

ADVISORY NEIGHBORHOOD COMMISSION 1C

Adams Morgan

Minutes of April 7, 2004

A scheduled meeting of Advisory Neighborhood Commission 1C was held on Wednesday April 7, 2004 at the Third District Police Headquarters. ANC1C Chairman Alan Roth called the meeting to order at 7:05 p.m. Approximately 20 members of the public attended the meeting.

Attending were Commissioners Alan Roth (1C01), Bryan Weaver (1C03), Mindy Moretti (1C04), Andy Miscuk (1C05), Andrea Broaddus (1C06) and Josh Gibson (1C07).

SECRETARY'S REPORT

Commissioner Moretti, secretary moved the approval of the Minutes for the March 3 regular meeting and the March 15 public forum. The motion was seconded, discussed and approved by voice vote.

TREASURER'S REPORT

Commissioner Apostolides, treasurer was not in attendance so there was no treasurer's report provided. Commissioner Gibson did however offer a resolution amending the 2004 budget. The resolution was seconded, discussed and approved by voice vote. A copy of the budget as amended is attached.

Resolution Amending ANC1C 2004 Budget to Include Increased Storage Costs Effective April 1, 2004

WHEREAS, the storage costs for ANC 1C have been raised by Storage USA to \$117 per month, effective April 1, 2004, and

WHEREAS, ANC 1C has already approved its fiscal year 2004 budget,

NOW THEREFORE BE IT RESOLVED THAT, Advisory Neighborhood Commission 1C amends its fiscal year 2004 budget to reflect increased storage costs (as reflected in the attached budget spreadsheet).

PUBLIC COMMENTS

Commissioner Roth opened the floor to members of the community. Denis James brought to the attention of the commissioners a raze permit application filed for 1822 Kalorama Rd. Bill Thomas provided an update on the status taxi stands for 18th St. Gabriela Mossi, Adams Morgan Main Street, announced two upcoming tree plantings. Lisa Duperier, Fund for Kalorama Park, announced an upcoming Easter egg hunt in Kalorama Park.

COMMITTEE REPORTS

ABC & Public Safety

Lt. Gottert provided the commission with an update on crime in the neighborhood including information about a recent crime spree on April 4 and 5 that involved 18 crimes in about 9 hours.

Commissioner Weaver provided the commission with two related Voluntary Agreements (VA) for Roxanne's/Peyote Café and for Spaghetti Garden. Commissioner Weaver moved that the Commission adopt the first VA, which would put the ABC license for Roxanne's/Peyote Café in safekeeping indefinitely. The motion was seconded and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Broaddus, Gibson
NAY: None

Commissioner Weaver then made a motion to approve the 2nd, general VA with Spaghetti Garden. The motion was seconded and discussed. Commissioner Roth made a motion to amend the VA by striking the following language from paragraph 4(g): "any such performance will end no later than 1:45 a.m." The amendment was seconded, discussed and approved by roll call vote:

YEA: Roth, Moretti, Miscuk, Broaddus, Gibson
NAY: Weaver

The VA as amended was then discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Broaddus, Gibson
NAY: None

Planning Zoning and Transportation

Commissioner Gibson gave an update on discussions at the March 24th PZT meeting including a decision to not pursue re-opening Champlain St. underneath the Marie Reed Learning Center, as well as a planned variance and special exception application for 1701 Kalorama Rd. for residential use. Commissioner Gibson noted that the next PZT Committee meeting will be Wednesday, April 21 at 8 p.m. at the Third District Police Headquarters.

Public Services

Commissioner Roth asked to move the two action items under the Public Services Committee to the end of New Business to allow Commissioner Apostolides time to arrive. Commissioner Roth also gave an update on the settlement of a legal battle between certain residents on Vernon St. and the developer of 1821 Florida Ave.

UNFINISHED BUSINESS

Commissioner Broaddus introduced a resolution to rename Rabaut “Pigeon” Park in honor of Monsignor Oscar Romero and to name an alternative parcel of Rock Creek Park in honor of the late Rep. Louis Rabaut. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Broaddus, Gibson
NAY: None

Resolution to Support Renaming Rabaut Park in Honor of Monsignor Romero

To recognize, honor and observe the importance and contributions of Monsignor Oscar Arnulfo Romero to the people of Latin America and humanity, and to support the proposal to rename Rabaut Park in the District of Columbia in his honor.

WHEREAS, Rabaut Park was originally designed as the terminus and turnaround point of the Mt. Pleasant Trolley, and was named for Michigan Congressman Louis Rabaut for his role in redeveloping it as part of the Rock Creek National Park in the early 1960’s; and

WHEREAS, Rabaut Park forms a crossroads between Adams Morgan, Mt. Pleasant, and Columbia Heights, neighborhoods which were the first home for many Latin American immigrants and which remain a cultural center for the Latino community in the District of Columbia, and as a customary gathering place for community residents has acquired the neighborhood name of “Parque de las Palomas”, or Pigeon Park; and

WHEREAS, a group of concerned neighbors called the Friends of Pigeon Park have proposed to reinvigorate the park as a center of cultural and community life, in part by renaming it in honor of Archbishop Oscar Arnulfo Romero, beloved spiritual leader of the people of Latin America as well as the international community; and

WHEREAS, the Friends of Pigeon Park have identified another portion of Rock Creek National Park in Adams Morgan which is not as central to the cultural heart of the community, and have proposed to name it for Congressman Rabaut so that the honor bestowed upon him may be preserved; and

WHEREAS, Monsignor Romero dedicated his life to justice and fair treatment of the poor and working class people of the world and died as a martyr in their defense; and

WHEREAS, Monsignor Romero was an advocate of peace who continues to strengthen and inspire those working to resolve conflicts and end violence in our community and the world; and

WHEREAS, Monsignor Romero remains alive as a point of reference for many native and immigrant Latin Americans in the U.S., especially the struggling poor, continuing to offer hope, courage, inspiration and dignity;

WHEREAS, the teachings and testimony of Monsignor Romero are a guiding light among Latino communities in the U.S, converting many inspired by his life into leaders in defense of the most needy among us; and

WHEREAS, Monsignor Romero's dedication to serving God and ending the oppression of his people made him a great humanitarian of the 20th century; and his life and work are part of the cultural and religious heritage, not only of the Salvadoran people, but of the world; and

WHEREAS the District of Columbia, as the nation's capitol and host to the international community, would be enhanced by a memorial to Monsignor Romero;

NOW, THEREFORE LET IT BE RESOLVED, that the Adams Morgan Advisory Neighborhood Commission supports the effort to honor Monsignor Oscar Arnulfo Romero by changing the name of Rabaut Park to Monsignor Romero Park;

FURTHER RESOLVED, that Rock Creek Park parcel XXXX be named in honor of Congressman Rabaut.

NEW BUSINESS

Commissioner Gibson offered a resolution to support the temporary removal of two public pay telephones in the neighborhood. The resolution was seconded, discussed and approved by voice vote:

Resolution Regarding Payphones at 2001 and 2307 18th St., NW

WHEREAS, the placement of payphones on public space requires the approval of the District Public Space Committee; and

WHEREAS, the payphones currently located at 2001 and 2307 18th Street, NW are not being maintained properly, have become eyesores, and no longer represent an effective use of public space;

NOW, THEREFORE, BE IT RESOLVED that ANC 1C requests that Public Space Committee deny the use of public space at these addresses for continued payphone placement, and that the existing phones be removed immediately; and

FURTHER RESOLVED, that at such time that the owners of these payphones have demonstrated to the Commissioner from 1C07 that brand new phones will be installed in those locations, and that those phones would be properly maintained on a permanent and ongoing basis under threat of renewed removal of the phones, the Commissioner from 1C07 will recommend that ANCI1C support the use of public space for their reinstallation.

Commissioner Gibson then introduced Dennis Lee of Capital Design Group. Mr. Lee gave a presentation on his company's plans to build an additional two floors on the top of the Cities building (now Left Bank) at 2424 18th St. Construction of the two floors will require lane closures on 18th St. for several hours per day for several weeks. Commissioner Gibson introduced a resolution opposing the public space permit to site a crane on 18th St. for the construction. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Gibson

NAY: Miscuk

ABSTAIN: Broaddus

Resolution Regarding Proposed Road Closure Caused by Construction at 2424 18th St., NW

WHEREAS, Capital Design Group, Inc. has indicated their intention to apply for a public space permit at 2424 18th Street, NW that would seek the closure of two to three lanes of 18th Street for from two to three weeks, Monday to Friday, from either 7:30AM or 9AM until 3PM; and

WHEREAS, 18th Street represents the geographic and economic center of residential and commercial Adams Morgan; and

WHEREAS, the closure of segments of 18th Street as envisioned in the application would cause undue hardship to neighboring residents and businesses; and

WHEREAS, the December, 2003 closure of a smaller number of lanes of 18th Street for a construction project caused certain and measurable harm to local businesses, especially to the retail and restaurant lunch businesses that already struggle in our community; and

WHEREAS, due to the negligence of this previous contractor, as a penalty for their poor performance, the entirety of 18th Street is due to be repaved, curb to curb, at their expense; and

WHEREAS, the crane usage and construction work envisioned at 2424 18th Street, NW would be inimical to that repaving process, either by delaying the work, or by damaging it if it is already completed;

NOW, THEREFORE, BE IT RESOLVED that ANC 1C requests that the Public Space Committee and other relevant officials oppose any and all applications by Capital Design Group, Inc. related to 2424 18th Street, NW that involve any closure of the sidewalk or driving lanes adjacent to their property.

Commissioner Gibson offered a resolution supporting the public space permit for Saki at 2477 18th St., NW for an enclosed sidewalk café. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Gibson, Broaddus

NAY: None

Resolution Regarding Public Space Application 04-010

WHEREAS, Showboat, LLC has applied for a public space permit (04-010) to approve an unenclosed sidewalk café at 2477 18th Street, NW; and

WHEREAS, ANC 1C is attempting to scale back public space hours based on proximity to nearby residences;

NOW, THEREFORE, BE IT RESOLVED that ANC 1C supports Public Space Application 04-010 with the following change: that the outdoor hours of the operation are limited to midnight from Sunday to Thursday and to 1 a.m. on Friday and Saturday.

Commissioner Roth noted that the Commission needed to determine a topic for the May 17th Public Forum. Several commissioners offered ideas. Commissioner Roth moved that the public forum be about affordable housing in the community. The motion was

seconded, discussed and approved by voice vote. Commissioner Weaver agreed to take the lead on the forum.

Commissioner Weaver offered a resolution supporting DC Council Bill 15-133 that strengthens the laws allowing tenants to purchase their apartments in a condo or co-op conversion. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Broaddus, Gibson
NAY: None

**ANCIC Supports DC Council Bill 15-133
“Rental Housing Conversion and Sale Act” Without Exceptions of Properties**

Whereas, many landlords are taking advantage of a loophole in the Rental Housing Conversion and Sale Act to deny tenants their right to purchase;

Whereas, Bill 15-133 would amend the Act to restore tenants’ opportunity to purchase their building when the owner decides to sell;

*Whereas, Tenants’ rights to purchase are triggered under the Act whenever a property is put up for “sale.” The definition of “sale” was amended in 1994 so that tenant protections only apply when an owner transfers his **entire** interest in a property **within a 12-month period**. Transfers of less than 100% interest are not considered a “sale” under the current definition;*

Whereas, Relying on the “100% transfer” requirement, building owners are transferring part of their property interests without providing tenants with the opportunity to purchase their homes. Typically, owners transfer 95% of their interest initially and surrender the remaining 5% after the 12-month period expires. Most affected tenants receive no notice of the transfer until after it has been completed;

Whereas Since May 2000, at least 125 buildings have been sold without giving tenants the right to purchase --- several within the boundaries of ANCIC. These transfers are happening across the city, affecting both large and small properties;

Whereas, Tenant purchase is critical to promoting homeownership in the District. Without the triggering of the “sale” provision, tenants do not receive advance notice that control of the property is being transferred and are cut out of the purchase process. Affected tenants lose the benefits of homeownership, including residential stability, long-term affordability, and the chance to build wealth;

Whereas, The tenant purchase law enables renters to have some control over the fate of their buildings and communities. Even if they don’t purchase the property, they can help choose a responsible, committed owner and arrange for long-term affordability;

Whereas, Owners started using the loophole when the city’s housing market started heating up. Now new owners are raising rents, taking steps to vacate the properties to redevelop them, or discontinuing their residential use. Many affected tenants are long term residents who are ultimately forced out of areas where housing costs are escalating, losing the chance to benefit from the development taking place in their neighborhoods;

Whereas, Bill 15-133 contains an exception denying tenants in federally subsidized buildings the right to purchase when a new owner is refinancing the property and will maintain affordability.

The Council should pass the bill without the exception, and provide the same opportunity to all tenants in the city;

BE IT FURTHER RESOLVED, that ANC 1C urges the Mayor and the City Council of the District of Columbia Council to enact Bill 15-133, without excepting any properties, to preserve tenants' first right to purchase whenever a controlling interest in a property is transferred;

BE IT FURTHER RESOLVED, that ANC 1C authorizes the Chair or a Commission designee to speak before the Council or other body on this matter.

Commissioner Weaver then offered a resolution in support of the Housing Production Trust Fund. The resolution was seconded, discussed and approved by roll call vote:

YEA: Weaver, Moretti, Miscuk, Broaddus, Gibson

NAY: None

ABSTAIN: Roth

Resolution Concerning the Housing Production Trust Fund

WHEREAS, there is a continuing affordable housing crisis in the District of Columbia. Sales prices for homes in the District are increasing at twice the regional pace. The District's recent housing construction boom, while promoting investment in neglected neighborhoods, is driving up housing costs and promoting gentrification and fears of displacement; and

WHEREAS, affordable housing is in short supply, meeting the needs of less than 50 percent of the District's lowest income residents, including 58,000 low-income households in the city who spend more than 30 percent of their income on housing. The supply of affordable housing is further threatened by the loss of public housing units through the HOPE VI revitalization program, the threat of expiring contracts on thousands of units of private, federally-subsidized housing, and threatened cuts in the Housing Choice Voucher program (Section 8); and

WHEREAS, ANCIC supports preserving affordable housing for low and moderate income residents, preserving housing for the elderly and other special populations, and discouraging displacement of current residents; and

WHEREAS, ANCIC supports creating homeownership opportunities for low and moderate income residents and accepts that homeownership promotes residential stability and long-term affordability, and helps residents build wealth; and

WHEREAS, ANCIC believes that the Housing Production Trust Fund, receiving dedicated funding from recordation and deed transfer tax revenue, is a critical tool for achieving the goals of preserving and producing safe, affordable housing, discouraging displacement, and creating opportunities for homeownership; and

WHEREAS, ANCIC believes that the Housing Production Trust Fund is an effective and efficient mechanism to leverage additional public and private financing for the development of affordable housing in the District of Columbia, projected to produce more than 3,000 units of affordable housing in FY 2003 and FY 2004; and

NOW THEREFORE, BE IT RESOLVED, that ANC 1C endorses the Housing Production Trust Fund as a means to promote and expand affordable housing opportunities for low- and moderate-income families in the District; and

BE IT FURTHER RESOLVED, that ANC 1C agrees to be signatory to the “Friend of the Fund” petition; and

BE IT FURTHER RESOLVED, that ANC 1C urges the Mayor and the City Council of the District of Columbia to fully fund the Housing Production Trust Fund in the District of Columbia’s FY 2005 Budget; and

BE IT FURTHER RESOLVED, that ANC 1C authorizes the Chair or a Commission designee to speak before the Council or other body on this matter.

Discussion resumed about the raze permit application for 1822 Kalorama Rd. Residents Denis James and Ann Hargrove asked the Commission to lend its support in opposing the raze permit. Commissioner Gibson moved that ANC1C oppose the issuance of the raze permit pending further study of whether the property would qualify for a historic landmark application, and that the Chairman be authorized to contact the relevant agencies on behalf of the Commission. The motion was seconded, discussed and approved by roll call vote:

YEA: Roth, Weaver, Moretti, Miscuk, Broaddus, Gibson
NAY: None

Commissioner Roth noted that with the new PSA (Public Service Area) alignments, some key police officers may be moved from the Adams Morgan PSA. Commissioner Weaver then offered a moved that the Chairman be authorized to contact Commander McCoy and other affected parties and request that Lt. Gottert and Officers Salas, Ragavonitz, Roeder, and Zabavski remain assigned to the Adams Morgan PSA. The motion was seconded, discussed and approved by voice vote.

On behalf of the Public Services Committee, Commissioner Miscuk offered a resolution to urge HPRB and Public Space officials to take enforcement action at 1953 Biltmore St., NW. The resolution was seconded, discussed and approved by voice vote:

Resolution to Urge DC Historic Preservation Review Board and Public Space Officials to Take Enforcement Action at 1953 Biltmore St., NW

WHEREAS, questions have been raised as to whether the front yard alterations at 1953 Biltmore Street NW were done in full compliance with the law, and

WHEREAS, the owner of the property, Mr. Richard Ward, has not responded to Advisory Neighborhood Commission 1C’s efforts to reach a compromise on proposed plans for further alterations, and

WHEREAS, many months have passed with the front yard of the property left in a state of disrepair and disarray, and the time has come for decisive action,

NOW THEREFORE BE IT RESOLVED THAT, Advisory Neighborhood Commission 1C urges the DC Historic Preservation Review Board and DDOT’s Public Space Permits and Records Branch to take

enforcement action to restore the front yard of 1953 Biltmore Street NW to its condition prior to the current alterations carried out by Mr. Ward.

Commissioner Roth turned the gavel to Vice-Chairman Gibson and offered a resolution supporting Adams Morgan Main Street's grant application for \$1325. The motion was seconded and discussed. Adams Morgan Main Street President Lisa Duperier spoke on behalf of the resolution. Commissioner Roth made a motion to withdraw the resolution. The motion was seconded, discussed and failed on roll call vote:

YEA: Roth, Miscuk
NAY: Weaver, Moretti, Broaddus, Gibson

The original resolution was then discussed and approved on roll call vote:

YEA: Weaver, Moretti, Broaddus, Gibson
NAY: Roth, Miscuk

Resolution to Approve a \$1325 Grant for Adams Morgan Main Street Group

WHEREAS, Adams Morgan Main Street Group has applied for \$2,000 in grant funding from Advisory Neighborhood Commission 1C to carry out improvements at a small pocket park located in front of the 7-Eleven at the intersection of 19th Street, Columbia Road, and Wyoming Avenue, and

WHEREAS, the proposed enhancements would include the installation of five bike racks as well as filling in a small ill-designed planting bed, and

WHEREAS, three bike racks would provide considerable bike storage as well as an appropriate opportunity at a lower cost to test the success of this demonstration project, and

WHEREAS, the pocket park is situated at the western "gateway" to Adams Morgan along Columbia Road, and therefore has considerable pedestrian, vehicular, and bike traffic, and

WHEREAS, the park is currently in a very poor state of repair and has been for some time, and

WHEREAS, Adams Morgan Main Street Group has applied to the Department of Parks and Recreation to adopt the park, which is the first concrete action taken by interested individuals or groups to implement needed improvements over the long-term, and

WHEREAS, large numbers of residents live directly adjacent to the park and/or use the park to wait for public transportation and would benefit from the proposed beautification and improvements, and

NOW THEREFORE BE IT RESOLVED THAT, Advisory Neighborhood Commission 1C approves \$1,325 in grant funding for Adams Morgan Main Street Group to fill in the small planting bed on the Columbia Road side of the park with aggregate mix and install three "Adonis" bike racks on that side, contingent upon:

1) the approval by the DC Department of Parks and Recreation of the adoption of this pocket park by Adams Morgan Main Street Group, and

2) the approval of all applicable DC permits, including those issued by the DC Public Space Permits and Records Branch of DDOT if necessary.

COMMISSIONER ANNOUNCEMENTS

Commissioner Roth announced that a DC Department of Mental Health Family Services clinic has recently moved to a new location at 1250 U St.

Commissioner Weaver reminded the audience about the park clean up at Kalorama Park on Saturday, April 24 from 10 a.m. to 4 p.m.

Commissioner Moretti announced the Easter Egg Hunt at Walter Pierce Park on Saturday, April 10 at 10 a.m. and the annual spring clean up in the park at 10 a.m. on Saturday, April 24.

ADJOURNMENT

Commissioner Moretti made a motion for adjournment at 10:50 p.m. The motion was seconded and approved by voice vote.