

# ADVISORY NEIGHBORHOOD COMMISSION 1B

## Government of the District of Columbia

### MINUTES

**3 August 2006**, True Reformer Building, 1200 U Street NW

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

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

Quorum was achieved shortly after 7PM. Treasurer Stephens was not in attendance and the monthly Treasurer's report was deferred to September. In the Secretary's report Commissioner Spalding noted that the Source Theatre building will remain an arts space. The Commission has met with the Prince Hall Masons in regard to plans to lease their ground floor space to a retail tenant. BZA approved the Speck house application. HPRB approved the Inskeep addition on Wallach Place. HPRB approved the design of the Mason's parking lot project. HPRB approved the design for the First African New Church project. HPRB denied the current design application for 1461 Florida Avenue, which means that we'll have to go back to working with BCIB and DCRA inspectors to remediate the site. OPM has still not identified any District owned office space for the Commission. Minutes of the July meeting were moved, seconded and adopted (6-0). Chairman Hunter commented that this Commission played a significant role in the opposition to the Bedrock billiards parlor liquor establishment. Councilmember Graham played a great role in bringing all of the parties together and brokering this deal. On the issue of the CVS and the Mason's, I have just discussed this issue with Commissioner T. Smith and I'm asking that we add this issue for our September agenda. There have been a number of complaints from community members in regard to the possibility of CVS as the tenant, and the city is attempting to help the Mason's find a more appropriate tenant for this important and sensitive location. Commissioner Spalding moved reimbursement of Secretarial expenses for July in the amount of \$17.05 for postage and audio tapes, and it was seconded and adopted (6-0). Commissioner Spalding noted receipt of a grant application from the Emergence Community Arts Collective for \$840 in order to conduct two financial literacy workshops, and this will be added to the September agenda.

In Community Events & Announcements Commissioner Akinmboni announced a meeting this Saturday at 6PM at 1350 Fairmont Street to consider uses of Meridian Hill Park. Commissioner Moss thanked residents of LeDroit Park for a successful dedication

ceremony honoring Mayor Washington. Commissioner T. Smith announced his yearly hosting on Saturday from 10AM to 2PM a petition signing for rodent remediation. Chairman Hunter noted that last week Operation Fightback worked in the 1400 blocks of V and W Streets, and it will be interesting to see what the report back from the Core Team shows. Over the past few months there have been a number of incidents reported of groups of kids throwing rocks and harassing residents, and there appears to be a link to summer school programs at Garnet Patterson and Cardozo for kids who do not live in this neighborhood. Summer school ended yesterday, but we should try to relocate these programs somewhere else for next year. Chairman Hunter also stated the need for meetings to deal with the problems associated with three businesses located near the corner of 11<sup>th</sup> and U St. (U Turn, 11 Market and La Casona). On the issue of U Turn, I drove by there on the way home one night last week and observed a party with kids gathered outside his public space area and two of them were drinking liquor. I got the owner and asked him to address the problem, and his response was that they hadn't bought the liquor from his establishment. I suggested that he needed to control the public space in front of his business and that he should have security to deal with this, and he pointed to another kid and identified him as his security. I am convinced that this owner has no regard for the law or being a good business owner operator. Commissioner Akinmboni added that she also needs the MPD to address a similar loitering problem in her SMD. Commissioner Moss asked to give special recognition to Scott Pomeroy, Lydia Charles and Jean Homza for a very successful hospitality panel that occurred last Thursday. Scott Pomeroy described the gathering of experts from around the country to work on community policing in hospitality districts. Channel 16 taped the events and should be available in a streaming format on their web site. Mr. Pomeroy also described the seventh annual Dog Days of August celebration that would be occurring this weekend with a full list of the activities taking place along U and 14<sup>th</sup> Streets. Of specific interest to community members will be a developer's showcase happening at the Reeves Center on Saturday illustrating the numerous current and future developments happening here in the neighborhood. Details on all the activities can be found on [www.midcitylive.com](http://www.midcitylive.com). Chairman Hunter commented that the materials presented at the hospitality panel were outstanding and asked Mr. Pomeroy to make these available to all of the Commission members. Lydia Charles announced that she is working to get Trader Joe's to the neighborhood. This grocer has price points and inventory that would be a good match with the community, and Ms. Charles had flyers describing the effort to convince Trader Joe's to locate here on 14<sup>th</sup> Street. Commissioner Spalding asked if Ms. Charles was looking for a letter of support from the Commission, and Ms. Charles responded that once more review of the business had been done she would love to have Commission support, and Chairman Hunter added that he felt it necessary to vet this type of business with Harrison Square and Langston Lofts residents.

Commissioner Mike Smith introduced reconsideration of HPRB consideration of the proposed Meridian Hill Historic District. Commissioner Smith stated that he has received both support and opposition to the planned district. Chairman Hunter suggested not taking action tonight, but that it does appear that facilitating more public awareness of

the plan. Chairman Hunter suggested that the three affected Commissioners set up an informational forum and invite HPRB out to explain the proposal and take in community input.

Commissioner Spalding introduced consideration of the traffic control plan (TCP) for new development project at 1939 12<sup>th</sup> St. This project has been reviewed by the Commission for both zoning and historic review, and the proposed TCP has already been approved by DDOT. It is a relatively simple plan and will only affect traffic in the 1900 block of 12<sup>th</sup> St. during construction. Commissioner Spalding moved support of the TCP for 1939 12<sup>th</sup> St., and it was seconded and adopted (6-0).

Commissioner Spalding introduced consideration of DDOT Public Space application 20681 asking to extend the existing awning over café seating outside of Dukem Restaurant in the 1900 block of 12<sup>th</sup> Street. Currently Dukem has an awning that covers half of the sidewalk dining space, and this application would replace with an awning that would cove the entire area. The space does face west and most of the use is in the evening hours. Owner of Dukem was present. Commissioner Spalding moved support of DDOT Public Space application 20681, and it was seconded and adopted (6-0).

Chairman Hunter introduced DDOT Public Space application from Level 2 developers in regard to two projecting bays on their project View 14. Developer David Franco described the upper story projecting bays on Belmont and Florida. This has been part of the design through the entire process with Zoning Commission and the PUD, and has the support of Councilmember Graham. The projections begin at the third floor level in both instances, and would have no effect on sidewalk usage. A constituent from Belmont Street asked about the influence of the projections on sight lines for existing residents, and Mr. Franco described the projecting bays as just four feet in depth and consequently little or no effect on projected sight lines. Chairman Hunter moved support of the DDOT Public Space request for Level 2 Development's View 14 project, and it was seconded and adopted (6-0).

Commissioner Spalding introduced HPRB conceptual review of a redevelopment project for two abutting inside row houses located at 2029 and 2031 13<sup>th</sup> Street. This is in the block of 13<sup>th</sup> just north of U Street and on the east side. Commissioner Spalding stated that he has not yet seen the design, but that the Commission has dealt with zoning and HPRB considerations on changes to the rear facades of other row houses in this block. Architect Bill Bonstra presented the designs which would add to the rear and top of each of the row houses. The project is by right in the R-5 zoning and would have three units in

each of the row houses. The plans are for one level flats in the basement and the first floor and a two level unit on the upper floors. We will be adding to the backs of the existing buildings, but staying within the sixty percent lot coverage limitations. There will be two parking spots for each of the buildings. The top floor addition would be set back from the pinnacled front on a one to one basis. Commissioner Moss asked if the owner had discussed the design with neighbors, and Mr. Bonstra responded that he has discussed the design with one of the abutting neighbors. Scott Pomeroy stated that he lives two buildings north of the site, and that this is his first knowledge of the project. Mr. Pomeroy stated that the building up is a concern and could change the overall character of this consistent block of row houses. This is reminiscent of the building on the top of Tabaq where the additional roof structure was set behind a front turret, and those two elements did not mix well together. Clyde Howard stated that the design will stick out like a sore thumb, and that he was concerned that extending the height above the abutting properties would not work. Commissioner Spalding questioned the design of the patio and entranceway to the basement unit, and Mr. Bonstra corrected the reading of the plans stating that the patio would remain near the present grade. Mr. Bonstra stated that they would be excavating the basement to gain additional height in the basement unit, and thus would be adding a few steps to the stairs leading down to this unit. Commissioner Spalding suggested that this design needs further review and moved to table to the September meeting, and additionally suggested that Mr. Bonstra meet with CSNA to continue community review of the design. Chairman Hunter asked if not taking action was a problem, and Commissioner Spalding responded that HPRB does not meet in August, and that the next meeting would be at the end of September. Mr. Bonstra agreed to meet with neighbors and community groups to inform and gather responses to the design. Motion to table to the September meeting was seconded and adopted (6-0).

Commissioner Spalding did his now monthly review of the current status of ABRA cases. Nicholas Deli is still a question, and the Commission will continue to ask ABRA to investigate their status. Alero's work on a voluntary dealing with entertainment is in process, but currently still negotiating some final details. Black Cat is now scheduled for a full Protest hearing at ABRA on November 1<sup>st</sup>, and Chairman Hunter asked to speak to this protest. Black Cat is the establishment that came and wanted to build a roof top deck. The owner of the Black Cat reported to us that his motivation for doing this was to avoid putting people out onto the sidewalk due to the smoking ban. That is not his only motive, and the deck as proposed would increase his capacity by one third. In having conversations with residents living in proximity to Black Cat we have received numerous complaints about noise, trash and parking. It is clear that there are a number of residents living in proximity who are having problems with the Black Cat. I think it's outrageous that with the problems he is already causing that he would come in and try to do this expansion. During our mediation session he admitted that the reason he was trying to do this now was because there would be new residents moving into condos planned to be built in the area, and that once these condos are occupied he'd never get permission to make this change. He wants to go to a protest hearing and just roll the dice to see what the Commission is going to do. So, we're going to have a protest hearing, and it's my

hope that we're going to bring all those residents who have concerns about Black Cat to that hearing and not only discuss his deck but also his current problems. Carbonero is now scheduled for a protest hearing on September 15<sup>th</sup>. Crème's entertainment endorsement did get approval from the Board. El Paraiso Market's va is still waiting for the owners to return from El Salvador. Eleven Market is still an open negotiation on the voluntary, and Chairman Hunter is working on supplying additional language. U Turn's substantial change has still not come up at the ABC Board for some reason, but we are still protesting. Yegna is now scheduled for a protest hearing at the Board on October 6<sup>th</sup>. Delicatessen Judy entertainment endorsement is just about ready to submit and Ernest Springs has the paperwork. Florida Avenue liquors negotiations continue, and Chairman Hunter added that they are trying to involve MPD in working with this and surrounding stores on ways to mitigate the drunks purchasing from them and then loitering in the surrounding neighborhood. W Street Market negotiations continue, and Chairman Hunter stated that a mediation was scheduled, but he expected a signed va to be done prior to the mediation. Commissioner Akinmboni stated that negotiations are not going well between SOCO and this establishment, and Chairman Hunter volunteered to participate in negotiations and mediations. Commissioner T. Smith reported that in his four protests the one issue common to all was the sale of large singles, and that he is working with all of the stores to cooperatively limit sales of these specific products. The stores are Chuck's Market, Harvard Deli, Harvard Liquors and Sonia's Market. They are at different stages in the process, but all are progressing towards voluntary agreements. Axis Bar and Grill the new restaurant in the 1300 block of U St. is negotiating towards a voluntary. The agreement is written and we're almost ready to sign it with a few changes made. Some residents of Wallach Place asked for additional language on garbage, and this has been added to the document.

Commissioner Spalding introduced application for a new CT (tavern) license for Manchester Bar to be located at 944 Florida Avenue, and owners were not present. This is the location previously occupied by Mocha Lounge. The application is for full extended hours with 2AM weekday and 3AM weekend closing times, and a summer garden of 24 seats. This is an inappropriate application for the location. This entire block is residential R5B zoning including the proposed location of the bar. I can understand a request for a low key CR restaurant application in this location, but not a tavern application with extended hours and outdoor seating. Commissioner Spalding moved that ANC1B protest ABRA application 75377 of Manchester Bar on the basis of peace order and quiet, parking, effect on residential property values, and it was seconded. Chairman Hunter asked that the letter to the Board also reflect that Commissioners have already received numerous complaints from constituents regarding this application. Motion was adopted (6-0).

Commissioner Spalding reviewed the proposed letter to the Zoning Administrator on the changes in Square 0361 that was tabled at our July meeting. Commissioner Spalding

stated that during the past month the Zoning Office had made the appropriate changes to the Zoning Map in the intranet computer network used by other DC agencies. All of the DC agencies that will be making decisions based on the underlying zoning now do have the correct information, however, the one group who has not been informed of the adjustment are my constituents who own the properties. None of the departments were willing to inform these constituents, so I have been trying to do so on a one to one basis and asking them to inform neighbors as well. I think this is moot at this time and no further action is required. Chairman Hunter asked if any owners faced any risks at this time, and Commissioner Spalding responded that the residential owners would have an easier time with their insurers and with DCRA permitting. The area that will be difficult is commercial uses along the stretch of 9<sup>th</sup> Street where there are some existing commercial uses. The one serious commercial use is Portico Bar a CR license that has been there a long time. The owners were in attendance at our last meeting, so they are aware of the situation. I expect this business to be grandfathered by DCRA, and that they will get their explanation from the Zoning Administrator.

Commissioner Moss introduced consideration of Howard University Hospital's request to place banners on the lamp posts on Georgia Avenue in front of the Hospital. Ms. Sheila Banks, Director of Communications for Howard University Hospital, presented the case for the banners and also showed the Commission one of the already printed banners. This will be the 145 year anniversary of the Hospital, and the banners are in celebration of this long service to the community. Clyde Howard added that the early history was as Freedman's Hospital. The banners would be between Florida Avenue and Florida Ave. The banners are slightly oversized, but have already been printed. Ms. Banks asked for Commission support to DDOT Public Space for the current banners. Commissioner Spalding asked if they had a DDOT Public Space application number, and Ms. Banks responded that they were told that they needed approval of the ANC prior to applying. Commissioner Spalding volunteered to contact DDOT Public Space to clarify the application process. Scott Pomeroy questioned the size of the banners noting that the engineering specifications that he has worked with have limited the size of the banners. Commissioner Spalding suggested that the Commission approve the idea of the banners and location while leaving the questions regarding the size and engineering of the banners to DDOT Public Space and the applicant. Commissioner Moss moved that ANC1B supports the placing of the banners in the block in front of Howard University Hospital, and that information on the design be reported back to the Commission, and it was seconded and adopted (6-0).

Commissioner Moss asked that the Commission endorse a petition submitted by residents of the 500 block of T Street for a speed bump. Resident Josh Mandell stated that he has the requisite number of signatures on his petition for the speed bump. Commissioner Moss moved that ANC1B support the petition of the residents of the 500 block of T Street asking DDOT to study addition of a speed bump in this location, and it was

seconded. Chairman Hunter asked that an additional letter be sent asking Councilmember Graham to also request the speed bump. Motion was adopted (6-0).

Meeting adjourned at approximately 8:15PM.