

## **ADVISORY NEIGHBORHOOD COMMISSION 1C**

### **Adams Morgan**

#### **Minutes of October 5, 2011**

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on October 5, 2011 at Mary's Center. Chairman Wilson Reynolds called the meeting to order at 7:11 pm. Approximately 25 members of the public attended.

In attendance were Stacey Moyer (1C01), Martis Davis (1C02), Gabriella Mossi (1C03), Olivier Kamanda (1C04), Adian Miller, (1C05) Steve Lanning (1C06), Wilson Reynolds (1C07) and Kathie Boettrich (1C08).

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

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

#### **TREASURER'S REPORT**

Commissioner Boettrich reported on the September financial status.

Commissioner Boettrich moved that the 2012 fiscal year budget be accepted. It was seconded, discussed and passed by voice vote.

#### **COMMISSIONERS REPORTS**

Commissioner Lanning announced that the Unity Park Market has closed for business.

Commissioner Mossi announced the following:

- Small business legal advice available - Wed., October 12; Center for Urban Progress
- Make a Difference Day - sponsored by city: [Serve.dc.gov](http://Serve.dc.gov) - October 22
- Mary's Center Gala - Four Seasons, October 25
- Vida's 42nd anniversary, (oldest Latino organization in D.C.) - gala on November 8
- Lanier Citizens' Association meeting on October 22 at 7 pm
- Job available at a local bakery (see her privately)

#### **PUBLIC ANNOUNCEMENTS AND COMMENTS ON NON-AGENDA ITEMS**

A representative from the community announced the Washington Humane Society October 15 event. It is an animal walk and Bow Wow Pow Wow.

Hector Rodriguez from Adams Morgan Basketball Association presented the commissioners with a certificate and t-shirts to thank the commission for supporting the recent tournament.

Representative from the Office of People’s Counsel invited members of the public to a town hall scheduled for October 8. Participants include Verizon, Washington Gas and Pepco. The town hall meetings are scheduled on Saturday Oct. 22 at the Anacostia Branch Library and on Wednesday, November 2 at the Chevy Chase Community Center.

Lisa Duperier announced several Adams Morgan initiatives including the Bow Wow Pow Wow. She also announced the 175th anniversary of the Asbury Methodist Church.

An architect from PGN Architects introduced that his clients have purchased the parking lot on Ontario road and will be presenting a plan for condominiums. These plans include a request for an exception to the Reed Cooke Overlay for height from 40 to 50 feet. He left concept diagrams for review.

## **GUEST SPEAKERS**

Representative of the 18th St. Reconstruction, Victor Egu provided an update on the status of the project and answered questions from the audience.

## **COMMITTEE REPORTS**

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

Commissioner Kamanda made a motion to protest the transfer of a liquor license to Tangier Lounge. It was seconded, discussed and passed by voice vote.

MPD report: NO REPORT

Next meeting is Wednesday, October 12 at 7 p.m. at the Kalorama Recreation Center.

### **B. Public Services**

Commissioner Davis announced the next meeting will be at the Kalorama Recreation Center on October 26 at 7 pm.

### **C. PZT Committee**

Commissioner Reynolds made a motion regarding condominium parking at the Il Palazzo:

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

*ANC 1C does support recommending to the developer of the Il Palazzo project that the condominium corporation include in relevant documents, such as By*

*Laws, a provision allowing condominium owners purchasing parking inside the project to rent such parking spaces to other individual residing inside the condominium and individuals not residing in the condominium.*

*Also, ANC 1C does support that Residential Parking Permits be eligible to residents of the condominium consistent with the same rights as allowed to all residents of the District of Columbia.*

The motion was seconded, discussed and passed by voice vote.

Commissioner Reynolds made a motion for proposed guidelines for use of public space for the new streetscape:

### **Proposed Guidelines for Use of Public Space Following New Streetscape Construction**

*Motion is made that that ANC 1C recommends to the District Department of Transportation the following guidelines for public space permits following a major street reconstruction project such as current is underway in the 2000, 2100, 2200, 2300 and 2400 blocks of 18<sup>th</sup> St., NW.*

- 1) Any existing sidewalk café shall be allowed to continue upon verification of a current public space permit.*
- 2) That the purpose of these guidelines is to provide a clear, uninterrupted pedestrian walkway, or view shed in the new streetscape.*
- 3) That as much as possible a uniform width be maintained for the length of the new streetscape.*
- 4) That an expedited process be allowed by DDoT for public space patio applications after these guidelines are established.*
- 5) The following dimension be established for applications of public space:*

*PROPOSED REVISED Sections DCMR 24-311; 204, and 316.*

*All rental of public space, whether for a café or other commercial use, must have an adjacent clear and unobstructed passageway not less than 12 feet in width at all points. Sidewalk cafés located at street intersections shall provide corner clearance of 12 feet to the corner. No sidewalk cafés shall be within 15 feet of a bus stop, a bus shelter, or a Metrorail station entrance (24-311.6 and 24-311.7.7). The Public Space Committee has the authority to approve an adjacent passageway as narrow as 8 feet.*

*For reference, unchanged.*

*All rental of public space, whether for a café or other commercial use, must have an adjacent clear and unobstructed passageway not less than 10 feet in width at all points. Sidewalk cafés located at street intersections shall provide corner*

*clearance of 10 feet to the corner. No sidewalk cafés shall be within 15 feet of a bus stop, a bus shelter, or a Metrorail station entrance (24-311.6 and 24-311.7.7). The Public Space Committee has the authority to approve an adjacent passageway as narrow as 6 feet (DCMR 24-204.1, 204.2, and 316.9).*

*The markings of passageways shall be by one or more painted white lines on the sidewalk, each not less than 4 inches wide or by other markings as may be required, extending across the total surface space the Permittee is authorized to use (DCMR 24-204.4).*

*The clear sidewalk space shall be measured from the farthest extended portion of the sidewalk café frontage to the curb line or the nearest obstruction, whichever is nearest to the sidewalk café. For the purpose of determining clear sidewalk space, trees, streetlight poles, sign poles, fire hydrants, and other objects located on the surface space shall be considered as obstructions; tree boxes with tree grates flush with the sidewalk are not considered obstructions (DCMR 24-311.1 and 24-311.5).*

*The floor of a sidewalk café shall be at the same elevation as the existing surface space. In order for the floor of the sidewalk café to be at grade, a floor may be constructed if it is less than 18 inches above where the café meets with the adjoining clear sidewalk space (DCMR 24-312.5 and 24-312.6).*

It was seconded and discussed and withdrawn.

Commissioner Boettrich offered a substitute amendment:

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It was seconded, discussed and passed by roll call vote:

Yes - Moye, Davis, Kamanda, Miller, Lanning, Boettrich

No - Mossi, Reynolds

Commissioner Reynolds made a motion to fund PZT town hall meetings:  
*Motion is made for \$100 in funding for meeting space at the Festival Center, 1640 Columbia Rd. N.W. To conduct public meetings by the Planning, Zoning and Transportation Committee of ANC 1C on October 4 and October 27.*

The motion was seconded, discussed and passed by voice vote.

Next meeting is Monday, November 7 at 7 p.m. at Kalorama Recreation Center.

## **NEW BUSINESS**

Commissioner Davis offered Resolution Regarding Internet Gambling in the District of Columbia

*Whereas the online/Internet gambling/iGaming including computerized slots legislation and has generated city wide discussion both in support of the legislation and against the legislation expressed by local elected leaders, the media, community groups and the citizens of Washington, DC.*

*Whereas the positive economic impact associated with bringing online gambling has not been verified by independent sources and that the legislation as it is written may include increased police protection, alcohol beverage control, specialized protection to prevent cyber attacks upon the DC website in general and its gambling website in particular and increased potential for gambling addiction among DC residents all outweigh the projected annual financial benefits to the District that might be realized by passage of the legislation.*

*Now, therefore let it be resolved that ANC 1C support the immediate repeal of the "Lottery Modernization Amendment Act of 2010" and a moratorium on the implementation of DC Government online/Internet gambling/iGaming including computerized slots so that this issue in stand alone legislation can be thoroughly vetted in an open and fully transparent manner with proper public consideration, comments, hearings and recorded vote by the Council of the District of Columbia and approval and signature of the Mayor.*

*###*

It was seconded, discussed and passed by voice vote.

Commissioner Mossi offered a motion recognizing the Vida Senior Centers:

### **Advisory Neighborhood Commission 1C**

#### **Resolution Congratulating VIDA Senior Centers for 42 Years of Service to the Community**

*WHEREAS, Vida Senior Centers (formerly EOFULA) is an Adams Morgan non-profit organization located on 1842 Calvert Street, NW celebrating its 42<sup>nd</sup> Anniversary Gala on November 8, 2011; and*

*WHEREAS having been established in 1969, is the oldest non-profit organization serving primarily Latinos in Washington, DC; and*

*WHEREAS, Vida Senior Centers is the also first Latino organization in Washington, DC to specialize in providing bilingual, bicultural services and programs to meet the unique needs of the aging Latino community; and*

*WHEREAS, this fall, Vida Senior Centers will open a second site in Ward 4, where, in addition to providing all the services currently offered to Latino and other seniors, it will also provide housing for seniors;*

*NOW, THEREFORE, BE IT RESOLVED, that Advisory Neighborhood Commission 1C is proud to commend Vida Senior Centers, its Executive Director Angel Luis Irene, its dedicated staff and Board of Directors for its service to the District's low-income senior population and wishes them continued success and continued longevity.*

Commissioner Moye offered Resolution Regarding closure of Post Offices in the District of Columbia

**Advisory Neighborhood Commission 1C Resolution  
Protesting the Recommended Closures of US Post Offices Located in Adams  
Morgan**

*Whereas, the US Postal Service (USPS) currently has two facilities located within the boundaries of Adams Morgan (Kalorama Station at 18<sup>th</sup> Street and Kalorama Road and Temple Heights at 1921 Florida Avenue NW);*

*Whereas, in an effort to resolve a grave budgetary crisis, the USPS prepared a list of postal facilities nationally that it recommends for closure and has placed both the Kalorama and Temple Heights stations on the recommended closure list;*

*Whereas, should both post offices close Adams Morgan residents will be left without a neighborhood post office and the closest post office will be the T Street Station located on 14<sup>th</sup> Street NW;*

*Whereas, the Postal Service has lost \$20 billion over the past four years and announced that it will not be able to meet fiscal year-end payments due this month and may have to suspend service, lay off workers, and close facilities as a result;*

*Whereas, much of the Postal Service's budgetary woes may be traced to the Postal Accountability and Enhancement Act of 2006 that requires the USPS to prefund the cost of health benefits for retirees, current employees, and future employees over the next 75 years in just 10 years' time, an unrealistic requirement that is demanded of no other company or agency in the U.S.;*

*Whereas, in the absence of the 2006 mandate, the USPS would have been moderately profitable over this period and would still have borrowing authority left despite the current economic recession and the explosion of the Internet that has reduced the use of First Class Mail;*

*Whereas, the USPS budgetary crisis can be solved by Congress removing the 2006 mandate, thereby allowing the USPS to review its operations in a rational*

*manner rather than resorting to the abrupt closure of heavily-used facilities, halting postal services to citizens, and firing employees; and*

*Whereas, Rep. Steve Lynch (D-MA) has introduced H.R. 1351, the USPS Pension Obligation Recalculation and Restoration Act of 2011 (H.R. 1351 currently has bipartisan support from 222 cosponsors), that would repeal the 2006 mandate, put the USPS back on the path to fiscal sanity and perhaps eliminate the need for the forced closure of any postal facilities.*

*Now, Therefore, Be It Resolved, That Advisory Neighborhood Commission 1C protests the recommended closure of the Kalorama and Temple Heights post offices; supports passage of H.R. 1351 to protect the postal services provided to our community and to citizens across the country; and authorizes the Chair of ANC 1C to send a copy of this Resolution to the Postmaster General of the United States; and*

*Be It Further Resolved, encourages Adams Morgan residents to contact the Postmaster General, the White House and Members of Congress to protest the closure of these facilities and to support the enactment of H.R. 1351.*

It was seconded, discussed and passed by voice vote.

Commissioner Kamanda offered a resolution to approve Voluntary Agreement with Green Island/ Heaven and Hell:

- A. Whereas, the Commission, KCA and neighboring residents of Green Island Cafe/ Heaven and Hell have dutifully negotiated with Licensee and Licensee's representative regarding the terms of the Voluntary Agreement.*
- B. Whereas, this Agreement represents the Commissions best efforts to preserve peace order and quiet within the boundaries of ANC 1C;*
- C. Motion is made for ANC 1C to approve the negotiated voluntary agreement with Green Island/ Heaven and Hell and withdraw its protest.  
So moved*

It was seconded, discussed and passed by voice vote.

Commissioner Kamanda offered a resolution to discontinue services of Whiteford Taylor & Preston:



- A. *Whereas this commission voted and approved an initial allotment of up to \$20,000 for attorney's fees "to help deal with the ABC licensees application to vacate their voluntary agreements" in December 2010.*
- B. *Whereas, this commission retained legal counsel to successful protest and negotiate with licensees who moved to vacate their voluntary agreements;*
- C. *Whereas, the Commission has not been notified of any future request to vacate voluntary agreements;*
- D. *Whereas the Commission has outstanding legal fees of approximately \$4,000*
- E. *Motion is made for ANC 1C to approve an additional allotment of up to \$4,000 for the purpose of paying outstanding legal fees and concluding our contract for legal representation on ABRA matters. So moved*

It was seconded, discussed and passed by voice vote.

Commissioner Kamanda offered a resolution to request an ABRA investigation in license:

- A. *Whereas the commission protested the use of 1808 Adams Mill Road, N.W. (Stroga) as a catered event site:*
- B. *Whereas, the ABRA Board affirmed that events at the location adversely impacted peace, order and quiet, residential parking and vehicular and pedestrian safety in the neighborhood;*
- C. *Whereas, the ABRA Board affirmed that the event site has created noise problems in the neighborhood;*
- D. *Whereas the ABRA Board's May 4, 2011 Order limited usage of the event site "to no more than 2 events per month and not to exceed more than 12 events per year."*
- E. *Whereas, the Commission is concerned that the event site has hosted more events than permitted by the ABRA Board's May 4, 2011 Order;*
- F. *Motion is made that the Commission formally request ABRA to conduct an investigation on the event site's compliance with the May 4, 2011 Order. So moved*

It was seconded, discussed and passed by voice vote.

Commissioner Reynolds made a motion for Reimbursement:

*Motion is made to reimburse Commissioner Reynolds in the amount of \$212.00 for expense related to a gift of recognition for services rendered to ANC 1C and the community by Mr. Edward Jackson.*

It was seconded, discussed and passed by voice vote.

At 10:40 pm Commissioner Boettrich made a motion to adjourn, it was seconded and passed by voice vote.