

ADVISORY NEIGHBORHOOD COMMISSION 1C
Adams Morgan

Minutes of October 21, 2002 Meeting

A scheduled planning and forum meeting of Advisory Neighborhood Commission 1C was held on October 21, 2002, at the 3rd District Police Station. A quorum being present, Chairperson Miscuk called the meeting to order at 6:55 pm.

Attending were Commissioners Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, and Brody. Approximately 50 members of the public attended.

OFFICERS' REPORTS

Vice-Chairperson Wright raised the question of what policy the ANC should adopt regarding the posting of campaign- and election-related information on the ANC website. By unanimous consent, Webmaster Bill Falls will be directed to insert a link to the DC Board of Elections and Ethics website.

Treasurer Gibson reported that the ANC's bank balance as of October 21, 2002, is \$44,731.90. Treasurer Gibson moved that the ANC approve the expenditure of \$74.06 to pay the Verizon phone bill. The motion was seconded and approved by voice vote without discussion.

PLANNING

Commissioner Roth (1C01) hopes to have a resolution for the November 6, 2002 meeting approving an ABC cooperative agreement with The Common Share.

Commissioner Miscuk (1C03) may present a resolution regarding the proposed Department of Parks and Recreation plan for Walter Pierce Park.

Commissioner Jovanka (1C05) requested that the Hillyer Group be invited to make a presentation at the November 6th meeting on its plans for renovation of H.D. Cooke Elementary School. The Chair deferred a commitment on that request, pending the outcome of tonight's full agenda.

Commissioner Johnson (1C06) may present a resolution regarding a requested curb cut at 17th and Euclid Sts., and may also present a resolution regarding Jubilee Housing.

FORUM TOPIC - REED-COOKE OVERLAY AND DEVELOPMENT ISSUES

Mr. Peter Lyden, representing the Reed-Cooke Neighborhood Association, was recognized for a presentation on the Reed-Cooke Overlay and its relationship to various current and planned developments in the Reed-Cooke neighborhood. Mr. Lyden then responded to questions from Commissioners and community members.

NEW BUSINESS

1921 Kalorama Road, NW Zoning Variance Request - Peter Brown, Esquire (Greenberg, DeLorme &

Luchs), representing Southwest Properties, the owner of 1921 Kalorama Road, NW, was recognized to explain his client's request for a use variance to allow a consolidated management office for six residential properties all owned by Southwest (BZA Case No. 16951). The building is located in an R-5-B district. Ms. Katherine Ozer was recognized to speak on behalf of the building's tenants in opposition to the requested variance. Mr. Brown and Ms. Ozer then responded to questions from Commissioners.

Commissioner Wright moved that ANC 1C oppose the requested use variance in this case. The motion was seconded and, after further discussion, approved by a roll call vote of 8-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody

1811 Columbia Road, NW Public Space Request - Mr. Dan Donohoe, representing the family that owns the building and adjacent parking lot at 1811 Columbia Road, NW, accompanied by Mr. Teo Ayala, the business tenant of the building and lot, were recognized to explain their request for a public space permit to pave over the lot and enclose it with a 42" wrought iron fence for use as a parking lot. Approximately 1/2 of the lot is located on private property and the other 1/2 on public space. The lot is located in a C-2-B district. Messrs. Donohoe and Ayala then responded to questions from Commissioners and members of the public.

Commissioner Wright moved that ANC 1C support the application for a public space permit on the lot. The motion was seconded. After further discussion, Commissioner Roth offered an amendment to add at the end of the main motion the phrase, "conditioned on no valet parking use of the lot and Applicants' agreement to that condition." The motion was seconded and, after further discussion, the Applicants agreed to the condition stated in the amendment.

The amendment was approved by voice vote, and the Wright motion as amended was then approved by a roll call vote of 8-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody

2713 Ontario Road, NW Zoning Variance Request - Dr. Marta Sotomayor, representing the National Hispanic Council on Aging, was recognized to explain the request of the Marta Sotomayor Revocable Trust, owner of 2713 Ontario Road, NW, for a variance from the floor-area ratio (FAR) of the zoning regulations to allow office space and a community service center on the ground floor of this building, located in a C-2-B district (BZA Case No. 16814). Mr. Ken Levy, a neighboring resident, was recognized to present the opposition of several residential neighbors to the application. Dr. Sotomayor and Mr. Levy then responded to questions from Commissioners.

Commissioner Johnson moved that ANC 1C support the Applicant's FAR variance request. The motion was seconded and, after further discussion, approved by a roll call vote of 6-2, as follows:

AYE Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody
NAY Roth, Wright

1701 Kalorama Road, NW - Commissioner Brody moved the approval of the following resolution to support the request of Jemal's Wheel LLC, owner of 1701 Kalorama Road, NW, for various variances and special exceptions in connection with a proposed residential development at that location (BZA Case No. 16924):

RESOLUTION TO SUPPORT THE PROJECT AT

1701 KALORAMA ROAD

Be it resolved that the Adams Morgan ANC (ANC 1C) supports the proposed project at 1701 Kalorama Road with the following relief:

*Variance from the lot occupancy requirement of Section 772;
Variance from the floor area ratio requirements of Section 771;
Variance from the residential recreation space requirements of Section 773;
Variance from the parking drive aisle width requirements under Section 2117;
Variance from the loading berth requirements of Section 2201;
Special exception from the maximum permitted height requirements under Section 1403; and
Special exception from the roof structure requirements of Section 411.*

Be it further resolved that the officers of ANC 1C are authorized to communicate this intent to all agencies, offices, parties and other elected officials as necessary.

The motion was seconded and discussed. Based on the representations of all concerned that the BZA hearing on this matter had been rescheduled from November 8 to December 10, 2002, Chairperson Miscuk moved to postpone further consideration of this matter until the ANC's next business meeting on November 6th. The motion was seconded.

Commissioner Johnson moved to amend by changing the date for consideration to the ANC's next forum meeting on November 18th. The amendment was seconded, discussed, and defeated by a roll call vote of 1-7, as follows:

AYE Johnson
NAY Roth, Wright, Miscuk, Bailey, Jovanka, Gibson, Brody

The Miscuk motion was then approved by a roll call vote of 7-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Gibson, Brody
ABSTAIN Johnson

Starbucks Public Space Application at 16th & New Hampshire - Commissioner Miscuk moved that ANC 1C oppose Starbucks' application for a public space permit to allow it to cover the green space adjacent to its premises at the corner of 16th St. and New Hampshire Ave. for use as an outdoor patio/sidewalk café. The motion was seconded, discussed, and approved by a roll call vote of 8-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody

2301 Champlain St., NW Variances and Special Exceptions - Commissioner Johnson moved that ANC 1C support the request of 2327 Champlain St. LLC, owner of the premises at 2301 Champlain St., NW for the following specified variances and special exceptions in connection with a proposed residential development at that location (BZA Case No. 16931):

Special exception from the height limitations under sections 1402 and 1403;
Special exception from the roof structure provisions under sections 400 and 411;
Variance from the floor area ratio requirements under section 402; and

Variance from the lot occupancy requirements under section 403.

The motion was seconded and discussed among the Commissioners. The floor was then opened for public discussion.

Commissioner Johnson moved to postpone further consideration of the matter until the ANC's November 6th meeting. The motion to postpone died for lack of a second.

After further discussion, Commissioner Roth moved to amend the motion by inserting at the end the following: "subject to the incorporation in the BZA order of a construction plan designed to minimize inconvenience to other residents and businesses in the area to the extent practical." The amendment was seconded, discussed, and approved by voice vote.

Commissioner Brody moved to call the question. The motion was seconded and approved by a roll call vote of 7-1, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Gibson, Brody
NAY Johnson

The original Johnson motion to support, as amended, was then approved by roll call of 6-1, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Gibson
NAY Brody
ABSTAIN Johnson

1704 T Street, NW HPRB Application - Commissioner Miscuk moved that ANC 1C inform the Historic Preservation Review Board that it has no opposition to the construction of an addition to the building at 1704 T Street, NW. The motion was seconded and discussed. Mr. Michael Paul, President of the tenants' association, and Mr. John Holmes of Adams Investment Group, the developer selected to carry out the project, were recognized and spoke in favor of the motion.

Commissioner Roth moved to amend by inserting at the following statement at the end: "ANC 1C takes no position on the most appropriate design for the project." The amendment was approved by unanimous consent.

The Miscuk motion, as amended, was then approved by a roll call vote of 8-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody

Larry's Lounge ABC Protest - Commissioner Roth moved for approval of the following resolution:

***ANC 1C RESOLUTION
WITHDRAWING PROTEST OF SUBSTANTIAL CHANGE
FOR TAN INC. T/A LARRY'S LOUNGE AND COFFEE HOUSE***

WHEREAS, on September 16, 2002, Advisory Neighborhood Commission 1C voted to protest the application of TAN Inc. t/a Larry's Lounge and Coffee House, 1840 18th Street, NW, for a

substantial change to its Class C/T ABC license (Case No. 32220) on the grounds of an adverse effect on peace, order, and quiet within the boundaries of ANC 1C; and

WHEREAS, said establishment is located within the boundaries of Advisory Neighborhood Commission 2B, and ANC 2B has reached a cooperative agreement with said establishment, the terms of which are satisfactory to ANC 1C;

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C hereby withdraws its protest of the substantial change application in this case and authorizes the Chairperson of ANC 1C to communicate this withdrawal to the ABC Board.

The motion was seconded, discussed, and approved by a roll call vote of 8-0, as follows:

AYE Roth, Wright, Miscuk, Bailey, Jovanka, Johnson, Gibson, Brody

ADJOURNMENT

Commissioner Johnson moved that the meeting be adjourned. The motion was seconded and approved by voice vote.

Whereupon, the meeting was adjourned at 10:55 p.m.

Peter L. Klempay
Secretary ANC 1C

Approved December 4, 2002