

ADVISORY NEIGHBORHOOD COMMISSION 1C

Adams Morgan

Minutes of October 6, 2004

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on Wednesday, Oct. 6, 2004 at the Third District Police Headquarters. Chairman Alan Roth called the meeting to order at 7:02 p.m. Approximately 15 members of the public attended.

In attendance were Alan Roth (1C01), Nik Apostolides (1C02), Bryan Weaver (1C03), Mindy Moretti (1C04), Andy Miscuk (1C06) and Josh Gibson (1C07).

SECRETARY'S REPORT

Commissioner Moretti, secretary, moved the approval of the Aug. 5, Sept. 8 and Sept. 20 minutes. The motion was seconded, discussed and approved by voice vote.

TREASURER'S REPORT

Commissioner Apostolides, treasurer, gave an update on the Commission's finances and after September expenditures in the amount of \$1,185.70 the ending balance on Sept. 30 in ANC1C's bank account is \$71,332.83.

CONSENT AGENDA

The following resolutions were approved by unanimous consent:

***Resolution Withdrawing ABC Protest Against
Substantial Change Application of Blue Room***

WHEREAS, in June 2002, Advisory Neighborhood Commission 1C filed a protest against an application of Twenty Year Venture, Inc. t/a Blue Room, 2321 18th St., NW, for a substantial change to its ABC license to allow a sidewalk café, and

WHEREAS, based on documentation submitted to ANC 1C by the applicant, it appears that the applicant has fulfilled all of the conditions set forth in the June 2002 protest resolution for the withdrawal of the protest, including obtaining a public space permit from DDOT, applying for a Certificate of Use from DCRA, and paying all the required rents and fees,

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C approves the withdrawal of its June 2002 ABC protest with respect to the sidewalk café with the understanding that the applicant's ABC license will not permit a number of sidewalk café occupants greater than that approved in the public space permit (i.e., eight persons).

Resolution Regarding Parking Meter Maintenance

WHEREAS, 18th Street and Columbia Road in Adams Morgan are home to many parking meters; and

WHEREAS, a large number of these parking meters are in poor repair, with blocked coin slots or screens reporting "FAIL;" and

WHEREAS, contrary to popular belief, parking at such a meter does not absolve the vehicle parked there from receiving a parking ticket (regardless of any "out of order" signs taped to the meter, or paper bags placed over their heads, technically drivers should not park in these spaces); and

WHEREAS, when a person calls the "report a broken meter" hotline, they will be greeted first by a recording, then hold music, then a voicemail message reporting that the box in question is full;

NOW, THEREFORE, BE IT RESOLVED; that Advisory Neighborhood Commission 1C requests that all parking meters located on 18th Street and Columbia Road in Adams Morgan receive immediate maintenance; and

FURTHER RESOLVED, that the schedule of periodic maintenance for these parking meters be increased.

PUBLIC COMMENTS

Gabriela Mossi with Adams Morgan Main Street announced that Main Street is now co-sponsoring the Western Market on the grounds of Marie Reed and that there will be an official ribbon cutting ceremony on Saturday, Oct. 9 at 10 a.m.

Dr. Duda, a resident of 17th and Columbia Rd., NW had questions for the commission about the proposed Harris Teeter grocery store and news reports about running clubs in the neighborhood.

DenNis James invited all the candidates for ANC to a joint Reed Cooke/KCA candidate's forum tentatively scheduled for Oct. 27.

Lynn Taylor, candidate for ANC1C08, discussed the ongoing problems of MPD officers from the Third District parking personal cars and cruisers on the streets in the SMD making legal parking for residents even more difficult.

COMMITTEE REPORTS

ABC & Public Safety

Sgt. Jeter provided a crime update to the Commission. There were nine robberies in the neighborhood in September including four that were armed with gun. All but one of the robberies remain open cases. Sgt. Jeter also provided an update on two recent attempted sexual assaults, one at 1700 Seaton Place and the other at 1800 Corcoran (ANC2B).

Commissioner Weaver offered a resolution commending Robert “Tito” Lowry on his recent graduation from DC Fire and EMS Cadet Class #10. The resolution was seconded and approved by roll call vote:

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

Resolution Commending Firefighter Robert “Tito” Lowry, District of Columbia Fire and Emergency Medical Service Department Cadet Class #10

Whereas, Firefighter Robert “Tito” Lowry of 1725 Lanier Place, and a lifelong resident of Adams Morgan, has graduated from DCFEMS Cadet Class 10;

Whereas, Mr. Lowry has show great passion, pride and concern for his family and the Adams Morgan community, and

Whereas, his heart and dedication are an inspiration to us all, and

Whereas, when challenged with hardships Robert refused to give up and refused to give in to what many considered insurmountable odds;

Whereas, now as a Firefighter, Mr. Lowry has taken an oath to protect our lives, to protect our property and to protect Washington, D.C.; an oath that is known as the Firefighters Prayer:

*When I am called to duty, Whenever flames may rage,
Give me strength to save a life, Whatever be its age.*

*Help me embrace a little childe, Before it is too late
Or save an older from, The horror of that fate.*

*Enable me to be alert, And hear the weakest shout
And quickly and efficiently, Put the fire out.*

*I want to fill my calling, To give the best in me
To guard my every neighbor, Protect his property.*

*And if according to life’s will, I must answer death’s last call
Bless with Your protecting hand, My family one and all.*

Therefore, let it be resolved that ANCIC, by way of this resolution, we congratulate Firefighter Robert “Tito” Lowry on his graduation from DCFEMS Cadet Class #10, and wish him safety and wellbeing while serving his community as an honorable public servant.

Commissioner Weaver made a motion to accept the Voluntary Agreement with Café Toulouse at 2431 18th St., NW and to support a stipulated license for the new C/R establishment. The motion was seconded, discussed and approved by voice vote.

Commissioner Weaver announced that details of the forthcoming ABC & Public Safety Committee meeting would be forthcoming, once a location for the meeting is worked out.

Public Services

Commissioner Miscuk made a motion that ANC1C support the application for the St. Brendan's Irish Youth Festival on Saturday, Oct. 16 from 11 a.m. to 5 p.m. on the playing field at the Marie Reed Learning Center. The motion was seconded, discussed and approved by voice vote.

Commissioner Miscuk announced that the next meeting of the Public Services Committee would take place on Oct. 25 at 7:30 p.m. at the Kalorama Rec. Center.

Planning, Zoning and Transportation

Commissioner Gibson gave a brief update on the status of the proposed Harris Teeter grocery store and noted that they will be filing for a PUD shortly and that the store is shooting for a mid-2006 opening.

Commissioner Gibson announced that the date and time for the next PZT meeting would be posted on the ANC1C Web site (www.anc1c.org).

UNFINISHED BUSINESS

Commissioner Gibson announced that the developer of 1700 Kalorama has decided to use a nonprofit to distribute the available affordable housing in the new project, therefore relieving ANC1C of any responsibility for conducting the lottery.

NEW BUSINESS

Commissioner Roth offered a resolution in support of the Miss Adams Morgan Pageant, scheduled for Friday, Oct. 29. The resolution was seconded, discussed and approved by voice vote:

Resolution Honoring and Commending the Miss Adams Morgan Pageant

Whereas, more than 17 years ago, in a fog of hairspray, perfume, and other alcohol-based substances, four otherwise sane and dignified residents of Adams Morgan conceived the creation of a Halloween event for the entertainment of their friends and admirers to be known as the Miss Adams Morgan Pageant, and

Whereas, since that time, the Miss Adams Morgan Pageant has grown into an annual affair, which for the last 10 years has actually been held within the boundaries of Adams Morgan at the Washington Hilton and Towers Hotel, and

Whereas, every year since October 1994, without any advertising and strictly by word of mouth, the Miss Adams Morgan Pageant has filled the Washington Hilton ballroom with more than 2,200 close personal friends of the Pageant's contestants, Queens, and former Queens, and

Whereas, the Miss Adams Morgan Pageant was recognized in the November 1998 issue of Harper's Bazaar as one of Washington, DC's "must parties" of the season, ranking just behind White House State Dinners, Sally Quinn and Ben Bradlee's 20th wedding anniversary party, and Hillary Clinton's birthday party, and ahead of Vice President and Mrs. Gore's annual Halloween party, and

Whereas, since coming home to Adams Morgan in 1994, the Pageant will have donated nearly \$80,000 to numerous charities in the Washington area, including Food & Friends, Whitman-Walker Clinic, Metro Teen AIDS, SMYAL, PFLAG, Carl Vogel Center, and Adoptions Together,

Now, Therefore, Be It Resolved, that the Adams Morgan Advisory Neighborhood Commission expresses its thanks and appreciation to the Miss Adams Morgan Pageant for bringing regional, national and international renown – not to mention grace, charm, and love – to the Adams Morgan community, and be it further

Resolved, on the occasion of the 17th annual Miss Adams Morgan Pageant to be held October 29, 2004 at the Washington Hilton, that the Adams Morgan Advisory Neighborhood Commission wishes the Pageant and its participants every success in its good works, this year and in the years to come.

Commissioner Gibson offered a resolution in supporting recommendations to the Zoning Advisory Committee. The resolution was seconded, discussed and approved by roll call vote:

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

Resolution Making Recommendations to Zoning Advisory Committee

WHEREAS, the D.C. Office of Zoning has formed a Zoning Advisory Committee (ZAC) to review the Zoning Regulations and recommend appropriate revisions for consideration by the Zoning Commission, and

WHEREAS, the ZAC has invited each Advisory Neighborhood Commission to comment by October 25, 2004 on any problems or issues that the community has encountered with the current Zoning Regulations,

NOW, THEREFORE, BE IT RESOLVED, THAT Advisory Neighborhood Commission 1C makes the following recommendations to the ZAC for revisions in the Zoning Regulations:

- 1. In chapter 14 of the Zoning Regulations, pertaining to the Reed-Cooke Overlay District, amend 11 DCMR § 1402.1 by striking the words “low and moderate income” and replacing them with the words “very low income”, so as to bring the affordable housing/inclusionary zoning provisions of the Overlay, first adopted in 1991, back in line with its founders’ original intent – to create and preserve truly affordable housing in the Reed-Cooke Overlay District.*
- 2. Clarify that in the case of the roof structure setback requirement for a row house, the term “exterior walls” in section 400.7(b) includes the entire perimeter of the roof, not merely those walls facing a street or alley. Further clarify that the BZA may not grant special exceptions to the setback requirement under section 411.11 where it would be contrary to the 1910 Height of Buildings Act.*
- 3. Amend the definition of “gross floor area” in 11 DCMR § 199 by adding the following new sentence at the end of the second paragraph: “In any case in which use of the grade plane method to calculate the gross floor area of a basement would yield a higher floor area ratio than the perimeter method, the grade plane method shall be used.”*

4. *Revise the provision requiring “attic space” to be included in “gross floor area” under 11 DCMR § 199 to read as follows: “attic space (whether or not a floor has actually been laid) providing structural headroom of six feet, six inches (6 ft., 6 in.) or more, or, if less than 6 ft., 6 in., providing elements (such as windows, kitchen or bath facilities, lighting or other electrical wiring, or other accommodations) that would enable the space to be used for human habitation;”.*

BE IT FURTHER RESOLVED, ANC IC calls upon the Zoning Commission to revise the Zoning Maps for Adams Morgan by redesignating several inappropriately zoned R-5-D and C-M-2 Districts as more restrictive Districts based on the actual character of those locations.

Commissioner Moretti offered a resolution protesting the renewal of the liquor license for Bossa, at 2463 18th St., NW. The resolution was seconded and discussed. Commissioner Weaver noted that he attempted to contact the owner of the establishment via phone, e-mail and by stopping by the establishment, but the owner was not in attendance at the Commission meeting. The resolution was approved roll call vote:

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

**Resolution Protesting Renewal of Liquor License for
Bossa at 2463 18th St., NW**

Whereas ABDallah Coltun, Inc. T/A Bossa (Red Sea Restaurant), 2463 18th St., NW, has applied for renewal of its ABC License (Application No. 9456, License No.60526), and

Whereas concerns have been voiced in the community regarding the volume of noise repeatedly emanating from open windows of the establishment during regular live music performances, and

Whereas said establishment falls in the jurisdiction of the Adams Morgan ANC (IC),

Now Therefore Be It Resolved, that ANC IC will protest the renewal of this license on the grounds of the establishment’s adverse effect on peace, order, and quiet in the neighborhood, with the intention of attempting to renegotiate a cooperative agreement with the establishment addressing the concerns that have been expressed.

Commissioner Weaver made a motion that ANCI1C accept a joint cooperative agreement (CA) between the Kalorama Citizens Association and the Pharmacy Bar at 2337 18th St., NW. The motion was seconded and discussed. Commissioner Miscuk made a motion to amend the CA striking several lines of language. The motion to amend was seconded and discussed. Commissioner Miscuk made a motion to withdraw his amendment; the motion was seconded and approved by voice vote. Commissioner Apostolides moved to offer the original CA as proposed by the ABC & Public Safety Committee. The motion was seconded and discussed. Commissioner Apostolides made a motion to withdraw his substitute amendment. The motion was seconded and approved by voice vote. The original motion, as offered by Commissioner Weaver failed 5 to 1 by roll call vote:

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

Commissioner Weaver then made a motion to approve the ABC & Public Safety committee's recommended CA with the Pharmacy Bar. The motion was seconded, discussed and approved by roll call vote:

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

J. Mark White with Gardenwise, Inc. gave a presentation about the planned landscaping renovations to 2010 17th St., NW. Commissioners questioned whether or not the property was within a historic district and if, in addition to Public Space approval, the project would also need HPRB approval. Commissioner Apostolides made a motion to oppose the arbor structure and parking pad aspects of the planned work at 2010 17th St., NW. The motion was seconded and discussed. Commissioner Apostolides offered an amendment to the motion that while ANC1C opposes the arbor structure and parking pad, it supports the rest of the plan. The amended was seconded and approved by voice vote. The motion, as amended, was discussed and approved by voice vote.

Commissioner Weaver offered a resolution opposing the passage of H.R. 3193, the legislation by the U.S. Congress eliminating the District's gun laws. The resolution was seconded and discussed. Commissioner Roth moved to amend the resolution by adding an additional Whereas clause. The motion was seconded and the amendment accepted with unanimous consent. The resolution, as amended was discussed and approved by roll call vote:

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

Resolution Against H.R. 3193

Whereas, the United States Congress granted the District of Columbia home rule through the Home Rule Act in December 1973, and

Whereas, the Council of the District of Columbia, in 1976 voted to enact legislation banning the sale of handguns and semiautomatic weapons, and requiring registration for ammunition, and

Whereas, the District of Columbia has no voting representation in the U.S. House of Representatives to see that the interests of the residents of the District are looked out for, and

Whereas, no resident of the District of Columbia voted for any of the 250 members of Congress who recently approved the "D.C. Personal Protection Act" but did vote for the members of the Council who passed the original legislation in 1976, and

Whereas, the “D.C. Personal Protection Act” was opposed by Mayor Anthony Williams, Police Chief Charles Ramsey, DCPS Superintendent Clifford Janey, D.C. Delegate Eleanor Holmes Norton, all 13 members of the Council of the District of Columbia and scores of Washingtonians, and

Whereas the recent vote in Congress amounts to nothing more than political grandstanding in an election year at the expense of the health, safety and well-being of the nearly 600,000 residents of the District of Columbia, and

Whereas, for members of Congress to impose their will on the District is not only deplorable, it is the height of hypocrisy,

Therefore, let it be resolved by way of this resolution that ANCIC let it be known that we oppose the passage of H.R. 3193 and ask the Senate and the President of the United States to keep this from becoming law, and

Let it be further resolved, that ANCIC thanks the paternalistic House of Representatives for telling us how to safeguard our lives; over the wishes of our mayor, our unanimous city council, and our distinguished delegate to the House of Representatives; but this issue to be settled by the people of the District of Columbia, who along have the right to make decisions as to how to safeguard their lives.

Warren Graves with the D.C. Sports and Entertainment Commission then addressed the ANC about the proposed new baseball stadium in Southwest. Although no action was taken, Mr. Graves urged the ANC to support the new stadium and proposed funding.

Commissioner Miscuk made a motion to support putting striped crosswalks at the intersections of 18th St. and Belmont Rd. and 18th St. and Wyoming Ave. The motion was seconded, discussed and approved by voice vote.

ADJOURNMENT

Commissioner Gibson made a motion to adjourn. The motion was seconded and the meeting adjourned at 10:24 p.m.