

ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

MINUTES

1 June 2006, True Reformer Building, 1200 U Street NW

Attending: Commissioners Moss, Spalding, Hunter, M. Smith, Stephens, Akinmboni, T. Smith

Absent: Commissioners Hammonds, Z. Wright, Mathews, R. Wright

Quorum was not present when meeting began at 7:10PM, but was achieved shortly thereafter. In the Secretary's Report it was noted that in the past month: Ward 1 Transportation Committee had met and discussed multi meter possibilities, OPM has not yet identified office space for 1B, BZA 17466 was approved, HPRB did not accept the design for the First African New Church development project and asked architect to resubmit, final Ward 1 Comprehensive Plan public meeting was held, DDOT Public Space Committee had approved an amended plan for café seating for Crème Café and voted against the pay telephone at 700 V Street, and that the Zoning Commission had approved the Broadway Atlantic PUD. Minutes of the May meeting were moved, seconded and adopted (6-0). In the Treasurer's Report the May Monthly Report showed an initial bank balance of \$67,745.94, the first quarter 2006 disbursement from the DC Government of \$7,190.85, bank charge of \$15.00, leaving an ending bank balance of \$74,921.79. There is an outstanding check to Positive Productions for \$3,500.00 which results in a final check book balance on May 31st of \$71,421.79. May Treasurer's report was moved, seconded and adopted (6-0). Treasurer Stephens reported that the first quarter disbursement was \$548.70 less than expected since the Auditor's Office is penalizing the Commission for having used a credit card to make purchases. Treasurer Stephens moved that the Commission authorize a letter to the Auditor's Office asking that these funds be restored. The purchases are all expenses that have been reviewed and approved by the Commission, and we are being chastised over a method of payment rather than any illegitimate use of funds. Motion was moved, seconded and adopted (6-0). Treasurer Stephens presented documentation on ANC1B's 2006 budget, and Chairman Hunter asked that consideration and discussion be delayed. Treasurer moved reimbursement of secretarial expenses for May in the amount of \$176.11, and it was seconded and approved (6-0). In Community Events & Announcements Commissioner T. Smith reviewed the upcoming Caribbean Festival. Chairman Hunter asked that we take two items on the agenda out of order to accommodate Commissioner T. Smith who despite the flu is present.

Commissioner T. Smith stated that last August the Commission had voted to support the installation of speed humps in the 700 block of Gresham Place. This is a very narrow and long block, and since the Commission's vote last summer we have had a young woman hit by a speeding car in this block. Commissioner T. Smith moved that ANC1B write a letter to DDOT and WASA asking that they communicate their scheduling that appears to be holding up this needed work. Motion was seconded and adopted (6-0).

Commissioner T. Smith introduced consideration of ABRA renewal of Class A license for A&T Market located at 2633 Sherman Avenue, and a representative of the ownership was present to answer questions. Commissioner T. Smith stated that despite his regular opposition to a number of licenses in his SMD, A&T Market is one of the exceptions. We do not have a problem with public drunkenness or alcohol consumption outside of this business, and we do not have the usual problems with trash and debris near the business. They are also regular attendees at local neighborhood civic association meetings. Motion was made to approve renewal of this license, and it was seconded. Commissioner Stephens asked if this store was selling singles, and Commissioner T. Smith responded that they do, but that the usual problems associated with these sales have not been a problem in connection to this business. Commissioner Stephens asked whether in light of the Commission's request of other vendors that they limit singles sales had this discussion been had with this store, and Commissioner T. Smith stated that it had not in this case. Motion to support renewal of the Class A license for A&T Market was seconded and adopted (5-0-1).

Callistus Nwadike, Ward 1 Transportation Planner for DDOT, presented the recently completed U Street/Shaw/Howard University Transportation and Parking Study. Copies of the study have been made available to the Commission, and are also available on the DDOT web site. Mr. Nwadike presented a printing of the suggested short and long term transportation and parking improvements with the red text showing input from the divisions of DDOT responsible for the work. Dawit Mulunch stated that he would be working with the design elements of the study going forward, and would continue working with Commissioners and community leaders in refining the design elements. John Stevens and Harold Smith were also present from DDOT. Mr. Mulunch stated that he would be forming a design review committee, and would be looking for community participants. Publicizing the study and ongoing work was discussed. Commissioner Moss asked if the project is funded and whether portions can be changed through community input, and Mr. Nwadike responded that it is funded and that it can be changed or influence through the process. Commissioner Spalding asked Mr. Nwadike if we were considering the larger considerations in the study or just reviewing the immediate short term plans and organization of the design committee, and Mr. Nwadike responded that it is just the short term and organizing that they were prepared to review tonight. Scott

Pomeroy asked if there was a scope of work available for the design phase, and Mr. Mulunch responded that the scope would come out of the study and the work of the design committee. Mr. Mulunch added that he would make the developing scope available to the Commission. Chairman Hunter asked Mr. Nwadike to make sure that our neighborhood associations and business organizations are included.

Commissioner Spalding introduced consideration of a development at Vermont and T Streets that will be reviewed by HPRB this month. Commissioner Spalding stated that this Commission has a very extensive history of involvement in getting this piece of land to this stage of development. This is the Mason's parking lot, and ANC1B went through two years of hearings before BZA on requiring the Mason's to redevelop the surface parking lot as residential. Christina Hayunga from Zahn Design described the design of seven row structures containing fourteen units in a condominium packaging. Each unit will have one parking space, and there will be no curb cuts on either Vermont or T St. Removing the existing curb cut will allow for a pedestrian friendly green buffer zone between the new buildings and the sidewalks. Access to the parking will be through the alleyway off 11th St. through a private easement, and this area will also contain a storm water containment tank. The unit at the corner of Vermont and T will be slightly taller reflecting the normal tower corner units seen in the neighborhood. The units will feature bay projections also a regular feature of historic residences in the neighborhood. Architectural decisions about the facades was detailed. Commissioner Spalding stated that the design was very much in keeping with the neighboring inventory of row dwellings. Commissioner Stephens asked for specifics on the front lots, and Ms. Hayunga stated that they are as presented in the site plan rather than the foreshortened view in the presentation boards. Commissioner Spalding moved support of this design to HPRB, and that he and Commissioner T. Smith be designated to represent the Commission on this application, and it was seconded and adopted (7-0).

Commissioner Spalding introduced DDOT Public Space approval of church signage located at 2033 11th Street. The church wants to replace the existing brick sign in front of the church in public space with a slightly larger brick sign. I have expressed to the church concerns over the materials and size of the new design, however, I also do not think this change is significant enough to warrant a protest by the Commission. Commissioner Spalding moved support, and it was seconded. Commissioner Stephens asked if this was setting a precedent that we might regret, and Commissioner Spalding responded that each church requesting a change would raise to review by DDOT Public Space and the Commission, and that each request can be treated separately. Motion was adopted (6-0).

Commissioner Spalding introduced consideration of ANC1B support for a funding request by Easter Seals directed to DHCD for further improvements to their building in Commissioner Akinmboni's SMD. The Commission supported their original application to renew the facility a few years ago, and this is a follow up request for primarily interior work. Dan Driscoll thanked the Commission for past support, and explained that this request is to renovate the existing basement space for additional classrooms. These changes will allow us to serve an additional sixteen children per day. A fuller description of the children served was provided. Mr. Driscoll added that the exterior work would entail a wheelchair lift to accommodate entry for students to the new space. Mr. Driscoll went into further details on the engineering designs, and provided packets showing the changes proposed. Sheleen Dumas spoke to the community relations end of Easter Seals, and invited Commissioners to tour the facility once work is completed. Commissioner Akinmboni asked that they specifically work with her since this is in her SMD. Commissioner Akinmboni moved support the request, and it was seconded and adopted (6-0).

Commissioner Spalding introduced a DDOT request to extend the bicycle lane on 14th Street. This work has been underway, and this request is to continue the striping to include the half block from U Street to Wallach Place. Chairman Hunter voiced his pleasure that they have asked for the Commission to review and comment. Commissioner Spalding moved support, and it was seconded and adopted (6-0).

Commissioner Spalding introduced Board for the Condemnation of Insanitary Buildings review of 2006 10th Street. This has been known as a drug troubled building for years, and neighbors have been dealing with significant problems emanating from this property. It is also located across the street from Garnet Patterson School. The building is currently in a state of serious disrepair. Commissioner Spalding requested that he be designated to represent the Commission in this case, and it was seconded and adopted (6-0).

Chairman Hunter introduced DDOT request to establish a temporary bus zone in the 2200 block of 14th Street. With the projected construction all along this stretch of 14th St. we are going to have to accommodate some of these temporary arrangements. Commissioner Stephens cautioned that this would lead to a longer distance between bus stops along this part of 14th. Scott Pomeroy added that the usual bus stop in front of the Hoffman Union Row project had been moved during construction. John Kardon from Level 2 explained that Level 2 had been working with DDOT to temporarily move the bus stop during construction of View 14, and that the move would be from 14/Belmont to 14/W. Commissioner Moss asked how long this construction would last, and Mr. Kardon responded that this would be through 2008. Commissioner Stephens expressed concern

that the stop would be below Florida which is already congested, and suggested that we ask DDOT to explore the corner of 14th and Belmont as an alternative. Cheryl Cort stated that this is her bus stop, and requested that we ask DDOT to make a moved bus stop location very visible. The move of the stop in front of the Hoffman project was very poorly signed and led to a lot of confusion. Secretary Spalding offered to include comments suggested in the letter to DDOT. Motion to support was made by Chairman Hunter, and it was seconded and adopted (6-0).

Commissioner Moss introduced review of Class A renewal for Beverages Etc., located at 1905 9th St. Applicant was not present, and both Commissioners Moss and Spalding stated that on numerous occasions they had gone to the business to discuss the application only to find the business closed. Commissioner Moss moved to protest the renewal, and it was seconded and adopted (6-0). Neighbor Chuck Dabney added that this block currently has fifteen licenses, and that the loss of one would not distress those who live near the block.

Commissioner Spalding commenced his review of the current status and review of ANC1B's liquor licenses, protests and negotiations. Abiti has been protested on their application for an entertainment endorsement, and the roll call is approaching. Euphoria's CR license located at 1905 9th Street has been cancelled. Commissioner Spalding stated that he has been working with ABRA staff to clean up our files and license problems. Commissioner Moss stated that she has not been negotiating with Nicholas Deli since they haven't been open for the past couple of months, and Commissioner Spalding agreed to forward this information to ABRA. Queen Makeda's CR license located at 1917 9th St. has been cancelled. Substantive negotiating session with the owner of Alero, his attorney, a representative from Donatelli & Klein, and residents of the Ellington Apartment building was held, and progress appears to have been made on this protest of application for an entertainment endorsement. In the Black Cat request for a substantial change I have been working with the owner and Andy King representing the existing voluntary agreement group towards a draft voluntary. At yesterday's roll call ANC1B and Mr. King's group were admitted as protestants, and a third group of citizens representing themselves as the west side of 14th on Swann and T Streets argued to be admitted and the ABC Board is considering their request. Last night there was a meeting between this third group and Mr. King and owner of Black Cat. Chairman Hunter stated that this new group has legitimate concerns, and whether they are admitted as protestants or not I'm inclined to have this Commission carry the water for them on this particular matter. Commissioner Stephens stated that he had received an email from this group, and is concerned that this appeal is not offering any alternative to the other eventuality which would spill a lot of people into 14th Street. Chairman Hunter responded that he is not convinced that this is being done out of benevolent motives. The reality of the matter is that the decks would substantially increase his capacity perhaps by one third—so; this is not just about smoking. Blue Moon Bistro is having trouble getting

permits from DCRA and thus the delay in their opening their restaurant at 1214 U St. Bohemian Caverns two licenses are in the process of being transferred to new owners, and since this appears to not involve substantial changes will probably not trigger review. Carbonero negotiations continue and they have hired Andrew Kline as their lawyer. Collage Café in the 1300 block of T is being investigated since they have never opened after getting their license. The building at 900 U St. is in the process of transferring a CR license to new owners, and the new name is Nellie's, and this may or may not rise to substantial change. El Paraiso Market's voluntary is waiting for signatures. Chairman Hunter stated that he has been meeting with owners of Eleven Market and received agreement to stop the sale of cigarette papers, rolling papers and other items commonly used to consume drugs. They have also agreed to stop the sale of Mad Dog 2020, but unfortunately they have fifty cases of this stuff. I think we're very close to finishing this agreement. Taste of Carolina is a transfer of a CR license at 1930 9th St., and is being reviewed by ABRA since the new owners did not inform ABRA of the changes. This may eventually reach us as a transfer with substantial changes or in a show cause hearing. Standard Billiards stated that they have almost finished the financial discovery process and would be presenting options to the Source Board, and Chairman Hunter added that this should be added to next month's agenda and that he has heard that Standard is actively looking for someone to replace their position in this property. Tena Café's CR license located at 1119 V Street has been cancelled. Yegna's application for a new CR license at 1920 9th has been slowly going through negotiations, but progress has been very slow. Bintumani Nightclub's CN license located at 2204 14th St. has been cancelled. Delicatessen Judy negotiations are continuing. Florida Liquors, Mercadito Ramos and W Street Market should be in negotiations towards voluntary agreements. Discount Supermarket has been on the local list serves as a possible sale, and Commissioner M. Smith added that he has spoken with owners and that the business would be sold with their retention of ownership of the building. What is currently proposed is another small supermarket. Shop Express continues in negotiations. Seven Days Grocery remains in negotiations. Chuck's Market appears to be close to signing a voluntary agreement. Harvard Deli, Harvard Liquors and Sonia's Market all continue in the negotiating process.

Commissioner Spalding introduced an application for an entertainment endorsement for Crème Café located in the 1300 block of U Street. Owners explained that they want to add some two piece jazz performances for Sunday brunch and after 10PM on the remaining six nights. Hours of operation were discussed, and the requested hours of live entertainment are 11AM to 4PM Sundays, 10PM to 2AM Monday through Thursday, and 10PM to 3AM Friday and Saturday. Commissioner Spalding moved to protest the application stating that the application does not detail the entertainment to be endorsed, and that there is no language surrounding the entry door and volume escaping into the street and across to the residents in the Ellington Building. Chairman Hunter asked if Commissioner Spalding would allow the Commission to approve the application on the condition that the language is amended, and Commissioner Spalding responded that amending the application will require replacarding and further delay. Commissioner

Spalding suggested that a simple voluntary addressing the description of the entertainment and the door could be accomplished amicably and quickly. Chairman Hunter asked if we could approve tonight and then submit the voluntary, and Commissioner Spalding responded that for the protection of the neighborhood residents it is safer to protest and then immediately write the clarifying voluntary. If we do not protest and this applicant does not provide the voluntary language, then this is problematic until renewal in three years. Chairman Hunter asked to be involved in the voluntary negotiating. Motion to protest was moved, seconded and adopted (6-0).

Commissioner Spalding introduced application of U Turn to allow a substantial change to allow alcohol service to their sidewalk café seating twenty-four. Applicant was not present, and Commissioner Spalding again complained that he had visited the business five times to give them notice of tonight's meeting, but they were closed during their normal operating hours. This business, despite ANC1B's protest, received permission a year ago to have a sidewalk café from DDOT Public Space. They have not used the space in this intervening year, and are now requesting from ABRA permission to serve alcohol during the full hours of their DDOT permit. This would be from 9AM to 10PM Sunday through Thursday, and 9AM to midnight on Friday and Saturday. I remind the Commission that this is not a restaurant. This business specifically requested to change their license from a restaurant to a tavern/bar license, and they are now a bar with no requirements of any food service. Chairman Hunter supported protesting this application, and added that if people were out on this corner eating it could have a positive effect on the drug sales in this area. Commissioner Spalding responded that that might be a plausible argument if this was a restaurant license, but it is not, it is a bar license with no requirement to serve any food at all. Commissioner Spalding moved protest of this application on the basis of peace, order and quiet, and it was seconded and adopted (6-0).

Chairman Hunter asked that review of the ANC1B budget be taken up amongst members during the coming month.

Commissioner Moss introduced a grant application for \$600 from Mother Dear's Community Center located in LeDroit Park that provides social services to a vulnerable population in LeDroit Park. This would sponsor one child during their summer camp program. Commissioner Moss moved support of the application, and it was seconded and adopted (4-2) with Commissioners Spalding and Stephens opposing.

Commissioner Spalding introduced a grant application by the MidCity Business Association for \$3,000 to support a Responsible Hospitality Pilot program. Scott

Pomeroy stated that this effort had been underway for five years, and was initially funded by the ReStore DC program. When this initial effort closed down the MidCity Business Association picked up the effort, and has made presentations to the Mayor's Office, the ABC Board and to a number of community groups. The feedback from these presentations was that the DC Govt. agencies wanted to see some tangible results that might be replicable through the city. We have decided that the appropriate pilot would be a one and a half block radius centered on the intersection of 9th and U. This area represent all of the concerns that the program addresses, the role of new development, public safety, large concentration of liquor licenses in proximity to a residential community. The goal is to bring together residents, business owners, public safety officials, regulatory officials, and the development community to bring best practice solutions to the area. This will be combined with a community policing forum this July in DC, and this group will present in this neighborhood on July 27th. At this forum participants in RHI programs from around the country will be sharing their experiences. Chairman Hunter asked about the full cost of the program, and Mr. Pomeroy responded that it would be between 15,000 and 30,000. Jean Homza stated that they have received a \$5,000 contribution from a wholesale supplier, and are working on other funding sources. Chairman Hunter asked about the number of organizations are working on this, and Mr. Pomeroy responded that about eight groups are involved including neighborhood associations and local business groups. Aileen Johnson asked for the amount that was being requested, and Chairman Hunter responded that it was \$3,000. Commissioner Moss moved support of the grant, and it was seconded. Commissioner Spalding noted the objection that he expressed last month on the Commission's budget and our grants, but that he is hoping to be outvoted tonight on this application. Motion passed (5-1) with Commissioner Spalding voting in opposition. Commissioner Stephens requested that the Commission be fully involved in promoting the July forum, and that we have committed budget items for this precise purpose. Commissioner Moss indicated that at a meeting to discuss this application Mr. Pomeroy suggested using the HFA building since it is in the pilot zone.

Margo Vickers introduced Howard University's application for bond financing to upgrade Howard's facilities. The University has applied for ninety-eight million dollars to upgrade their existing facilities, and they are looking for community support in this application. Specific projects including HVAC, power and alarm controls, and infrastructure for their aging buildings was described. Commissioner Stephens applauded Howard's reaching out for community support, and encouraged Howard to discuss the upcoming changes at Howard. Commissioner Moss added that the University is beginning to discuss their campus plan, and that 2008 would be the year of intense scrutiny of Howard's future plans. Chairman Hunter agreed that Commission meetings with Howard officials on these plans would be very helpful. Chairman Hunter moved support, and it was seconded and adopted (6-0).

Chairman Hunter introduced Councilmember Graham's request for an analysis of police deployment in the U Street corridor, and I suggest that we draft a letter requesting the same and supporting the Councilmember's request. Motion was made to send this letter, and it was seconded and adopted (6-0).

Chairman Hunter reviewed developments in the church parking issue. The Reeves Center parking area will be used free on Sunday mornings. Local ministers are participating in conversations aimed at controlling parking. Chairman Hunter advised that the Commission needs to hold its own meeting on church parking involving those Commissioners who have this issue in their SMD's.

Meeting adjourned at 8:47PM.