

## **ADVISORY NEIGHBORHOOD COMMISSION 1B**

### **Government of the District of Columbia**

#### **Minutes**

**Thursday, September 4, 2008, PM, 1200 U Street NW**

The regular monthly meeting of ANC1B was held on Thursday, September 4, 2008, at 7:00 pm in the True Reformer Building, Commissioner Smith being present as Chair, and Commissioner Nadeau present as Secretary. Other Commissioners present: Akinmboni, Hunter, Moss, Conklin, Hoerrner and Spalding.

Prior to calling the meeting to order, Commissioner Nadeau announced that the July/August meeting could not be adjourned due to a loss of quorum so the meeting was recessed. When the quorum was lost, some agenda items were not discussed. Also, after reviewing the governing rules of the Advisory Neighborhood Commission the votes taken are invalid. Some items need to be voted on again despite the fact that voting relevance has expired in some cases.

At 7:15 am, Commissioner Spalding moved that ANC1B resume the July/August meeting. Commissioner Nadeau seconded the motion and the motion was adopted 6-0. Commissioner Spalding then moved that the July/August meeting be adjourned. Commissioner Nadeau seconded the motion and the motion was adopted (6-0).

Commissioner Nadeau called the September meeting of ANC1B to order and asked for introductions.

#### **Officers Reports**

Commissioner Nadeau asked the Commissioners to review the minutes from the July/August meeting. She noted that changes would be made to the wording of the motions for accuracy and compliance with parliamentary procedure. The July/August minutes will be presented for approval at the October meeting. Commissioner Spalding indicated that it is necessary to approve the minutes because they must be submitted with the 4<sup>th</sup> quarter report at the beginning of October.

#### **Treasurer's Report**

Commissioner Spalding indicated that two checks cleared in the last six weeks. Both checks were for \$28.07 and written to DOES. The current bank balance is \$66,948.01. Both the 3-year audit and the fiscal year 2008 3<sup>rd</sup> quarter report should be accepted by the Auditor's Office. The 1<sup>st</sup> and 2<sup>nd</sup> quarter allotments should finally be released this month after being delayed for late or incomplete grant reporting. \$3,285 will be docked from the allotments because checks from the 2007 3<sup>rd</sup> quarter report contained only one officer's signature.

The following grants are delinquent in reporting: Grant 08-01 Home Roots and Grant 08-03 Positive Productions. If the reports for these grants are not received soon, the 3<sup>rd</sup> quarter allotment will be delayed.

Commissioner Spalding also presented the 2009 fiscal year budget for discussion. He noted that adjustments will be made after the meeting and the final copy will be moved and voted on in October. The projected numbers in the preliminary document are from past spending practices of the Commission. The numbers have been computed to present a balance between receipt and expenditures. He asked the Commissioners for input on the budget. Commissioner Nadeau asked if Commissioner Spalding had any recommendations based on the spending habits of the Commission, particularly for grants. He stated that he would like the grant amount to be less than the budgeted \$15,600, but the Commission has shown they feel it should be more. Commissioner Spalding stated that the Commission has spent approximately \$14,000 in grants so far this year. He also stated that the Commission is changing from a calendar year to a fiscal year. The Commission has spent \$14,000 in grants for a 9-month period, but it is still below the budgeted \$21,500 for a 12-month period. Commissioner Nadeau asked if the budgeted wages amount worked out as planned. Commissioner Spalding stated that wages, DOES payments and federal withholding payments were quite less than expected. The 2009 projections are set up for the expected 20 hours of work from our Administrative Assistant.

Commissioners had questions concerning the \$3,285 fines from the 1<sup>st</sup> and 2<sup>nd</sup> quarter allotments. Commissioner Hunter suggested the Commission appeal the Auditor's decision to fine the ANC. After further discussion, Commissioner Hunter moved that ANC1B appeal the recommendation of Auditor Bynum directly to the Auditor explaining that the expenditures were legitimate and money was documented as a legitimate purpose and it is punitive at this point to take the money away. Mr. Wilson Reynolds asked if the Commission received its checks back. Commissioner Spalding indicated that they do not; Industrial Bank sends miniature black and white sheets. After discussion, the motion was seconded and carried.

### **Events and Announcements**

#### **Commission**

Commissioner Moss announced that public safety meetings with PSA 305 and the Public Safety Committee of the LeDroit Park Civic Association occur on the first Tuesday of each month at the DC Housing Finance Agency at 7pm. The focus of the meeting held this past Tuesday was the increased crime (drugs and prostitution) in LeDroit Park. The meeting was held to notify the 3<sup>rd</sup> District Police. Commissioner Moss wrote a special letter to Chief Lanier and to the Mayor about the high staff turnover rate in the 3<sup>rd</sup>

District. She stated that it is undermanned and sometimes there are only 10 officers on duty from 3pm-11pm because officers are being moved to PSA307. She specially asked for staff stability for in the precinct.

Commissioner Nadeau announced the following:

Notice of Availability of Shaw Neighborhood Investment Draft Plan for Public Comments- anyone who wishes to comment on the draft plan must submit in writing to Mr. Tyrek Bolden, Neighborhood Planning Coordinator for Ward 1.

Joint Utility Discount Day at the Washington Convention Center on September 30, 2008 from 8am-7pm. Special discounts will be offered on electric, gas, water, and telephone bills that meet income eligibility

DC Public Service Commission will hold legislative style proceeding to investigate electric reliability and electronic supply accuracy for DC. If you wish to testify, you must state your intent to do so by September 22, 2008

DC Department of Housing/ Community Development Fiscal Year 2009 Consolidated Annual Action Plan is now available to anyone to borrow and review.

### **Presentations**

Brian K. Betts, Principal of Shaw Consolidated Middle School/Garnett Patterson Middle School was in attendance to inform the audience of the upcoming school year. Both schools are for students in grades 6-8. Shaw and Garnett Patterson will be together for the next 2-3 years in Garnett building. The two schools will remain consolidated when the Shaw building is complete. Garnett Patterson will be a swing space for other schools that are in the remodeling phase. The Garnett Patterson name and school will close.

Shaw/Garnett Patter are a restructuring school, both schools failed to meet the minimum requirements set out by No Child Left Behind for 6 years. Both principals, assistant principals, and many staff members of both schools did not return this year. New teachers were hired from various states. They have high expectations for all students. The school is also a full service model school (1 of 8 places in the District) The

Chancellor gives these schools additional funding/resources due to barriers (home or neighborhood). The school has 11 non-teaching positions for student support.

The school's vision is: All Shaw students will graduate from high school prepared for college. Principal Betts shared his personal goals for the school, which include: parents returning students to the school after enrolling in charter or private schools and reaching blue ribbon school status in 5 years.

The After-school program is a combination of intervention and enrichment. Activities in the program are planned until 7pm.

John Gliatis of Myst was present to inform the Commission of his new business. The business will be at 11<sup>th</sup> Street and W Street, NW. This will be a restaurant with an enclosed outdoor patio. The restaurant will serve American food with European flair. Dinner will be served as well as late night drinks. Commissioner Nadeau inquired about the type of soundproofing for noise producing entertainment. The owner stated that dinner music will be played at a low level and the roof of the restaurant will be retractable which will aid in noise control. Commissioner Conklin stated that she was very excited about this business. Commissioner Hunter thanked Mr. Gliatis for coming before the Commission. Commissioner Spalding suggested meeting with the Cardozo Shaw Neighborhood Association and the Meridian Hill Neighborhood Association.

### **BZA, HPRB, DDOT Applications**

BZA 17810, 1505 Harvard Street was discussed. Owner Mike Weiss was present to share his plans and explain the need for a detached garage addition with an above storage room to his property. The addition would be built over the existing driveway to the home. He is asking for a special exception to build on 70% of lot, rather than 60% of lot occupancy. The District approved plans with the only exception of lot occupancy.

After the presentation, Commissioners discussed the renovation. Commissioner Spalding inquired about the purpose of the window above the garage because it may cause the renovation to be considered living space instead of storage. The owner stated that he received all the permits from the Board of Zoning Adjustment. Commissioner Spalding then moved support for BZA 17810 for special exception to lot occupancy and rear yard (403 and 404). Commissioner Moss seconded the motion, and Commissioner Spalding added that he and Commissioner Smith would be designated to represent the ANC. The motion was adopted 8-0.

Commissioner Moss discussed the OP Large Tract Review at 641 S Street, NW (Wonderbread Building). She called forward Melissa Cohen and Tracy Weems to further discuss the plans for the building. Both first presented at the March 2008 meeting and received ANC approval of the schematic concept. It was also approved by the Historic Preservation Review Board. The Office of Planning is conducting a large Tract Review that requires zoning, planning, street perspectives, floor plans, etc. The building will be mixed use of office space and retail. Retail space will be on first floor and office space on the second floor. The building already has 50,000 square feet and they are adding another 50,000 square feet to the project. They are not seeking any variances for this project. The building will also have 30 parking spaces.

Commissioner Spalding questioned the size of the loading dock. Weems and Cohen stated that the size was appropriate. Commissioner Moss pointed out that the District is planning to acquire 1830 Wiltberger Street in order to open the alley area for loading for Radio One and Howard Theater. Chairman Smith inquired about the number of flex cars, if any. Flex car usage had not been determined.

Some community members had questions concerning the financing of the project, parking at the site and the time length of the project. Architect Paul Milstein indicated that the project is not receiving public funding. More parking would require cutting the size of the first floor or going down. The designers and owners of the building feel that the thirty current parking spaces are sufficient because the parking area was originally used for parking and loading. Thirty parking spaces are also sufficient for zoning. He also stated that the project should take 2-2.5 years. Chairman Smith stated that tenants should be pushed to use metro.

Commissioner Moss moved that ANC1B support the large tract review with option to add comment to letter to the Office of Planning. Commissioner Nadeau seconded the motion. Commissioner Spalding asked if the comments shared would be placed in the letter. Commissioner Moss said yes comments would be included. The motion was adopted 8-0.

Commissioners Moss and Spalding spoke on the DDOT Plans for U Street, Florida Avenue, and the Howard Theater. There are three actual engineering drawings for:

- 1) U Street from 9<sup>th</sup>-18<sup>th</sup> Street,
- 2) Florida Avenue area above U Street going up to Barry Place, and
- 3) the Howard Theater area.

The U Street plan is a 65% plan and was expected to be further developed by this point, but has been put off until 2011. Commissioner Spalding indicated that he has made comments, but has not been able to get them on the record. He then moved that ANC1B submit a letter to DDOT on the plans for U Street, Florida Avenue, and the Howard Theater area that includes the comments from Commissioners and the following recommendations:

- 1) the Florida Avenue plan should be re-opened for community comment because the plans were made a few years ago

- 2) Brick accent band be removed from all sides of 9<sup>th</sup>-16<sup>th</sup> Streets and the entire sidewalk to curb be scored concrete,
- 3) the location of the curb cut and driveway of 0361 lot 0833 be reviewed and assessed for future use prior to being reconstructed,
- 4) any streetscape and landscape modification to Vermont Avenue median are compatible with new planted design of median,
- 5) sidewalk on western face of square 2875 must be widened with additional lighting provided along Housing Finance Agency
- 6) sidewalk on the western face of square 2873 in front of lot 907-909, 911, and 913 should be reexamined for ADA compliance and future pedestrian capacity from projected bulb out by the 9:30 club, and
- 7) further use of tree grates in pedestrian minimal sidewalk depth locations.

Commissioner Spalding stated that comments should be forwarded to the design committee. Commissioner Moss seconded the motion and Commissioner Nadeau added an amendment to the motion to add the pedestrian crossing between 15<sup>th</sup> and 16<sup>th</sup> Streets to the motion. Commissioner Spalding stated that the crossing is already a part of the 2011 plan unfortunately. The motion was adopted 8-0.

Commissioner Spalding discussed the resolution for a new alley in square 0361. The oversized piece of land is located from 9<sup>th</sup> Street to U Street to Vermont Avenue and T Street. It is served by an inadequate alley structure and is near the Grimke School. This has been an ongoing seven-year battle between owners and residents in neighborhood. The current plan allows trucks to get in the alley, but they cannot exit without knocking over fences. The current proposal is to continue using the alley the 9.5 Street alley that runs along the southwest side of the Grimke School between part of a loading dock and Vermont Street. If a pre-existing alley along the backside of the residential properties on the 900 block of T Street is used, block movement will be much better and residents do not have to worry about fences being destroyed. Commissioner Spalding moved that ANC1B ask DDOT and the Office of Planning to begin to study and address if this can be accomplished. Commissioner Moss seconded the motion, and the motion was adopted 8-0

Commissioner Moss discussed the Addendum to the Bond Bread land swap. This has been an issue in the District for sometime that involves a land swap between the District and Howard University. After years of court hearings, an agreement has been reached by both sides. The District managed to swap between properties owned and included in part, of what needed to be developed for the Howard Town Center. After the land swap, Howard University realized there were two pieces of land that needed to be included in the swap that were unfortunately forgotten. Councilmember Carol Schwartz said the

ANC needed to weigh in on this issue. Commissioner Spalding moved that the Commission send a letter to Councilmembers Carol Schwartz and Kwame Brown supporting the addendum to the Bond Bread Land Swap. Commissioner Moss seconded the motion and was adopted 8-0.

Commissioner Moss discussed HPA 08-310, 1915 6<sup>th</sup> Street. This is a project in LeDroit Park and has already been approved by Historic Preservation and the LeDroit Park Civic Association. Kevin Brown from the Neighborhood Development Company and PGN Architects were present share the conceptual design of the project with the Commission. This is a three story, two unit apartment dwelling. It is zoned R4. The proposed design is consistent with the architecture of the streetscape area. The single lower unit will have one bedroom; the second unit will be a two level unit with a separate entry. The primary issue here is zoning. Historic Preservation approval precludes two units without Board of Zoning approval

902 T Street was also discussed. The Neighborhood Development Company also has possession of this property. Plans were submitted to DCRA and everything except zoning was approved. This will be a three unit building. The third unit will be affordable housing under the Board of Zoning Adjustment relief. An expedited hearing was requested because the building is deteriorating and the owners want to begin renovations. Commissioner Spalding had a few concerns about the property and encouraged the owners to speak with the Cardozo Shaw Neighborhood Association and the Meridian Hill Neighborhood Association in order to get community input. He also told them to come back in October for zoning approval.

Agenda item Zoning Commission 07-31, 715-727 T Street was a moot issue at the time of the meeting.

Chairman Smith asked the Commission to hear a presentation for the renovation of the National Caucus and Center for the Black Aged (NCBA) property at 2801 14<sup>th</sup> Street. The Commission agreed. Dwight Bags Director of Housing for the NCBA Housing Management Corporation was in attendance to present plans for the renovation of the senior building. The President of the organization, general contractor, members of the construction team, and the architectural firm were also in attendance. NCBA is a longstanding member of the Columbia Heights community. The building is a 175 single bedroom unit independent living elderly facility built under the federal HUD program section 202. The renovations will provide an additional 128 units both one and two bedroom. The building will also have a theater, medical suite, computer training room,

hairdresser and barber, community room, and an exercise room. The building will also have 10,000 square feet of office space. The renovations are slated for completion in 2011. Chairman Smith and Commissioner Spalding indicated the need for more green space.

Commissioner Spalding discussed the Ward I Jitney service. This was previously discussed at the July/ August meeting. He then moved that ANC1B request that DDOT, the Office of Planning, and the DC Taxi Commission jointly explore and report on providing jitney systems in DC. Chairman Smith seconded the motion, and the motion was adopted 6-0.

### **ABRA Licenses**

Commissioner Spalding gave an update on the liquor licenses in the Commission. He attended an ABC Board hearing and a number of cases were addressed.

1. Dynasty Ethiopian Restaurant had a show cause status hearing for illegal importation of liquor and no manager on duty. These are serious charges. This has been moved to a full show cause hearing scheduled for October 15<sup>th</sup> at 11am.
2. Queen Makeda is a license that the Commission protested one year ago. Owners failed to show for the status hearing. The license was not renewed, but the owners went back and the license was renewed. ABRA forgot to reinstate the protest process. Owners were presented with a sample voluntary agreement and safety and security plan, but they have failed to respond. The show cause status hearing was for selling to a minor and no manager on duty. The status hearing has been continued and the new hearing is scheduled for Wednesday, October 8, 2008. ABRA has reinstated the protest process. At the new hearing an immediate protest hearing will be called. Queen Makeda has two choices, complete the necessary paperwork or give up because the ABC Board has given this business many opportunities to rectify the situation.
3. Yegna had a show cause hearing for serving to a minor, serving after hours, and not having a manager on duty. Owners did not settle at the show cause status hearing, and did not attend the recent show cause hearing. They are facing a serious fine.
4. Serve U Liquors has been continued to November 12, 2008 at 9:30am.
5. Mocha Hut is having a very serious problem with ownership. The Commission voted to support the license and outdoor patio, but the license has been delayed. The owners are going to court in order to settle the matter.

### **Grant Applications**

Commissioner Spalding discussed grant 08-10 for Mid City Business Association for \$2,000. Natalie Avery, was present to discuss the grant. The money will be used to pay for an advertisement for the Dog Days of August sales event. The Commission voted 4-1

to support this grant at the July/August meeting. The vote on this grant is invalid because of a loss of quorum. This year was a record performance for this event due in part to the advertisement in the City Paper prior to the event. If the grant is approved, the Auditor would have to approve the disbursement of money for an event that has already occurred. The application was submitted and presented to the Commission in a timely manner, therefore; it should still be considered. After discussion amongst the Commissioners, Commissioner Spalding moved that ANC1B received a grant application from Mid City Business Association for \$2,000 for publicity to be considered at the October meeting. Commissioner Moss added an amendment, asking that the applicant be placed high on the October agenda because this is the third time she would have to attend a meeting to have her grant application approved. Commissioner Spalding accepted the amendment. Commissioner Hoerrner seconded the motion. Commissioner Nadeau had a question about the number of grants that the applicant could apply for. Commissioner Spalding said the first application would be erased. The motion was adopted 8-0.

Commissioner Spalding moved to table the Rachel Lord grant application. The motion was seconded by Chairman Smith and adopted 8-0.

Commissioner Hunter asked permission to hear a grant that was submitted in July and waive the rules to approve the grant. Chairman Smith asked why the grant was not e-mailed to Commissioners and what the community benefits of the event are.

Commissioner Hunter replied that the technology to e-mail the application was not available and that the event is based on the City Year program. Commissioner Hunter moved that ANC1B waive its rules and accept the grant application for consideration tonight. Commissioner Hoerrner seconded the motion and the vote was as follows:

Hoerrner- yes

Spalding- no

Nadeau- no

Akinmboni- yes

Conklin- no

Hunter- yes

Smith- yes

The motion was adopted 4-3.

Commissioner Hunter called forward Joshua Kaller to give a brief explanation of the event. Chairman Smith asked how ANC1B would be impacted by the event. Mr. Kaller replied that it will be an opportunity for residents to hear the stories of service from

service organizations in the area and possibly share their own service stories as well. Commissioner Hunter then moved that ANC1B approve the grant. Commissioner Hoerrner seconded the motion and the motion was adopted 6-1.

Commissioner Nadeau then stressed the importance of following the grant application procedure.

### **New Business**

Commissioner Spalding discussed an e-mail about DC Voice's Ready Schools Project. This program goes into schools to take inventory of what is working and what is not. DC Voices would like the Commission to be one of one hundred organizations to endorse the Ready Schools Project. He then moved that ANC1B provide support to DC Voices for their Ready Schools Project 2008. Commissioner Conklin seconded the motion and the motion was adopted 6-1.

The meeting was adjourned at 9:27pm.