

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 3, 2014**

I. Call to Order and Introduction of Commissioners

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on September 3, 2014 at Mary's Center. Chair Simpson called the meeting to order at 7:06 pm. Approximately 34 members of the public attended. In attendance were Commissioners Brian Hart (1C01), Martis Davis (1C02), Ted Guthrie (1C03), Elham Dehbozorgi (1C05), Billy Simpson (1C06), Wilson Reynolds (1C07), and Jimmy Rock (1C08).

II. Officers' Reports

a. Chair's Report

Chair Simpson did not have anything to report.

b. Secretary's Report

Secretary Guthrie moved to approve the minutes for the July 9, 2014 ANC1C meeting. Commissioner Simpson seconded the motion which passed by a 5 to 0 vote (Commissioners Hart and Dehbozorgi had not yet arrived).

c. Treasurer's Report *(this report followed Commissioner's announcements)*

Treasurer Dehbozorgi summarized the ANC 1C third quarter report then moved for its adoption. Chair Simpson seconded the motion. Commissioner Davis noted Treasurer Dehbozorgi's great work on the report which was then adopted by a 7 to 0 vote.

III. Commissioner Announcements/Comments

- Commissioner Davis announced that the next Public Services and the Environment Committee meeting would be held on September 24 at Mary's Center instead of at the Kalorama Recreation Center. He said that an important item on the agenda is examination of the tax abatement offered to the developers of the new Adams Morgan hotel and his view that certain promised options for workers have not materialized. Commissioner Davis also announced that the Envision Adams Morgan survey is online at envisionadamsmorgan.org and that there will be information about the Envision project at the ANC 1C booth at the Adams Morgan Day festival.
- Chair Simpson moved to allocate \$450.00 for the ANC booth at Adams Morgan Day festival on Sunday, September 14. Commissioner Reynolds seconded the motion that passed by a vote of 6 to 0 (Commissioner Dehbozorgi had not arrived).
- Chair Simpson offered a procedural motion to include on the agenda, without the usual two weeks' advance notice, a request that Adams Morgan MainStreet Group provide its Adams Morgan Day budget to the community, on the basis that consideration of this item would not be adverse to the community. The motion was seconded by Commissioner Davis who added that the ANC has been asking for the budget to several years. The procedural motion passed by a vote of 6 to 0.

Commissioner Guthrie then moved a resolution that ANC 1C request that Adams Morgan MainStreet Group release to the community its budget and balance sheets for Adams Morgan Day for the last three years. Commissioner Davis seconded the motion. Commissioner Rock noted that as a 501c3 organization some of its financial documents must be made public. The motion passed unanimously by a vote of 7 to 0.

- Chair Simpson offered a procedural motion to add to the agenda approval of allocation of funds to hold the Public Services and the Environment Committee meeting on September 24 at Mary's Center on the basis that consideration of this item without the generally required two weeks' advance notice would not be adverse to the community. Commissioner Guthrie seconded the procedural motion that passed by a 7 to 0 vote. Chair Simpson then moved to allocate \$110.00 for meeting space at Mary's Center on September 24. Commissioner Davis seconded the motion that then passed by a vote of 7 to 0.
- Commissioner Dehbozorgi announced that a Lanier Place Halloween party will take place again this year involving some road closings in that area.
- Commissioner Reynolds announced that DC expiration of current visitor parking passes has been extended until end of the 2014 and that a new system will allow residents to renew these passes online.

IV. Public Announcements / Comments

Principals introduced

- Time was provided to hear from three new principals at Adams Morgan elementary schools: Mayra Canizales at Oyster-Adams Bilingual School; Katie Larkin at H.D. Cooke; and, Katie Lundgren at Marie Reed. Chair Simpson noted that ANC 1C has had good relationships with principals of area schools in the past, and that this is a unique opportunity to have three new principals all starting at the same time. He urged the principals to call on the Commission whenever they need something.
- Frank Maduro, Ward 1 liaison to Mayor Gray's office, said that he was available to assist with any issues involving the Mayor's office (contact: frank.maduro@dc.gov) and announced that the Age-Friendly Initiative is underway in DC with volunteers doing the block-by-block walks to identify any issues that need addressed. Commissioner Guthrie asked if the information that has already been submitted from block-by-block walks has been compiled. Mr. Maduro said that the information is going to be compiled and sent to various agencies such as the Department of Transportation and the Department of Public Works. He provided fliers in the back about various programs of the DC Office on Aging.
- Frank Maduro also announced that a service would be held on September 13 at the Columbia Heights Recreation Center for Mack Thompson, an active resident who passed away recently.
- Chris Otten asked the ANC to request impact studies on PEPCO's plan to increase the power at the substation near Marie Reed School. Commissioners asked Ernest Springs of the Reed-Cooke Neighborhood Association who he contacted at PEPCO about this.

- Karlisima, the artist of the mural over the Potter's House restaurant, announced that she is collecting signatures on a petition to preserve the mural.
- Jay Eichberg of Eichberg Construction gave an update on the ADAMO building on Adams Mill Road. He said they are working on traffic control plans for construction as well as plans to replace a waterline that runs down the center of Lanier Place. He said that traffic will flow on half of the street during work to replace the water line. In answer to a question from Commissioner Dehbozorgi, Mr. Eichberg said the replacement project would take roughly 30 days. He added that PEPCO would be doing work on street lights in the alley and moving lines underground.

V. Upcoming Meeting Agendas for September

Chair Simpson noted that the agendas for ANC 1C committee meetings in September are on the reverse side of the ANC agenda that was available in the back of the room.

Chair Simpson reported on a proposed development at the Meridian International Center near 16th Street that would be predominantly residential, but also include conference space. He said the developers may seek a zoning change and will begin presenting their proposal at a Planning, Zoning, and Transportation Committee meeting in September. The process will continue over several months as announced on the Adams Morgan Listserv.

Commissioner Hart said that the ABC and Public Safety Committee would consider the monthly police report as well as the issues of late-night noise; car break-ins; and, a class D alcohol license request for Matsuy Billiards.

Commissioner Rock said the Planning, Zoning, and Transportation Committee had a full agenda for its September 17 meeting, including parking for employees at the Marie Reed pool; the Dupont DC Residency Project; a proposal for a zoning change in Lanier Heights; the proposed development at Meridian International; and, the PEPCO substation issue. Chair Simpson suggested adding the issue of large trucks at Marie Reed.

Commissioner Davis said that the Public Services and the Environment Committee would take up the Line DC Hotel tax abatement and would be meeting at Mary's Center on September 24th instead of at the Kalorama Recreation Center.

VI. Scheduled Business

a. Public Services and the Environment

i. Grant application from Urban Rangers

Commissioner Davis introduced Katie Davis who presented a grant request for \$1,000 from Urban Rangers to collect stories from the neighborhood. She proposed using grant money to pay for graphics, phone lines, and a way to download the recorded stories. Commissioner Davis asked about ownership of the finished product. Ms. Davis said the recorded stories could be saved on a CD and downloaded to a website to share with the public and with ANC 1C.

Commissioner Davis moved to support the project with a \$1000 grant provided that the work product be presented to the ANC. Commissioner Rock seconded the motion. Commissioner Guthrie asked about the methodology and Ms. Davis explained that the Urban Rangers would do

some door-to-door organizing as well as phone outreach. She said similar projects have been successful in other parts of the country using this process. The grant for the story-telling project was approved by a vote of 7 to 0.

ii. Grant application from Jubilee Housing

Devin Thompson from Jubilee Housing, a local nonprofit that has been serving the neighborhood for over 40 years, presented a grant request to mulch area tree boxes during the Jubilee Housing Work Day on October 4th. Commissioner Davis moved to support the grant request of \$1000. Commissioner Simpson seconded the motion. Commissioner Dehbozorgi asked for an email listing the specific streets and tree boxes that would be receiving mulch. Mr. Thompson agreed to provide that information. He added that they need volunteers for the October 4 project date and that they would already be receiving help from landscapers. He said they have several thousand dollars for the project already and they're asking the ANC to provide a quarter of the funding for the project. Commissioner Dehbozorgi said she thought the neighbors would be interested, but Jubilee Housing needs to get the word out. Commissioner Davis suggested posting information on the Adams Morgan listerv. The Commission then approved the grant by a vote of 7 to 0.

b. Planning, Zoning, and Transportation

i. Reserved disabled parking space at 2215 Ontario Road NW

Commissioner Simpson moved to add to the agenda a resolution in support of creating a reserved disabled parking space on Ontario Road on the basis that consideration of the item without the usual two-weeks' advance notice would not be adverse to the community. Commissioner Rock seconded the procedural motion that was then approved by a 7 to 0 vote. Commissioner Rock moved to authorize sending a letter to the DC Department of Transportation to reserve a disabled parking space at 2215 Ontario Road. Commissioner Reynolds seconded the motion and explained that DDOT has preliminarily approved the parking space. Commissioners passed the motion to send the letter of support by a unanimous vote of 7 to 0.

ii. Proposed roof deck at 1922 Belmont Street

Commissioner Rock reported that a proposal for a roof deck at 1922 Belmont Street had been considered in the Planning, Zoning, and Transportation Committee, but had not been approved because the surrounding neighbors had not yet been contacted at that time. He said the Committee members saw no other problems with the proposal. The owners of 1922 Belmont presented their proposal to the Commission and asserted said that they are working constructively with their neighbors to address any concerns. Commissioner Rock moved that ANC 1C authorize him to send a letter to the Historic Preservation Office in support of the deck. Commissioner Reynolds seconded the motion that passed unanimously 7 to 0.

iii. Il Palazzo – 2700 16th Street NW

Commissioner Simpson provided background on Il Palazzo's request for a one-year extension on a building permit that was approved by the Zoning Commission. He explained that ANC1C was supposed to have received notice of the matter, but that notice was sent to ANC 1B instead. Commissioner Simpson moved that ANC 1C approve the extension. Commissioner Dehbozorgi seconded the motion. In response to questions and comments from Commissioners, the attorney for the developers said that she expected that construction would start in the next six months. Commissioner Reynolds asked for a contact regarding conditions and benefits that the

developers have promised to Jubilee Festival Center and others. Commissioners then passed the motion approving the extension by a unanimous vote of 7 to 0.

Resolution for Il Palazzo

ANC1C acknowledges that ANC1B was notified erroneously of the PUD extension request in Case No. 11-08A rather than ANC1C, and that the Zoning Commission approved a one-year extension at its April 14, 2014 public meeting. Nevertheless, ANC1C moves to approve a one-year extension in Case No. 11-08A and acknowledges that the record will be corrected to reflect this approval prior to issuance of the final order.

iv. Presentation on water main work at 2337 Champlain Street NW

Jay Eichberg, of Eichberg Construction and the general contractor of the project at 2337 Champlain Street, announced that traffic will be reduced to one way during replacement of a water main on Champlain Street. He said it will be well-orchestrated with flag men and barrels in place for safety and that the work would start about a week and would take from 4 to 6 weeks to complete. Mr. Eichberg said they have the necessary permits, but just wanted to alert residents to the disruption of traffic flow.

v. Proposed development at 2341 Ontario Road NW

Commissioner Rock reported that a request for zoning relief and variance for a proposed development at 2341 Ontario Road was approved in part and opposed in part by the Planning, Zoning, and Transportation Committee. Architects and Capital City Real Estate company representatives presented an amended proposal for development of the lot at 2341 Ontario Road which was scheduled for a September 16 hearing before the Board of Zoning Appeals. Commissioners asked about the size and number of the units in the proposed building (14 units), and urged the developers to meet with their neighbors at Mary's Center regarding impact during construction. The architect of the project said that Mary's Center was chiefly concerned with safe access during construction and that the developer has hired a traffic control consultant to advise on that issue. They also asserted that their efforts to schedule with Mary's Center to further their discussions have not been successful. Commissioner Reynolds proposed that they meet with Mary's Center within the week and make a good faith effort to resolve any problems.

Commissioner Simpson moved that ANC 1C support the developers' request before the BZA subject to the developers meeting with a representative from Mary's Center prior to the BZA hearing date and that ANC 1C not submit a letter of support unless that meeting takes place. Commissioner Hart seconded the motion. Commissioner Reynolds offered a substitute motion to request the BZA to postpone hearing the matter until October in order to give time for the developers to meet with Mary's Center. Commissioner Davis seconded the motion. Commissioner Hart expressed concern that Mary's Center might not have a chance to weigh in on construction and safety issues. The vote on the Commissioner Reynolds' motion to ask the Board of Zoning Appeal for a 30-day extension for a hearing on this matter passed by a vote of 6 to 1.

vi. Curb cut at 1711 Florida Avenue; letter to DDOT to assess traffic flow

Commissioner Rock reported that the Planning, Zoning, and Transportation Committee previously voted to support a proposed development at 1711 Florida Avenue NW. He said that the

developer is now requesting authorization to eliminate two existing curb cuts on Champlain Street and to instead extend a curb cut on Florida Avenue by about 2 feet so that it is wide enough for trucks. Commissioners noted that eliminating the existing curb cuts will result in a gain of parking spots on Champlain. Commissioner Rock moved that ANC 1C authorize him to send a letter to the District Department of Transportation in support of the curb cut requests. Since the motion came out of the PZT Committee with recommendation it did not need a second. Commissioners passed the motion by a vote of 7 to 0.

Commissioner Rock also reported that the PZT Committee recommended that he send a letter to DDOT requesting a traffic study at 1711 Florida considering whether the intersection of V Street and Florida should be changed. No second was needed and the motion passed by a unanimous vote of 7 to 0.

vii. MiCasa – 1919 Calvert Street

Commissioner Simpson reported that the affordable housing nonprofit MiCasa has requested ANC 1C to support the Department of Housing and Community Development loan for a housing project at 1919 Calvert Street. He offered a motion to send a letter of support to the Department of Housing and Community Development. Commissioner Davis seconded the motion, which passed by a unanimous vote of 7 to 0.

b. ABC and Public Safety

i. Matsuy Billiards' Application for Class D License

Commissioner Simpson explained that he would make a motion to protest the Matsuy Billiards' application for a Class D liquor license in order to reserve standing before the ABC board to resolve any concerns, but invited the owners, who were present, to come to the next ABC and Public Safety Committee meeting to tell Commissioners about their application. Commissioner Simpson made a procedural motion to include the matter on the agenda without the usual two weeks' advance notice on the basis that it would be adverse to the community not to. Commissioner Davis seconded the motion that passed by a vote of 7 to 0. Commissioner Simpson then moved to protest Matsuy Billiards' application for a Class D license on the grounds that it would have an adverse effect on the peace, order, and quiet in the community. Commissioner Reynolds seconded the motion that passed by a vote of 7 to 0.

ii. Harris Teeter settlement agreement

Commissioner Hart reported that representatives from Harris Teeter grocery store came to the ABC and Public Safety meeting in July to request support for extending their hours for selling alcohol in the morning and at night, and to be allowed to sell single containers of beer. He said that the Committee recommended support for morning hours, but recommended opposing later hours at night and single sales of beer. However, members of the Committee agreed to try to work with Harris Teeter representatives on a compromise proposal to allow sale of single containers of imported or craft beers of a large size. He also explained that Harris Teeter wants uniform hours across the city.

Commissioner Simpson moved to support a change to ANC 1C's current settlement agreement with Harris Teeter to allow sale of single containers of imported and craft beer over 20 ounces. Commissioner Hart seconded the motion. Commissioner Dehbozorgi expressed concern about setting this precedent for other grocery stores. Commissioner Hart said the ANC could treat such requests on a case-by-case basis. Commissioner Reynolds offered an amendment to remove

reference in the original motion to products sold at other Harris Teeter stores. Commissioner Davis seconded the motion to amend which then passed by a vote of 4-2-1.

Commissioners discussed the pros and cons of reaching a negotiated solution in a settlement agreement versus Harris Teeter asking the ABC Board for the changes. The Commissioners then passed the resolution regarding single sales as amended by a vote of 5 to 2.

Commissioner Simpson moved to support a change to the morning hours in the settlement agreement for the sale of beer and wine from 9 am to 7 am. Commissioner Reynolds seconded the motion. Commissioner Dehbozorgi again said the ANC will have to do this for all grocery stores. Commissioner Guthrie questioned the negotiation strategy. The Commissioner then passed the motion to allow earlier hours by a vote of 4-3.

Commissioner Hart moved to support a change to the evening hours for selling beer and wine from 10 pm to 11:30 pm for the first year following the agreement and to midnight in subsequent years. Commissioner Reynolds seconded the motion that then failed by a vote of 3 to 4.

Resolution for Harris Teeter

Resolved that ANC1C supports amending its settlement agreement with Harris Teeter as follows:

Paragraph 10 as currently in effect:

"The Applicant will not sell single containers of beer of any size."

Proposed amendment to Paragraph 10:

"The Applicant will not sell single containers of beer less than 20 oz. The Applicant will not break apart a manufacturer's packaging in order to accomplish sales of single containers of beer. The single containers of beer that are sold by the Applicant will be the same products that the Applicant sells at its other stores in the District of Columbia which consist of imported and craft beers."

Paragraph 4 as currently in effect:

"Hours of Alcohol sales: Applicant will maintain hours for beer and wine sales from 9 a.m. to 10 p.m."

First proposed amendment to Paragraph 4:

Replace "9 a.m." with "7 a.m."

VII. Adjournment

Commissioner Rock moved to adjourn at 10:53 pm. Commissioner Davis seconded the motion which passed by a unanimous vote of 7 to 0.