

ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Columbia Heights / LeDroit Park / Shaw / University Heights

1 July 2004, True Reformer Building 1200 U Street NW

Attending: Commissioners Guyot, Spalding, Hammonds, Thomas, Houston, Skinner, Esters, Wright

Absent: Commissioners Butler, Wright

Quorum was achieved just after 7PM. In the Treasurer's report Commissioner Esters stated that we began the month with \$93,877.46 and there were four debits including a bank charge for \$1.00, check 1542 for secretarial expenses of \$110.97, grant #04-06 to 14th & U Main Streets for \$2,046.26, and grant #04-07 to Home Roots for \$4,000.00. We also deposited our fourth quarter allotment of \$7,304.85, which results in a current balance of \$95,024.08. Treasurer's report was moved, seconded and adopted on a unanimous (7-0-0) vote. In the Secretary's report Commissioner Spalding mentioned that current agenda, minutes from past meetings and grant documents are available on our web site www.anc1b.org, and asked everyone to be patient while the site builds out. Application for a new CN license at 2106 Vermont Ave. has been withdrawn. Vacant retail building on the northeast corner of 14th and U has finally been moved to Tax Class 3, and will hopefully encourage the owner and lessee to do something with this important property. Café table space applications for Love Café and Starbucks have been approved by the Public Space Committee, and that we should see the tables out soon. Secretary also informed Commissioners that he would be attending a conference at the end of July, and that submissions for the August agenda should be made prior to Friday, July 30th. Minutes for the June meeting were presented, moved and adopted unanimously (7-0-0).

In Community Events and Announcements Scott Pomeroy of the 14th and U Main Streets Initiative announced that the 5th Annual Dog Days of August sale would occur on August 7 & 8. With additional sponsorship and endorsements the program will be open to all of the businesses in the corridors.

Commissioner Spalding introduced an initial presentation on development plans for the corner of 10th and V, which incorporates the First African New Church accorded landmark status through the efforts of the CSNA and ANC1B. Tom Yockey, President of Broad Street Ventures, Paul Thomas from Shaw Pitman, and Bill Bonstra were present to give the initial presentation. Mr. Yockey stated that they are intent on preserving the façade of the church, but that the interior is in very bad shape due to the lack of a working roof for the past few years, and that the vines growing up the back of the building may be what are keeping it from falling apart. The church plus the building constructed on the adjacent vacant lot and a small property to the east along V Street are projected at this point to comprise a forty-four unit condominium building. Mr. Yockey said that they are early in the design process and want to get community input as the design is refined in work with the Office of Historic Preservation. Mr. Yockey stated that they would also be seeking some BZA variances if the project remains similar to current designs, and that an affordable housing component would be included using the additional .5 FAR and providing approximately 1200 square feet of affordable floor area. Architect Bill Bonstra presented numerous elevations of the working designs for the project. This will be a 100% residential project with one and possibly a second level of underground parking as site conditions allow. The main entry will be off 10th Street between the church building and the new structure on V. The parking will be accessed via the alley off 10th Street. The residential space will begin with a terrace level partially below grade, and there will be a total of six floors of residential in the new building reaching a height of sixty-five feet. Commissioner Spalding asked about the height of the existing church building, and Mr. Bonstra stated that they do not have an exact figure yet, but the top of the spire on the church is estimated to be approximately sixty feet. There will be four units housed in the church building, and one will be accessed through the original entryway. The remaining church units will be accessed through the main entry between the structures. The new structure is designed to not overpower the church structure, but the detailing is meant to reflect materials and design elements of the church while not forcing period replication. Julian Pippetov from Bonstra Architects described the deliberate reflection of the materials and rhythms on the new building facing 10th to compliment the church and nearby properties. The main entry uses glass along the side façade of the church and allows the eye to follow the volume of the church. The top floor of the façade on 10th will be in lighter colored materials to minimize the visual impact next door to the church front façade. Mr. Yockey explained that they have minimized the balconies on the 10th St. façade, while emphasizing them on the V St. façade. Chairperson Thomas asked if the naming of the new development will recognize the historic component, and Mr. Yockey said that they have not decided on naming the project yet, but would endorse this suggestion and search for a historically appropriate name. Commissioner Spalding asked if the 10th St. façade on the new building was flush with the façade of the church, and Mr. Pippetov stated that the brick elements on the new building were indeed flush with the front of the church building. The glass bay on the 10th St. façade would be in public space and reflect the tower structure (also in public space) of the church's front façade. Commissioner Spalding asked what BZA variances they would be seeking, and Mr. Thomas responded that it would probably residential recreation space, a rear yard variance, and there may be penthouse and roof element questions. Commissioner Skinner stated that he was worried that the new structure will overpower the historic

church building, and that the developer needed to pay increased attention to highlighting the historic nature of the property. Commissioner Skinner asked if there was a way to incorporate some space in the building to pay homage to the history represented by the landmarked building, and that the church was being dwarfed by the new residential building. Mr. Yockey responded that on the north side of the service alley there is a fifty foot residential building currently being developed, and that the church would read appropriately in the context of the two flanking new buildings. Mr. Yockey also indicated that in many meetings with Stephen Callcott of the Office of Historic Preservation, that the church structure was an infill and not a prominent corner property, and that the design of the new structure should maintain the original street rhythm. Mr. Skinner repeated his request for more homage to the history embodied by the church, and Mr. Yockey responded that they would attempt to incorporate the suggestion as the designs move forward through the review process. Tim Arnold of CSNA asked the developer to meet with his committee, and said that his first impressions were disappointing. Mr. Arnold stated that in similar projects where new structures were built next to historic structures, the connection between the two should be lower than the gabled front of the existing building. The trade off might be an increase in the FAR on the V Street elevation to compensate the developer for losing space in decreasing the massing close to the church. Mr. Arnold also asked the developer to explore pulling back the 10th St. façade of the new building to further enhance the church building's massing and façade. Mr. Arnold also addressed the possible variance on residential recreation space, and indicated that the loss of recreation space in the community needed to be offset in some manner e.g. an ongoing relationship with Harrison Square Park or other local recreation facilities. Commissioner Guyot added that ANC1B had worked with CSNA on the preservation of the church, and had contributed \$3,210 (corrected by Commissioner Spalding to the figure of \$1,750) towards the land marking and hoped that the preceding comments of Commissioner Skinner and Mr. Arnold be put in the motion of support. Commissioner Spalding stated that there would be no motion tonight, that this was simply an initial presentation of the possible design and request for community input. Constituent Mark Larson who lives next door to the proposed project questioned the multiple uses of the alley system in the block. All of the current development proposals including the large Rhapsody project are proposing using these ten foot service alleys to access their parking facilities, and the strain on these alleys and noise would seriously affect the current property owners. Mr. Larson also mentioned the tunnel of brick effect that the pairing of the Garnet Patterson School across the street combined with the sixty-five foot height of the new building and its effect on the light of current property owners, many of whose buildings are merely twenty-five feet in height. Brian Martin Firvida, past President of the CSNA, stated that the new building appeared to be 'stapled on to' the existing church building. Mr. Martin Firvida explained that CSNA is charged with monitoring the historic district and that he looked forward to meeting with the developer with plans incorporating the dialogue that had taken place this evening, and with ideas generated at the CSNA Historic Preservation Committee's reviews.

Al Hedin and Doug Yurechko from PN Hoffman stated that they are actively developing plans for submission in the RFP for Parcel 34. Parcel 34 is a NCRC site between Belmont and Florida Ave. just to the west of 14th St. and it is currently vacant. Hoffman is preparing a design that will include fifty residential units and fifteen thousand square feet of retail space. The plans for the retail are to entice a grocery store, which in their initial input from community members was a preferred commercial use. They are planning on one to one parking for the residential component provided on site, and also the zoning required parking for the retail component. They will be partnering with Michael Sussman who the community may know from his work with Clifton Terrace and Florida Avenue, and the architects are projected to be Hickok, Warner Cole. Mr. Hedin stated that the affordable component set out in the RFP is 20% in a percentage of AMI schedule set by NCRC. Commissioner Skinner asked developer to consider the possibility of expanding the affordable component beyond the required 20%, and to develop designs that were not exclusively junior one bedroom, since many of the seekers of affordable units were single parents with children. Mr. Yurechko responded that they would be fulfilling all of the zoning requirements, and that in the design process they will attempt to reflect the needs of possible tenants for the affordable units. Our designs are very flexible at this point, and it would be in our best interest to design the units to meet the demand currently expressed in the community. Commissioner Guyot stated that he had to address a matter of conflict of interest. I sit on the Board of the Columbia Heights Development Corporation, and we are developing a proposal for Parcel 34. The law in the District is that if you can deal with it fairly, you have to announce it and I'm announcing it, and I will deal with it fairly. Commissioner Spalding directed constituents to the NCRC web site to get much more detailed information on this parcel, and also asked if they would continue to work with the 14th and U Main Streets Initiative. Mr. Hedin responded that they currently have a relationship in regard to the development on the east side of 14th St., and that they would continue the relationship in regard to the development of Parcel 34. Tim Arnold asked if the proposed commercial tenant being a grocery store meant that they were abandoning the same possibility for the 14th and V site, and Mr. Hedin stated that they have not excluded the possibility of a grocer in either space. Mr. Arnold stated that the square footage was inadequate for most large grocers, and wondered if they are soliciting Trader Joe's for either space, and Mr. Yurechko responded that they are working with Trader Joe's as one possible grocer for the commercial spaces. They have also asked Magruder's to visit the sites and assess their interest. Mr. Yurechko also asked constituents to lobby neighborhood grocers who would serve their interests. A long term constituent reminded everyone that there was a Safeway in the same location before the riots, and that the new grocer should be someone who serves the average community member. Commissioner Spalding asked the developer to leave information for community members who wanted to contact them with ideas, and both agreed to leave business cards behind for any community members to use in contacting them.

Commissioner Spalding presented a request from Scott Pomeroy of the 14th and U Main Streets Initiative for a letter of support for the "Green Team". Mr. Pomeroy stated that

this will be the second year for the Green Team, and that last year it was a demonstration project with five part time and five full time workers. It is a partnership with the Coalition for the Homeless and the University of the District of Columbia, and they are hoping to expand the project to include thirty workers. They will be soliciting funding from District agencies and foundations, and they are seeking letters of support from neighborhood organizations and individuals to use as support for their financial requests. Of the thirteen employees participating in the program all started out in transitional housing, and twelve have now moved on to permanent housing, and all are participating in career training programs sponsored by UDC. Commissioner Spalding moved that a letter of support be written, and it was seconded and adopted unanimously (7-0-0).

Miss Chris Benjamin from the Mayor's Office was scheduled to speak; however, Commissioner Spalding stated that he had received a call from Miss Benjamin who was attempting to locate her car after finding that it had been towed. He extended an invitation to Miss Benjamin to address the ANC's August meeting.

ABRA application No. 50282 was introduced by SMD Commissioner Spalding. This is a transfer of an existing license from the closed venture at the corner of 13th and W, and would be relocated to the commercial space next door to the Ellington apartments. This is a class B license, and the hours would be from 10AM to 10PM. Commissioner Spalding stated that he had solicited input on this transfer through the local list serve and in person, and had found very little concern with the relocation. Applicant was present and described a beer and wine component added to their present store. A constituent asked about the status of the license for the store that was at 13th and W, and Commissioner Spalding responded that once the transfer was made that any new tenant at 13th and W would have to apply for a new license for the location. Bryan Martin Firvida stated that he lives across the street from the original license location, and that the community had no trouble with the original location. Commissioner Spalding added that the applicant has been working with the 14th and U Main Streets Initiative and is prepared to work with the Ellington's owners Donatelli & Klein, and he moved support of the transfer of the Class B license to 1351 U Street, and it was seconded and adopted unanimously (8-0-0).

ABRA application No. 60761 for a new CT (tavern) license for Tabaq Bistro to be located at 1336 U St. was considered. Applicant was present and gave an account of his relationship to both the U St. and Adams Morgan areas, as well as an introduction to their plans for 1336 U St. The family owns three restaurants currently one on U St. (Utopia) and two in Adams Morgan (Mezze). The new restaurant will be a further exploration of Mediterranean tapas culture. In order to blend with the U St. cultural scene they want to provide jazz performers, specifically targeting new young talents. The building is

currently a vacant property in the middle of the south side of the 1300 block of U St., and they are preparing to renovate the entire building. The kitchen and dining areas will be on the first and second floors, and they will also incorporate a rooftop enclosed area. Commissioner Spalding stated that there is concern about the fact that the roof deck will be facing an abutting residential area on Wallach Place, and that it will be very important to assure that noise does not affect the Wallach Place residents. Commissioner Spalding also indicated that the lack of immediate parking would require that, like in Adams Morgan, the applicant work with other commercial tenants in organizing, coordinating, and perhaps even in helping develop parking for this block. Applicant stated that he's eager to work with the other businesses, and that since he and his family also live in the residential neighborhood nearby they would be particularly sensitive to noise concerns of other residents. Commissioner Spalding also noted that the hours of operation appeared to allow daytime use, and encouraged the applicant to develop daytime use. Applicant stated that they have been successful with weekend brunch service, and are planning to serve luncheons as well in the new restaurant. Commissioner Guyot asked if they have had ABRA training, and applicant responded that all of his family members have been trained. Commissioner Guyot stated that MPD had asked businesses on the corridor to participate in a rolling closing hour's format and asked if applicant would participate, and applicant said that he would be happy to join in this effort. Constituent Reginald Kelley asked why they are seeking a tavern license if there's such an emphasis on food in their restaurants, and applicant responded that with the combination of food and entertainment they were more comfortable with the requirements of the tavern license. Constituent Ron Renchard pointed out that Utopia began as a restaurant license, and once the community was comfortable with his operation he moved to a tavern license. Applicant responded that for the business model they felt more secure in applying for the tavern license. Commissioner Spalding moved support for both a stipulated license and a new tavern license for Tabaq Bistro, and it was seconded and adopted unanimously (8-0-0).

ABRA application No. 36464 a renewal of a restaurant (CR) license for Portico located at 1914 9th St. Applicant was not present, and Commissioner Spalding stated that he had requested feedback on the list serve and from neighbors but had gotten very little response. Commissioner Spalding checked the Petition Date supplied by ABRA and indicated that it was August 3rd. Commissioner Spalding moved support for the renewal stating that there has been no negative commentary received, and it was seconded and adopted on a vote of (7-1-0).

ABRA application No. 9267 for renewal of a CX (club) license for the Congressional Club located at 2001 New Hampshire Avenue was considered. Applicant was not present, and Commissioner Houston moved to table. Commissioner Guyot reminded the Commissioners that we have amended our rules to allow us to consider ABRA applications on the agenda whether the applicant is present or not. Commissioner Guyot stated that he's a Democrat, but that this is where the Congressional Republicans meet.

This Commission, however, is non partisan and the political reality is that this is not a license request that we should take on. Petition date is August 3rd, and the hearing date is set for August 18th, and Commissioner Spalding reminded the Commission that if we wanted to comment on this license we should do so at this meeting. Commissioner Guyot stated that it's politically unwise to not support this license renewal. They have been at this location for a very long time, and our partisan spirit may be outdistancing our pragmatism in this case. Chairperson Thomas indicated that she would like to see the applicant's appear before the Commission, and that she would support the motion to table. Commissioner Esters stated that anyone who wishes to have a liquor license in our Commission area should appear before the Commission, and if they don't appear they won't get my vote. Calvin Woodland from Councilmember Graham's office stated that this was no different than the preceding debate and that we should support this renewal. Constituent Lou Nayman stated that we should expect these applicants to respect the communities in which they are operating, and not attending should not be rewarded. Commissioner Skinner stated that tabling will give the Commission a chance to attempt to get the applicant before the Commission and still get a response in to ABRA. Commissioner Guyot reminded the Commission that we voted to support an absent applicant in the previous case, and in this case we also have no negative sentiment raised about the applicant and we should treat the cases in a similar fashion. Chairperson Thomas responded that she thought it should be the SMD Commissioner's call, and Commissioner Guyot responded that there was no argument from him that the SMD should make the call. Motion to table was seconded and adopted (5-3-0).

ABRA application 28078 a renewal of a restaurant (CR) license for Coach and Four located at 2000 14th St. Chairperson Thomas stated that she had a prepared statement to read since she often gets distracted running the meeting and participating in the debates. In regard to the Coach and Four operating inside a government building or not will be decided by other arms of the government, and not by this ANC. As to the liquor license it has been noted that they have been operating inside the laws set by ABRA. The issues that have been raised by my constituents include the traffic that's being directed by the MPD through the residential streets and neighborhoods. This is a problem. This is one of the reasons that this ANC voted to support the best practices process developed by the Hospitality Institute. These problems need to be addressed in the context of the larger community. I am requesting that Coach and Four along with all other liquor license holders to be mindful that the residents are being affected by what happens after the businesses close down. I expect all of them to work together to find workable solutions to these recurring problems. My offer still stands that I'm willing to work with any and all parties concerned with these issues. Warren Williams, owner of the Coach and Four, stated that they serve lunch and are open two nights. Jimmy Parker, security specialist and club manager, reminded everyone that we're talking about the viability of a local business. Mr. Parker stated that they have had no violations on their liquor license, and that they are actively supporting the community. We have been working with both Campbell Heights Apartments and the MPD on better directing traffic. The parking for the Coach and Four is in the garage of the Reeves Center, and that also serves as valet

parking space for a number of other local establishments. Commissioner Ramon Estrada stated that he represents the constituents just to the south of U St. below the Reeves building, and that he has lived in the same location for the past twenty-five years. I would like to work with you, but I have to let you know that many of my constituents are alarmed over reports about violence spilling out of Club U. Calvin Woodland stated that Councilmember Graham is opposed to the renewal, and he has sent a letter to ABRA opposing the renewal. Mr. Woodland also described the opposition of the current head of the Office of Property Management who has written a detailed letter to ABRA protesting the renewal of this license. Ms. Mitten's letter indicates that the lease has expired, that MPD has been called seventy-five times to investigate criminal activity, and that the operation of a nightclub has never been authorized as a part of the lease agreement, and that the business currently owes the District more than \$175,000 in back rent under the expired lease agreement. Chairperson Thomas responded that these issues have been raised before ANC1B numerous times, and we can discuss these issues all night. Commissioner Guyot stated that he strongly, unequivocally and without caveat associate myself with the Chairperson's position. This is a decision for the ABC Board, and from the White House to the outhouse, the only body that has jurisdiction on this is the ABC Board. I want to remind everyone that the highest award for emergency preparation was awarded to an agency in that building. The other matters are so pregnant with involvement, but I'm going to stick with you and let's deal with this on the merits. Commissioner Skinner stated that when he heard of the issues of violence associated with this license he was very concerned, and to be candid, in DC I look like the victim. I took the time to visit this club on Thursday nights, and I found that they have a lot of security and that they're taking an aggressive approach to how to manage activities on a large scale on a consistent basis. I also check with ABRA and as far as them serving liquor there were no violations. I think we need to make sure that 3D does a good job. It's often that the most successful clubs get targeted for the problems. If JoJo sees a lot of police officers he's less likely to stab RayRay, but if he doesn't see anyone out there then we do have issues. It's up to us to convince 3D that we need the kind of presence and enforcement that Adams Morgan gets. Commissioner Esters asked Mr. Parker to describe their security efforts, and how they react if there's a shooting in a nearby alley. Mr. Parker stated that after an incident, the club increases their efforts on the following night. Their security is already tighter than the Pentagon's; you're not going to get through our metal detectors with change in your pockets. People are met by police security at the entrance to the building, and then they are searched by our security personnel, and then they have to go through a metal detector, and then we have security personnel who usher them to the front of the restaurant, and then they're id'd then they can enter the club where we also have crowd control people. Since the Reeves Center has so many entrances and exits, we also have security personnel at these points, and we also have security people at the bathrooms. Commissioner Esters asked about their relationship with MPD, and Mr. Parker stated that they have a good working relationship. We'd like to be able to employ off duty police personnel, but that's restricted by DC laws. Chairperson Thomas moved support for the renewal of Coach and Four's CR license including the stipulation that they will continue to work with the community to address the problems that have been addressed in the debate, and it was seconded and adopted (7-1-0).

ABRA case No. 60762 for a new CT (tavern) license for Etete Ethiopian Cuisine to be located at 1942 9th St. Applicant was present and accompanied by their attorney Andrew Kline. Mr. Kline stated that it is a very small venue located near the top of the 1900 block of 9th Street. There will be thirty seats, and the reason for the tavern application is the perceived difficulty in maintaining the proscribed percentage of food sales. They will be serving Ethiopian food and there will be live performances, however, there will be no dancing. Commissioner Spalding stated that he is concerned over the concentration of licenses in this block, but that this location was advantaged by not backing up to residential properties. Commissioner Spalding indicated that the concentration would also affect the parking situation, and then referred to Commissioner Guyot's statements that the owners in this block are working together to solve the parking problems. Applicant responded that they also owned and managed the parking facility in the vacant lot in the middle of the block. Commissioner Spalding also indicated that with the applied for hours of operation they could conduct a luncheon service, and encouraged the applicant to court more daytime use and activity. Commissioner Spalding moved support of both a stipulated and a full CT license for Etete Ethiopian Cuisine, and it was seconded and adopted unanimously (7-0-0).

Commissioner Guyot spoke to the developing Cooperative Agreement with 1919 9th St. This is an agreement written by CSNA. I was astounded when Mr. Moosally at the ABC Board took us into a small room, worked out an agreement that we are unanimous in our support. Commissioner Guyot offered to read the agreement hoped that ANC1B would unanimously pass it, and then it will be presented to Cardozo Shaw and I hope that they will pass it. Commissioner Spalding reminded Commissioner Guyot that he had made copies for inclusion in the Commissioner's packets. Commissioner Guyot summarized the voluntary agreement, and stated that he is very pleased with the resulting document and moved support for the voluntary agreement. Tim Arnold from CSNA stated that their reason for seeking the voluntary agreement was the size of the proposed nightclub, that it was not the policy of CSNA to oppose licenses on an ad hoc basis. Commissioner Spalding added that he agreed with the direction that this opposition had taken, that he preferred the ANC to write and monitor the voluntary agreements rather than the many neighborhood associations. Commissioner Spalding stated that he's unaware of any existing voluntary agreements with ANC1B, and wanted some guidance on how we should monitor the terms and react to any possible complaints. Commissioner Guyot explained that once the voluntary is in effect any citizen has the right to enforce it. Any citizen has the right to go to the ABC Board and say 'this section is not being enforced.' Motion to support was moved, seconded and adopted unanimously (8-0-0).

Commissioner Skinner requested to add an item to the agenda, and Chairperson Thomas reminded the Commissioners that the due dates should be respected. Constituent Lou

Nayman requested that the Commission reconsider the previous months vote on a liquor license for 1119 V St. Mr. Nayman explained the short notice of the application prior to consideration at ANC1B's July meeting, and the Commission's refusal to honor the SMD Commissioner's request for more time. Mr. Nayman stated that there are currently eighty-one signatures on protest petitions, and some of the neighbors have come to tonight's meeting hoping to express their concerns. Chairperson Thomas stated that we have already placed a new license request on the agenda, and that in order to reconsider the vote taken last month on 1119 V we would have to have a Commissioner who voted for the application request the reconsideration, and Commissioner Wright stated that he was willing to do so. Commissioner Guyot stated that this only meant that the motion to reconsider was open to a vote. Commissioner Wright stated that he now understood that the community members were not given an adequate opportunity to voice their concerns, and he apologized to the constituents assembled to voice their concerns over this license application. Chairperson Thomas returned the Commission to Commissioner Skinner's new item on the agenda. Commissioner Skinner stated that Mr. Fasil Asnake (applicant) had been attempting to contact him on a phone that was currently out of service, and apologized to the Commission for the confusion and the late submission. There is an abandoned building at 2904 Georgia Ave., and an experienced businessman who wants to transfer a Class A liquor license to this new location, and he's seeking a stipulated license which requires ANC approval. Applicant was present and explained that he had a business near the new convention center at 706 6th Street, and their building is being torn down for a new development. He stated that he has purchased the building on Georgia Ave., and hopes to run a clean and neighborhood friendly business. Constituent Reginald Kelley asked if this was a store that was going to sell hard liquor at the corner of Georgia and Harvard, and applicant agreed that was his intention. Mr. Kelley stated that there's already a liquor store at Sherman and Harvard and questioned whether another liquor store was needed this close to an existing store. Commissioner Spalding stated that we've not received any notification from ABRA, and asked if the location had been placarded. Commissioner Skinner responded that they have not yet been placarded. Commissioner Spalding noted that this troubles him since the intention of notification and placarding is to give community members a chance to assess and speak to the merits of the application. Commissioner Spalding stated that in the case of a Class A license, it seemed imperative to give the community members more notification to discuss the proposed business. Commissioner Skinner noted that he is also the President of the Lower Georgia Avenue Business Association, and had taken the applicant to meet with neighboring business owners. This was an upscale downtown operation, and they're proposing bringing that same caliber operation to Georgia Ave. This is also the case of an abandoned building that has been a problem for the community, and bringing in an owner with a responsible business is important to developing the Georgia Avenue business corridor. Commissioner Guyot stated that Commissioner Skinner is treating a business like a business rather than criminalizing. Commissioner Esters stated that this location is across the street from his SMD, and it is a location that has recently housed a liquor store. What would you do if you get the temporary license, and then you find that you're facing community opposition? Mr. Asnake responded that the placarding should be up by next Tuesday, and that if faced with opposition from the community he would work with community groups and go door to door if necessary. Commissioner Esters

asked what would happen if they did not receive a license, and applicant responded that they would open a different business in the building, or if necessary rent the building out to another commercial tenant. Commissioner Skinner moved support of a stipulated Class A license for Arena Liquor at 2904 Georgia Ave., and it was seconded and adopted on a vote of (7-0-1).

Commissioner Wright's motion to reconsider the previous month's vote on a new CR license for Tena Café located at 1119 V St. was seconded. Commissioner Guyot stated that this is the second time that ANC1B has dealt with this location, which I want to remind the Commission does not have a capacity of twenty people. I want the Commission to be reminded of the original attack on this establishment by the same people before us today. Their argument at our last ANC meeting was the same that was presented before. I remember it so well. 'We're not attacking this place, our strategy is the camel's nose under the tent', and what they wanted to prevent at that time was the establishment of a building that no longer exists as a business. Now they come to us and say 'we want to attack this license'. At our last ANC meeting we listened to that argument, and there were quite a few people here who lived in that area, and one of the ladies who was supposed to have written a note was here and testified against them, and gave the same testimony as when we first considered this. The proprietor agreed to close the back court, because there was a concern about noise. Scott Pomeroy pointed out that he had supported this in the first application, and he made a point of saying to the applicant (interrupted). We then proceeded to vote in a fair and open manner, and I think the motion to reconsider is untimely and without justification. Commissioner Spalding spoke in favor of reconsideration. At last month's meeting it was my intention to table this consideration until tonight's meeting, which would have allowed us to be both considerate of the residential neighbors and timely in responding to the ABRA deadlines. The intention of that motion was to give the community members time to discuss the application with the applicant, and time to find a compromise on those issues that concerned them. I have heard that there are currently four petitions circulating and two organizations that plan on protesting this license. I would like to suggest to the Commission that it would be much more effective if this Commission were to organize and lead the negotiations, than if there are multiple protests and participants in the voluntary agreement negotiating process. I do expect that if this license is granted it will be the result of a voluntary agreement, and I'd rather see the Commission take the lead and prevent multiple parties to negotiating that could be a very protracted process. Commissioner Skinner asked if the applicant was present, and they were not. Commissioner Skinner asked if they were notified to come to this meeting, and Commissioner Spalding responded "how can they be notified when the debate is initiated at the meeting", and Commissioner Guyot added "why should they be notified". Commissioner Skinner asked that if Commissioner Spalding had this advance knowledge of the debate why hadn't he notified the applicant. Commissioner Spalding indicated that he was given copies of the petitions at tonight's meeting, and that there's no way to put an issue on the agenda if there's no preceding request to do so. Fred Smith who lives on the corner of 13th and V Streets stated that the neighbors had almost no time to react to

the news of the application prior to last month's meeting. The Commissioner who just left said that he's concerned about being fair and open and those are the same concerns of the community members. I don't think that most of us are opposed to the license, but we're concerned with the way that it has been handled. I moved here from Adams Morgan, and one of the reasons for the move to U Street was that there's a better mix of residential and commercial properties. I am concerned about the creeping of liquor licenses off U Street and into the residential areas like V Street. Let's give everyone a chance to have a voice on this application. Resident Reginald Kelley described his long association with this neighborhood and stated that there has never been a liquor license on V Street, and there is no need for a liquor license on V St. I live in the Lincoln condominiums and it's a wooden framed building that easily conducts noise from the neighborhood. Alcohol makes people gregarious, and you're going to have noise and parking problems. Allowing the spread of liquor licensed establishments into overwhelmingly residential streets like V Street will create chaos. Another constituent stated that adequate review of this application in light of the changes in the V Street neighborhood was very important. It is being rebuilt as a wholly residential street. Those of us who have chosen to live in this neighborhood understand the nature of the commercial district on U Street and embrace it; however, this movement into the residential neighborhood is one that we're all concerned with. I have been in to use this business, but I don't think this is a viable business plan. I am a small business person myself, but I don't think that this has been adequately presented or reviewed. We're willing to come back and review this with the owners at any time. Sean Steffy, 1223 V St., and I've lived here three and a half years and I've managed to collect twenty-eight signatures in opposition to the liquor license right on V Street. We're stating this as an opposition since ABRA requires that you oppose granting the license in order to gain standing in the process and have your concerns addressed. A major concern is that this applicant wants to stay open until 2AM on weeknights and 3AM on weekends, and for a restaurant in the middle of a dense residential street this is a serious concern for us. We're not, as some have implied, out to run these people out of the neighborhood. Last week as I was walking by the business I introduced myself to the owners and expressed the concerns raised by the neighbors, and the owners were unaware of any neighborhood concerns. I think there's been some breakdown in the process of reviewing this application, and we're here to try to get the process working again. Sean Sands who also lives on V Street stated that with all of the neighbors gathered tonight shows the concern that the neighborhood has over this license. When we could my partner and I patronized the restaurant because we wanted to see it flourish as a business. We're also living in an area where license holders are operating in flagrant violation of the limitations of their licenses, and extending these licenses into the residential communities is a serious concern. I'm also troubled by the vociferous support by Commissioners who do not represent the locality of the application, and the idea of someone who represents LeDroit Park saying that my neighbors should not have a voice in what's going into our neighborhood offends me. Tom Key who also lives on V Street stated that he was offended when he got a copy of the transcript of last month's meeting when it indicated that Commissioner Guyot stated that he didn't want the neighbors to have an opportunity to come in and be heard and opposed the motion to table. The purpose of this Commission is to listen to and speak for its constituents. I don't know why you wouldn't

want to hear from us, or why you would think that our input is so unimportant. Please give us an opportunity to be heard. I personally wouldn't have a problem with this business selling beer or wine to go with a dinner, but to ask for hours that extend into the early morning hours two houses down from my home is a problem. There are tons of bars all around us and I respect that, but V Street is residential and I ask that you reconsider. Scott Pomeroy asked to support the suggestion of Commissioner Spalding that the ANC be the lead representative in any agreement negotiated with the applicant. I worked with the previous applicant through the process of negotiating the hours, and I'm speaking as someone who lives just a block away from 1119 V Street. I'm concerned about any place that would be open until two or three o'clock in the morning that completely surrounded by residents. I hope you'll vote to reconsider and I'll save my comments on the application. Calvin Woodland stated that he was once a Commissioner with ANC1B, and questioned why the request of the SMD Commissioner in whose territory this applicant was located is not allowed deference. Why is there such animated interest by other Commissioner's in the license in other members SMD? If the people voted for their SMD Commissioner shouldn't they expect that he would be listened to as representing their concerns? Commissioner Guyot stated that he was glad that so much of the discussion was directed at him, because I'm going to say something that will shock and amaze you. I'm not opposed to the motion to table, and I'm so convinced... Commissioner Spalding corrected to say that the motion was to reconsider, which was accepted by Commissioner Guyot. I'm just that convinced that the people who are talking about reconsideration are really talking about killing that application, and I wait to be vindicated. These people came to destroy they should have the opportunity to destroy. Motion to reconsider last month's vote on Tena Café's application was adopted unanimously (8-0-0). Commissioner Guyot moved that this issue be put on the next agenda, and that the owner be notified so we can witness his death. Motion was seconded. Commissioner Skinner stated that we represent all of y'all. Each Commissioner represents two thousand voters. We all get on this dais to speak to neighborhood concerns, because going around taking a vote throughout the community every meeting on all these issues would be twenty-two thousand people being polled, so every two years you elect somebody to represent your issues. We're here to uphold laws. Sometimes when individual Commissioners are pressured to do certain things that we as a collective looking at the letter of the law act as a balancing act for all of us. It's not trying to intrude on anybody's fiefdom, because they're not fiefdoms. We're a representative body, and it may not seem effective in certain instances, and I think it's less effective in some instances while in some instances it's very effective. Because sometimes its politics within a certain area that don't allow the law to be studied as closely as it should be. So, there's a process that ABRA has with the contesting process, and we've gone through iterations to try to improve that so that if someone doesn't see that their ANC didn't do what it's supposed to do, then there's other processes that people can also have to help make sure that they have a say so in the process. Any perception of flaw, there probably are flaws in the system, but all the people who are here have their good days and bad days and you're here to help us and we're here to help you. We do our best not just to represent people who show up on the night, but we also try to act as a body that tries to be fair. To hear these cutting comments...

Chairperson Thomas stated that Commissioner Skinner's time had elapsed. Commissioner Spalding responded that this is an application for a liquor license in my single member district, and Commissioner Guyot stated that Commissioner Spalding was out of order. Chairperson Thomas requested that Commissioner Guyot allow her to run the meeting and allow Commissioners the right to speak. Commissioner Spalding stated that this is a business that is going to be located in my single member district, and notably in a residential area. It was not given adequate time for my constituents to consider or air their concerns. I may have concerns about the location of a Class A license on Georgia Ave, but Georgia Ave. is a commercial street. V Street is a residential street, and the people here tonight live in close proximity to this proposed business. They're concerned and they should be heard. This has an immediate effect on their quality of life and they've come here tonight to ask us to hear their concerns. Commissioner Guyot stated that they came in force and they won. They wanted reconsideration and they got it. Why go to the merits of something of something that we'll consider at the next ANC meeting? My concern is this, no individual on this Commission, or no set of individuals on this Commission can be given great weight. Great weight is applied to this Commission. It is the responsibility of us to collectively make decisions about each applicant. I will assert my opinion in every application at every time until y'all turn me out of office. Motion to reconsider at the August meeting was adopted on a vote of (5-1-2).

Grant application of One Common Unity was considered. We all come from this community, and we started out with a street cleaning effort. We had our circle of life tours in local schools, and anti violence campaigns. We've had summer programs sponsored by the North Capitol Development Corporation. The Awareness of Oneness, its apparent just being at tonight's meeting that there's a necessity for some appreciation of diversity of the community. We're partnering with eleven other organizations and we're looking for funding to support the Peace Village at Meridian Hill Park on that Sunday. We're attempting to put on an event that will attract local youth, and while they are there the partnering groups can influence them. Commissioner Guyot stated that this is a group that is a very contributing very positive group. I understand that there are difficulties with the request. I'm asking that the Commission support the request contingent upon a submission that conforms with the expectations of the Treasurer. Grant request was moved, seconded and adopted (7-0-1). Treasurer Esters told applicant that they have details to work out, and that they should be in touch with as soon as possible.

Commissioner Skinner presented a request to the Commission to cosponsor Georgia Avenue Day. We're asking the Commission to participate in order to alleviate some of the fees for the use of Banneker Field. Outside groups can be assessed fees up to \$15,000, but government agencies normally get a break in those fees. Chairperson Thomas asked what was being asked for, and Commissioner Skinner responded that it was actually not a grant application but sponsorship. Chairperson Thomas asked what

that meant, and Commissioner Skinner replied that the ANC is being asked to sponsor those fees that are assessed for the use of Banneker Field. Chairperson Thomas asked why that couldn't be written up as a grant application, and Commissioner Skinner replied that they're asking the Commission to cosponsor it. Treasurer Esters asked how much money we were talking about, and Commissioner Skinner stated that Parks and Rec has not quoted a number yet, but if the ANC cosponsors then we definitely think it will be less than \$15,000. It could be as much as \$15,000 and it could be as little as nothing. Commissioner Spalding asked whether it was not possible to work with someone at Parks and Rec and at least get a number from them? I like the idea of the cosponsorship, however, without any idea of the cost I'm not sure how we can vote on this. I won't commit this Commission to spending a possible \$15,000. Commissioner Skinner responded that for the timeliness I'm not going to state whether this is worth \$15,000, but I think it is. It would be prudent to have a dollar figure, I can take that as a friendly amendment to endorse the cosponsorship and then return with the dollar figure to be voted on at the next meeting. Chairperson Thomas asked why it was possible to support entertainment or street festivals, which she thought was not allowed? Commissioner Skinner stated that we can't do anything with entertainment, but we can do something that's a cultural activity, or relates to education and all those type of activities. I did speak to Gottlieb Simon and he said it was fine. Chairperson Thomas asked why this was not submitted as a grant application, and why doesn't anything have any dollar amounts attached to it? Commissioner Skinner stated that they're not asking for a grant they're asking for a cosponsorship, and the check would not go to the Lower Georgia Avenue Business Association but directly to the Dept. of Parks and Rec. Commissioner Guyot offered an alternative motion which would entail the Commission agreeing to cosponsor, but we do not have to agree to the amounts involved until our August meeting. Constituent Ousley recommended that if cosponsoring the event that the Commission might want to consider liability and insurance. Commissioner Esters stated that this request not only does not have a dollar value, it also has no description of what the costs will entail or any detail of what those costs will be. I just can't in good conscience vote for something when I don't know what the money will be spent on. Can we accomplish a resolution supporting this with a cosponsorship since a cosponsorship implies a financial liability? This Commission is totally unaware of what that liability will be. Commissioner Skinner responded that they're seeking support as a sponsor, and then determining the amount at the next meeting. We're not saying, and I've been doing this six years now, that we're committing to any dollar sum. Once we've got the cosponsorship we can go to the Dept. of Rec which eliminates the use of the field. Now this is an event that's been held for several decades and we're asking for a way to alleviate fees. Back in the day you didn't have to pay anything for the field. So I'm trying to say that instead of using non profits only to try to use the field, we're asking for our ANC, and it's in our ANC Commission district, and he said he supports the activity, and what we're asking for the Commission to act as a cosponsor. A single member district could say 'I want to be a cosponsor as a single member district', but we're asking for the Commission to be a cosponsor. Chairperson Thomas stated that she understood that the Commission was being asked to provide a letter of support. [At this point the tape ran out] Resolution to cosponsor Georgia Ave. Day and consider the costs of doing so at ANC1B's August meeting was adopted in a vote of (4-3-1).

Commissioner Guyot offered a motion to support the LeDroit Park Civic Association's review and recommendations on development project at 1901 6th St. (discussed at our June meeting) was seconded and adopted unanimously (8-0-0).

Commissioner Spalding introduced a resolution dealing with illegal posters and signs in ANC1B's territory based on a similar effort by ANC7B, and it was seconded and adopted unanimously (8-0-0).

Commissioner Guyot requested that ANC1B honor the service of Benjamin F. Wilson, Esq. with a memorial plaque, and it was seconded and adopted unanimously (8-0-0).

Meeting adjourned at 10:30PM.