nominated for the position of Secretary by Commissioner Hart. The nomination was seconded by Commissioner Davis, discussed, and passed by a show of hands vote with 8 in support and none opposed.

Commissioner Dehbozorgi was nominated for the position of Treasurer by Commissioner Rock. The nomination was seconded by Commissioner Davis, discussed, and passed by a show of hands vote with 8 in favor and none opposed.

Commissioner Mossi was nominated for the position of representative to the Adams Morgan Business Improvement District by Chair Simpson. The nomination was seconded by Commissioner Davis, discussed, and passed by a show-of-hands vote of 8 in favor and none opposed.

III. Consent Agenda

Chair Simpson proposed four items on a consent agenda: new agents for the ANC 1C checking account; proposed committee structure and members; ANC 1C meeting schedule for 2013; and payment of the ANC security fund. The consent agenda was agreed to unanimously by voice vote.

CONSENT AGENDA

RESOLUTION REGARDING AUTHORIZED AGENTS FOR BB&T CHECKING ACCOUNT

WHEREAS, the individuals with current signing authority on the Advisory Neighborhood Commission 1C checking account are the officers of the Commission serving as of December 2012, and

WHEREAS, the Commission elected officers at its regularly scheduled meeting on January 9, 2013,

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be removed as authorized check signers from the Commission's BB&T checking account:

Katherine Boettrich, Treasurer
Stacey Moye, Vice Chair
Wilson Reynolds, Chair
Katherine Boettrich, Secretary

BE IT FURTHER RESOLVED, that the following individuals shall be listed on the Commission's BB&T checking account as authorized check signers:

William Simpson, Chairperson
Elham Dehbozorgi, Vice Chairperson
Ted Guthrie, Secretary
Elham Dehbozorgi, Treasurer

BE IT FURTHER RESOLVED, that the standard resolution form required by BB&T Bank be approved by the Commission in order to effectuate a change in authorized signers is hereby deemed approved and the above-named 2012 officers are hereby authorized to sign such resolution.

PROPOSED COMMITTEE STRUCTURE AND MEMBERSHIP FOR 2013

BE IT RESOLVED, THAT the committee structure, rules of operation, and jurisdictions for Advisory Neighborhood Commission 1C in calendar year 2013 shall be identical to those provided in 2012,

BE IT FURTHER RESOLVED, THAT Commissioner memberships of the committees shall be as follows:

ABC and Public Safety Committee - Chair Hart; Guthrie; Simpson
Planning, Zoning and Transportation Committee - Chair: Rock; Dehbozorgi; Reynolds
Public Services and the Environment Committee - Chair: Davis; Mossi; Reynolds

BE IT FURTHER RESOLVED, THAT the foregoing Resolved clauses are subject to revisions that the Commission may make from time to time during 2013.

ANC1C MEETING SCHEDULE FOR 2013

Monthly Business Meetings (First Wednesday, except January and July – 7:00 pm)

| | |
|------------|--------------------|
| January 9 | July 10 |
| February 6 | August: No meeting |
| March 6 | September 4 |
| April 3 | October 2 |
| May 1 | November 6 |
| June 5 | December 4 |

RESOLUTION AUTHORIZING PAYMENT TO ANC SECURITY FUND

BE IT RESOLVED, THAT Advisory Neighborhood Commission 1C approves participation in the Advisory Neighborhood Commission Security Fund and authorizes the Treasurer to pay the \$25.00 fee for the period January 1, 2013 to December 31, 2013, and

BE IT FURTHER RESOLVED, that the Chairperson, Secretary, and Treasurer are authorized to execute the applicable ANC Security Fund agreement provided by the District of Columbia.

IV. MPD & FEMS Report

Captain Larry Chapman of Washington Fire and EMS Department gave a report on cold weather issues including the signs and symptoms of hypothermia. He urged calling the hypothermia hotline number if anyone notices individuals with those symptoms: 1-800-535-7252.

V. Officer's Reports

Chair's Report

Outgoing Chairman Reynolds reported on the status of action items carrying over from 2012. Commissioner Davis reported on his meeting with DC's Chancellor of Education about school closings. Marie Reed elementary school will be absorbing some new students as a result of the closings. Commissioner Davis suggested that the ANC urge an increase in the Marie Reed capital budget for 2014 in connection with the absorption of new students. He also suggested looking into the boundary issues which prohibit students in ANC 1C from attending Oyster-Adams school.

Secretary's Report

Outgoing Chairman Reynolds reported on the status of October and December 2012 minutes which are in progress.

Treasurer's Report

Treasurer Dehbozorgi reported on finances for the last quarter of 2012.

VI. Commissioner Announcements/Comments

- Commissioner Guthrie announced that an open meeting of the Fund for Kalorama Park would be held on January 14 at 7:00pm at the Kalorama Recreation Center to discuss plans for a potential fence along the north edge of the park.
- Commissioner Davis announced an Envision Adams Morgan power point presentation scheduled for February 6. The presentation will cover Adams Morgan demographics now and how to collect input about how the community would like to evolve. The Envision website will be up in February.
- Commissioner Mossi announced that two public meetings remain on the DC Zoning Regulation Review. Information is on the Zoning Regulation Review website: <http://dcoz.dc.gov/info/zrr.shtm> She also announced a Great Streets DC program targeting nine corridors in DC for development and improvements. Applications may be submitted through January.

VII. Public Comments

- Juan Camilo Barragan of Mayor Gray's Office of Community Relations and Services gave an update on several trends -- homeless rates have gone down, but nonviolent crime has gone up a bit and the Mayor is asking the DC Council for more police officers. Barragan also announced that the Mayor's office has a web page for Inauguration information: <http://inauguration.dc.gov/>
- Kristen Barden of Adams Morgan BID announced that the combined Adams Morgan and U Street area has been designated as one of America's Top Twelve ArtPlaces by ArtPlace. The designation is for communities that combine the arts with independent businesses and vibrant neighborhoods. <http://www.artplaceamerica.org/articles/americas-top-artplaces-2013/>
- Paul Zukerburg urged support for decriminalizing marijuana.
- Marc Morgan of Adams Morgan Main Street announced a February 7 planning meeting for Adams Morgan Day and plans to bring back the Adams Morgan House tour.
- Denis James announced that the Kalorama Citizens Association would be meeting on January 17.
- Peter Lyden announced that the Reed Cooke Neighborhood Association would be meeting on January 10.
- Alan Roth asked Commissioner Davis to ask Chancellor Henderson about when construction at Oyster school will be done.

VIII. Committee Reports

Chair Simpson introduced the Commissioners' intention to announce at the monthly meetings the agendas for upcoming committee meetings in order to give the public advance notice.

A. ABC and Public Safety

Commissioner Hart announced that the next meeting of the ABC and Public Safety Committee meeting would be on January 16. Agenda items for future meetings include the moratorium on liquor licenses that expires in 2014; the omnibus re-write of the District's alcohol laws; and lighting issues at Marie Reed. The Committee will continue to hold joint meetings with the 3rd District Police Department.

B. Planning, Zoning and Transportation

Commissioner Rock announced that the Planning, Zoning and Transportation Committee would meet on January 22. Agenda items include the development project at 1700 Columbia Road (the old Ontario Theater project); valet parking in Adams Morgan; and the timing of the crosswalk lights. Commissioner Mossi will forward a letter from a resident regarding a possible zoning variance on Lanier Place. There may also be more action on the proposed development of 2012/2014 Kalorama.

C. Public Services and the Environment

Commissioner Davis announced that the Public Services and Environment Committee will meet on January 30. The Committee plans to look at the Envision Adams Morgan initiative and share information from a recent meeting with the DC Office of Planning. The Committee may consider sending a letter to the Department of Parks and Recreation reminding them of their obligation to notify the ANC before making changes to parks within the ANC's boundaries.

IX. New Business

A. Continued Rental of Meeting Space at Mary's Center (Simpson)

Chair Simpson offered a resolution to continue holding ANC meetings at Mary's Center for the next two months while exploring new meeting spaces. Marie Reed elementary school was discussed as an option. The resolution was seconded by Commissioner Dehbozorgi and approved by a voice vote of 7 in favor, none opposed, and one abstained.

**RESOLUTION TO SUPPORT CONTINUED RENTAL OF MEETING SPACE AT
MARY'S CENTER (Simpson)**

Whereas, Advisory Neighborhood Commission 1C (ANC1C) currently holds its meetings at Mary's Center (2355 Ontario Rd., NW); and

Whereas, the existing lease agreement between ANC1C and Mary's Center is set to expire on January 31, 2013; and

Whereas ANC1C wishes to explore holding its monthly business meetings as well as other occasional special meetings at a new location;

Now Therefore Be It Resolved that ANC1C authorizes the Chair and/or Vice Chair to explore an alternative location for meetings;

And Be it Further Resolved that, in the meantime, ANC1C is authorized to pay the monthly rental fee of \$110 for the meeting space at Mary's Center for the months of February and March 2013.

B. Proposed revisions to ANC1C By-Laws (Simpson)

Chair Simpson introduced a draft of proposed revised by-laws for the Commission. He noted two major proposed changes: 1) agendas for committee and Commission meetings would have to be announced in advance and only changed in accordance with exception rules in the by-laws, and 2) the community would have to be notified on what has been voted on following each meeting and what will be voted on in upcoming meetings. The draft by-laws will be posted on the ANC 1C website for public review and comment. The Commission seeks written comments from the public by the end January, to be discussed at the February meeting, with a final version to be voted on at the March meeting. Chair Simpson made a motion on this procedure and timetable for considering the proposed revised by-laws. It was seconded by Commissioner Hart and approved unanimously by voice vote.

C. Presentation on 2012/2014 Kalorama Road construction, Historic Preservation Review Board reconsideration and possible action by ANC 1C (HPO 12-625)

Commissioner Davis gave an overview of the 2012/2014 Kalorama Road case (HPO 12-625). Emily Bias, the attorney representing the abutting neighbors, made a presentation urging the Commissioners to ask the Historic Preservation Review Board to reopen the case and consider new information showing that the developers did not contact abutting neighbors as required and that the development would harm those neighbors. Mary McReynolds, president of the condominium association at 2101 Connecticut Avenue, argued that the development is not in keeping with the Kalorama Triangle Historic District and that it would violate a city ordinance on removing trees. Other residents spoke about the reduction in value of their units and parking problems with the project.

Commissioner Davis offered a resolution requesting the HPRB to revoke its prior approval of the project and reopen and reconsider the case and requesting the DCRA to continue freezing any permit processing of the project. The resolution was seconded by Chair Simpson and amended to include notification of this resolution to each member of the HPRB and staff and to Councilmember Jim Graham. The resolution as amended passed by voice vote of 7 in support, none opposed, and one absent.

***Resolution to Request Withdrawal of Prior HPRB Concept Approval and Grant
Reconsideration and Hearing by the Full Historic Preservation Review Board for
Application No. 12-625 Regarding 2012-2014 Kalorama Road NW***

Whereas, at a duly-noticed public meeting held on December 5, 2012, with a quorum of five of six Commissioners present, Advisory Neighborhood Commission 1C (the "ANC") approved by voice vote a Resolution requesting that the D.C. Historic Preservation Review Board (the "HPRB") reopen and reconsider HPO Case No. 12-625 (the "Application"), which granted conceptual HPRB approval for additions to historic rowhouses located at 2012-2014 Kalorama Road NW (the "Project"), and a copy of that resolution is attached hereto at Exhibit "A"; and

Whereas, on December 20, 2012 at a duly-noticed public meeting, the HPRB acknowledged receiving several letters, including from the ANC, requesting reconsideration of the Application and "asked that those requesting reconsideration submit any new information in writing by January 14th to the HPO," and stated that it "will consider the information, and if warranted, schedule the case for the reconsideration on the HPRB agenda;" and

Whereas, on January 7, 2013, representatives of the property abutting 2014 Kalorama Road NW, the 2101 Connecticut Avenue Cooperative Apartments, Inc. ("2101"), submitted correspondence to the ANC (the "January 7 Submission") which contained substantial new information (including expert reports and opinions) asserting that the Project may not lawfully be built, may be incompatible with the character of the Kalorama Triangle Historic District ("the Historic District"), will negatively impact the immediately adjacent neighbors, and will adversely affect quality of life in the ANC area; and

Whereas, it is the ANC's view that:

1. If the neighbors had been consulted back in September 2012 and they had brought this evidence to our attention at that time, the ANC would have asked the HPRB to defer its initial review of the Application on October 25, 2012 and, it is likely the Application would have been removed from the Consent Agenda and neighbors and developers would have had the opportunity to present their cases to the full HPRB board;

2. However, due to the Developer's misstatements on the HPRB application and to the ANC that they had contacted the neighbors (when they had not done so), the ANC was not in a position to know about any opposition, so they could not request such deferral;

3. The neighbors should not be penalized for the Developer's actions, and accordingly, the ANC now asks the HPRB to afford the neighbors the same rights they would have had if the process had worked correctly;

Therefore Be it Resolved that, in light of this new evidence, and in order to ensure protection of the neighbors' due process rights, the ANC does hereby request that the HPRB revoke its prior conceptual approval for the Project, and reopen and reconsider case No. 12-625, including review by the full HPRB of all written submissions and a hearing before the full HPRB in which the abutting neighbors, the ANC, and others who wish to be heard on the merits of the proposed Project are allowed to testify and make arguments, and that this be scheduled after the ANC's next meeting on Wednesday, February 6th so that the ANC has the opportunity to take a fully informed substantive position on the proposed Project; and

Further Resolved, that DCRA be informed of this request and continue to freeze any permit processing; and

Further Resolved, that this Resolution be communicated to each member of the Historic Preservation Review Board and its staff, DCRA and Councilmember Graham's office by the Chair of ANC 1C's Planning, Zoning, and Transportation Committee.

D. Resolution amending previous resolution in support of temporarily relaxing ANC voluntary agreements for the 2013 Presidential Inauguration

Commissioner Hart offered a resolution to amend a prior ANC 1C resolution in support of temporarily relaxing voluntary agreements to which the ANC is party in connection with alcohol sales during the 2013 Presidential Inauguration. The resolution was seconded by Commissioner Davis and passed by voice vote - 7 in support, none opposed, and one absent.

Resolution to Support Temporarily Relaxing of ANC Voluntary Agreements for 2013 Presidential Inauguration

Whereas, the Council of the District of Columbia has enacted a Budget Support Act that will allow class C retail establishments to extend their hours of operation and sales of alcohol for a seven day period, January 18 through January 21, 2013, during the 2013 Presidential Inauguration; and

Whereas, the Attorney General of the District of Columbia has ruled that existing voluntary agreements between Advisory Neighborhood Commissions, community organizations and residents supersede the actions of the Council; and

Whereas, the Advisory Neighborhood Commission 1C has sole and/or joint voluntary agreements with many class C retail establishments and/or the Kalorama Citizens Association, and/or the Reed Cooke Neighborhood Association.

Now, Therefore, Be It Resolved, that ANC1C agrees to the following with regard to sole and/or joint voluntary agreements between the ANC, the Kalorama Citizens Association, the Reed Cooke Neighborhood Association and class C retail establishments that have applied for the extended inaugural hours by the ABRA-mandated deadline of 4 p.m. on January 7, 2013:

ANC1C supports waiving any restrictions on the initial hour an establishment may open from (January 18 through 21, 2013) for the sale, service and consumption of food and alcoholic beverages so they may begin service at 8:00 a.m. and end at 4:00 a.m.

X. Adjournment

At 9:00 pm Chair Simpson made a motion to adjourn, which was seconded and passed by voice vote.