

## **ADVISORY NEIGHBORHOOD COMMISSION IC**

**Adams Morgan**

### **Minutes of September 7, 2011**

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on September 7, 2011 at Mary's Center. Chairman Wilson Reynolds called the meeting to order at 7:05 pm. Approximately 15 members of the public attended.

In attendance were Stacey Moyer (1C01), Martis Davis (1C02), Gabriela Mossi (1C04), Adian Miller (1C05), Steve Lanning (1C06), and Wilson Reynolds (1C07).

No representatives from MPD or FEMS were present to provide a report.

#### **CHAIRMAN'S REPORT**

Chairman Reynolds announced that he had been appointed to serve on the Ward 1 ANC Redistricting Task Force, as had the other Ward 1 ANC Chairs. The Task Force is chaired by former ANC 1C Chairman Alan Roth. The next redistricting meeting will be held on September 13 at 7 PM at the Columbia Heights Community Center.

#### **SECRETARY'S REPORT**

Commissioner Reynolds moved for the approval of the July 2011 minutes. The motion was seconded by Commissioner Moyer, discussed and approved by voice vote.

#### **COMMISSIONER ANNOUNCEMENTS**

Commissioner Lanning reported that an application to grant historic landmark status for the Ontario Theater has been filed with the Historic Preservation Office.

Commissioner Miller announced that National Parks Day is taking place on September 24. More information is at <http://www.publiclands.org>.

Commissioner Moyer announced that ANC 1C will be hosting its community recycling day on October 1 from 9 AM – Noon at Mary's Center. Flyers were distributed and information is also posted on the ANC1C website.

Commissioner Moyer announced that the Department of Parks and Recreation would be hosting its annual doggie swim day at various DPW pools around the city on September 10. Flyers were distributed.

Commissioner Mossi announced that on September 19 there would be a disruption in water service for some small businesses because of the small diameter water pipe replacement project. DC Water will notify those affected and updates from DC Water are posted on the ANC website.

Commissioner Mossi announced that the Lanier Citizens Association will host a meeting on September 19 at 2800 Ontario Road at 7 PM.

Commissioner Davis announced that the Adams Morgan Basketball Association will host a boys and girls basketball tournament on September 17 starting at 8:30 AM in Kalorama Park.

## **PUBLIC ANNOUNCEMENTS/COMMENTS**

Jill Shepherd Davenport of the National Alliance on Mental Illness (NAMIDC) reported that NAMIDC has free classes on dealing with mental illness available to the public. They are looking to expand their class offerings, including classes for parents, teachers, students. Please visit <http://www.namidc.org> for more information.

Kristen Barden of the Adams Morgan BID handed out new maps of Adams Morgan with local businesses inside. She also reported that Adams Morgan Day will take place from noon to 7 PM on September 11. Commissioner Lanning asked for a report on the summer concert series and whether the BID has looked into using local street musicians. K. Barden said that it went well and no cancellations thus far because of weather. She indicated that they have looked at hiring street musicians but that it is illegal in DC.

A resident reported that DCRA issued the wrong permits to a house at 1785 Lanier and allowed the owner to build out. DCRA made him tear it down, but then the owner added another floor which was allowable as a matter of right. Another resident asked about historic landmarking of 1767 Lanier, the oldest house in the neighborhood. The house has been neglected for many years and the owner says its unsafe and wants to tear it down.

## **18<sup>TH</sup> STREET STREETScape UPDATE**

Tom Pipkin reported on the 18th St. reconstruction project. He said that crews will remove jersey barriers and all construction equipment so that Adams Morgan Day may be held. All of the equipment and materials that are removed will be returned on September 12.

## **COMMITTEE REPORTS**

### **A. ABC & Public Safety**

Commissioner Miller made a motion to protest Green Island/Heaven & Hell's request for a summer garden. It was seconded by Commissioner Moye, discussed and passed by voice vote:

#### **MOTION TO PROTEST GREEN ISLAND HEAVEN & HELL'S REQUEST FOR A SUMMER GARDEN**

*Whereas, neighboring residents of Green Island Heaven & Hell have voiced complaints about noise from the establishment;*

*Whereas licensee has failed to address noise complaints or install soundproofing material;*

*Whereas, licensee has failed to provide adequate plans or details for the summer garden despite repeated requests;*

*Whereas, proposed summer garden would have adverse effect on peace, order, and quiet in the neighborhood;*

*Motion is made to protest Green Island Heaven and Hell's application for a Summer Garden.*

*So moved, September 7th, 2011.*

- Next meeting is Wednesday, September 14 at 7 p.m. at the Kalorama Recreation Center.

## **B. Public Services**

- Commissioner Davis reported that the next meeting will be held on Wednesday, September 28 at the Kalorama Recreation Center at 7 p.m.
- Commissioner Davis made a motion to provide a grant for \$1,000 to Joseph's House for the purchase of new air conditioning units. The motion was by Commissioner Lanning, discussed and approved by voice vote.
- Commissioner Davis made a motion to provide a grant for \$1,000 to the Adams Morgan Basketball Association towards hosting a tournament in Kalorama Park on September 17. The motion was seconded by Commissioner Reynolds, discussed and approved by voice vote.

## **C. PZT Committee**

- Commissioner Reynolds reported that a special meeting of the PZT Committee will be held on Monday, September 19 on the hotel project development planned at the First Church of Christ Scientists at 1770 Euclid St., NW.
- Commissioner Reynolds made a motion of ANC 1C recommendations for proposed bicycle lanes on Columbia Road in Adams Morgan. The motion was seconded by Commissioner Lanning, discussed and approved by voice vote.

### **ANC 1C Recommendations for Proposed Bicycle Lanes on Columbia Road, NW Between Connecticut Ave., NW and 16<sup>th</sup> St., NW**

Whereas the District of Columbia Department of Transportation has proposed creating bicycle lanes to connect Connecticut Ave., NW to 16<sup>th</sup> St., NW on Columbia Road, NW; and

Whereas ANC 1C has reviewed these recommendations;

Now Therefore Be It Resolved; ANC 1C does support the inclusion of bicycle lanes for the proposed roadway with the following requirements;

1. Sharrows shall be employed with a combined sharing of roadway and bicycle lanes at the intersections of: (A) Columbia Road and Kalorama Road; and (B) Columbia Road and Ontario Road due to excessive back up of traffic at the stop lights.
2. Including an additional Loading Zone, or extend current loading zone on the North side of Columbia Road between Mintwood Place and Biltmore Street.
3. Including an additional Loading Zone, or extend current loading zone on the South side of Columbia Road between Mintwood Place and Biltmore Street.
4. Addition of traffic calming measures at the intersection of Columbia Road and Champlain Street. Zebra striping is recommended.
5. Add a 40 ft Loading Zone on the North side of the 1700 block of Columbia Road with hours of 7:00 AM to 11:00 AM.
6. Leave as is the East bound Left Turn Lane from Columbia Road on to Harvard St. as is.
7. That all loading zones in these recommendations set hours from 7:00 AM to 4:00 PM unless otherwise stated.
8. That DDoT will include and engage in a public service education program to inform the public on bicycle safety on roadways.

- Commissioner Reynolds made a motion in support of BZA Application No. 18259 for 2465 18<sup>th</sup> St., NW. The motion received a second from Commissioner Lanning, was discussed and approved by voice vote.

**Support for BZA Case 18259 Located at 2465 18<sup>th</sup> St., NW**

Motion is made that ANC 1C support as proposed addition to rear of 2465 18<sup>th</sup> St., NW and to communicate to the Board of Zoning Adjustment such support for relief as follows:

A rear addition to the existing building at 2465 18th Street, NW . To accommodate the addition, the following variances are supported:

§ 772.1, Rear Yard (15 feet required, maximum of 2 feet proposed); and

§774.1, Lot Occupancy (80% required for residential use, 90% proposed).

- Commissioner Reynolds made a motion in support of BZA Application No. 18279 for Special Exception for 1908 Belmont Road, NW. The motion was seconded by Commissioner Lanning, discussed and approved by voice vote.

**Motion in support of BZA Application #18279 for Special Exception for 1908 Belmont Road, NW .**

Motion is made that ANC 1C support BZA application # 18279 for a Section 223 Special Exception to construct a roofed, open porch at 1908 Belmont Road, NW. And further moved that the Chair of the ANC 1C communicate such support to the BZA.

- Commissioner Reynolds made a motion in support of supplemental submission to the Zoning Commission regarding ANC 1C Amenities Recommendations for PUD Application for 2700 16<sup>th</sup> Street NW, Il Palazzo LLC, ZC Case No. 11-08. The motion was seconded by Commissioner Lanning, discussed, and approved via roll call vote: Aye: Moye, Davis, Mossi, Miller, Lanning, Reynolds. No: 0. Abstentions: 0.

**Motion in support of Supplemental Submission to Zoning Commission regarding ANC 1C Amenities Recommendations for PUD Application for 2700 16<sup>th</sup> St., NW, Il Palazzo LLC, ZC Case # 11-08**

Motion is made to supplement the ANC 1C July 6, 2011 Resolution;

**ANC 1C Recommendations Regarding PUD Application for 2700 16<sup>th</sup> St., NW, Il Palazzo LLC, ZC Case # 11-08**

**Transmitted to the Office of Zoning on July 15 NOW INCLUDING three additional amenities (attached) as part the final recommendations for ZC Case # 11-08, as follows;**

- Sarah's Circle Agreement**
- H.D. Cooke Elementary School Agreement**
- Il Palazzo/RCNA Tree Fence Agreement**

**Further moved that the Chair of ANC 1C is authorized to transmit the July 6<sup>th</sup> Resolution and Supplement to the Zoning Commission; and**

**(by friendly amendment)**

**Further moved that ANC 1C again expresses strong support for the originally submitted creation of two separate curb cuts; one on Fuller St., NW and one on Mozart Place, NW for the PUD Application at 2700 16<sup>th</sup> St. NW.**

- Commissioner Lanning made a motion in support to request to delay by developer in hearing action in ZC Case No. 11-11, 1711 Florida Avenue

The motion was seconded by Commissioner Miller and discussed. The motion was approved via roll call vote: Aye: Moye, Davis, Mossi, Miller, Lanning. No: Reynolds. Abstentions: 0.

**Motion in support of the of request for delay by developer in Hearing Action in ZC Case #11-11, 1711 Florida Avenue proposed development.**

ANC1C supports the request for the delay in Zoning Case Number 11-11 in order to have the developer work with ANC 1C, members of the community, and community associations to have the

developer's efforts conform to the Reed Cooke Overlay District, unless agreement is reached for exceptions with the residents of Square 150, with the Reed-Cooke Neighborhood Association, and with ANC 1C as a result of a collaborative process.

## **NEW BUSINESS**

- Commissioner Miller made a motion to accept a stipulated Voluntary Agreement for Rendezvous Lounge. It was seconded by Commissioner Lanning, discussed and passed by voice vote.

## **REPLACEMENT COOPERATIVE AGREEMENT**

THIS AGREEMENT is made and entered into this 7<sup>th</sup> day of September, 2011, by and between Café Dallul, t/a Rendezvous Lounge, 2226 18<sup>th</sup> Street, NW (hereinafter the “Applicant”), the Advisory Neighborhood Commission 1C (hereinafter “ANC 1C”), and the Kalorama Citizens Association (hereinafter the “KCA”).

### **RECITALS**

**WHEREAS, the Applicant operates the establishment known as Rendezvous Lounge, 2226 18TH Street, N.W., Washington, D.C. 20009 pursuant to a Retailer’s Class “CT-01” license number ABRA-014272 (“Establishment”);**

WHEREAS, the Establishment is within the boundaries of the ANC 1C and the membership boundaries of the KCA;

WHEREAS, the Parties entered into various Cooperative Agreements in 2000 and 2003, commemorating certain understandings regarding the operation of the Establishment (collectively such agreements are hereinafter referred to as “Original Agreement”);

WHEREAS, the Applicant has initiated case number 11-PRO-00012 with the Alcoholic Beverage Control Board for the purpose of modifying the Original Agreement (“ABRA Case”);

WHEREAS, the ANC 1C and KCA oppose the Applicant’s request and have filed protests in the ABRA Case, and

WHEREAS, the Parties desire to replace the Original Agreement with this Agreement and resolve the ABRA case.

NOW, THEREFORE, in consideration of the above recitals, and the mutual covenants and undertakings set forth below, the Parties agree as follows:

1. Hours. The hours of operation shall be:

Inside:                      Sunday-Thursday:      10:00-2:00 am

Friday & Saturday:      10:00-3:00 am

Sidewalk Café:            Sunday-Wednesday:    10:00-12:00 midnight

Thursday 10:00-1:00 am

Friday & Saturday: 10:00-2:00 am

The Sidewalk Café shall be cleared at the closing time stated above, each night of operation.

2. Seating. Seating capacity will not exceed:

Interior tables and bar: 40 total, first and second floors.

Sidewalk Café: 8

3. Noise/Music/Dancing.

Applicant acknowledges familiarity with and will comply with noise-control provisions of District of Columbia law and regulations, including preventing emissions of sound, capable of being heard outside the premises, by any musical instrument or amplification device or other device or source of sound or noise, in accordance with Title 25, section 725. The doors and windows of the premises will be kept closed at all times during business hours when music is being played or a sound amplification device is being employed in the premises, except when persons are in the act of using the door for ingress to or egress from the premises. There shall be no music played on the roof.

4. Trash/Garbage/Rodents.

Applicant shall maintain regular trash/garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster area remains clean. Applicant shall deposit trash and garbage only in rodent-proof dumpsters and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed. Applicant will make every reasonable effort to eliminate food sources for rodents to help eliminate the rat population. Applicant will recycle the following items as per DC Law 7-226: cardboard, glass and cans.

Applicant will provide for the proper removal of grease and fatty oils from the establishment and will not deposit grease or fatty oils in the dumpster.

5. Exterior, including Public Space.

Applicant shall assist in the maintenance of the alleyway behind and the space in front of the establishment to at least 18 inches outward from the curb as needed to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulations in these respects. Applicant shall make every reasonable effort to prevent or disperse loitering or any other source of noise or disturbance in the areas in front of or to the rear of the premises during business hours and at closing, and to cause patrons to leave those areas at closing.

6. Items specific to establishment.

Applicant agrees to not place any loudspeakers outside the establishment and to direct any speakers inside the establishment so that sound is projected inward.

## 7. Bar/Pub Crawls.

Applicant agrees not to promote or participate in bar or pub “crawls”, “tours”, or any other similar event.

## 8. Consideration

Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage employees and patrons leaving the establishment to keep conversations and noise to a minimum from 11:00 pm to 7:00 am.

## 10. Modification

This Agreement can be modified only by the ABC Board, or by mutual agreement of all the parties with the approval of the ABC Board.

## 11. Regulations

In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.

## 12. Availability of Voluntary Agreement

Applicant agrees to keep available at all times a copy of this Agreement at his establishment and to familiarize all his employees with its conditions.

## 13. Final Agreement and Modification

This agreement amends and supersedes the Original Agreement and any other prior agreements between the Parties, and shall constitute the only agreement between the Parties, except to the extent it is subsequently modified by the Parties. For purposes of DC Official Code Section §25-446(d)(2)(B), the date of the ABC Board’s approval of this agreement shall be considered its initial approval of this Agreement and shall commence the applicable period.

- Commissioner Moyer made a motion in support of the 2011 Washington Humane Society Walk for the Animals. It was seconded by Commissioner Davis, discussed, and approved via voice vote.

Motion in support of the 2011 DC Walk for the Animals, sponsored by the Washington Humane Society.

- Commissioner Mossi introduced a resolution of congratulations to Skyline Innovations for winning the 2011 WDCEP Business Plan Competition:

***Resolution Congratulating Skyline Innovations, Inc. the Washington DC Economic Partnership Winner of the 2011 Business Plan Competition***

*WHEREAS, the Washington DC Economic Partnership (WDCEP) holds an annual competition for the best business plan to promote entrepreneurship, job creation and the development of early stage companies in the District of Columbia; and*

*WHEREAS, the initiative, administered by WDCEP, is funded by participants in the District of Columbia CAPCO Program and private sector companies and is held in collaboration with the DC Coalition for Capital; and*

*WHEREAS, the winner is chosen from a pool of stand-out startups and other DC business ventures by a panel of judges from the business and banking community over the course of a month and receives a \$100,000 cash award and \$50,000 in-kind services; and*

*WHEREAS, Skyline Innovations, Inc.'s business plan came in first place for its sustainable provision of immediate, guaranteed energy savings to customers through solar water heating, energy efficient lighting and HVAC systems, all without any customer capital outlay.*

*NOW, THEREFORE, BE IT RESOLVED, that Advisory Neighborhood Commission 1C is proud to congratulate Skyline Innovations, Inc. of 1752 Columbia Road, NW as the winner of the WDCEP 2011 Business Plan.*

The resolution was seconded by Commissioner Moye, discussed, and approved via voice vote.

- Commissioner Reynolds made a motion on behalf of Commissioner Boettrich on ANC 1C grant compliance. The motions was seconded by Commissioner Davis, discussed and approved by voice vote.

### **Motion on Grant Compliance**

Whereas none of the recent grant recipients from ANC 1C have returned required receipts and acknowledgements and,

Whereas ANC 1C cannot submit Q3 and Q4 financial reports without the backup information, BE IT RESOLVED, that ANC 1C will not approve any further grants until outstanding grants have been completed.

At 10:48 PM Commissioner Reynolds made a motion to adjourn, it was seconded and passed by voice vote.