

## **ADVISORY NEIGHBORHOOD COMMISSION 1B**

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

#### **Minutes**

**Thursday, May 1, 2008, 7 PM, 1200 U Street NW**

The regular monthly meeting of ANC1B was held on Thursday, May 1, 2008, at 7:00 pm in the True Reformer Building, Commissioner Smith being present as Chair, and Commissioner Nadeau present as Acting Secretary. Other Commissioners present: Akinmboni, Conklin, Hoerrner, Hunter, Mathews, Moss, and Spalding.

At 7:07pm, Chairman Smith called the meeting to order and asked for introductions.

#### **Officers Reports**

Commissioner Nadeau presented the minutes from the April meeting for approval. The minutes were approved unanimously.

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

Commissioner Spalding indicated that there were six checks drawn over the past month for office expenses, US Treasury, Comptroller of Maryland, and DC Department of Employment Services. The checks to the three aforementioned organizations are for tax payments for the ANC's Administrative Assistant. The Washington Parks and People grant was returned from last spring. Washington Parks and People could not comply with the grant reporting procedure, so the funds were returned. The current account balance is \$83,176.83. There are two office expense checks for Commissioner Spalding and Bianca Body, Administrative Assistant.

Commissioner Hunter discussed the Metropolitan Baptist Church grant check. The grant check was issued in December, but Commissioner Hunter did not deliver the check until February. According to the auditor's registry, the church never cashed the check. Commissioner Spalding stated that grant would be further discussed later in the meeting under the grants section of the meeting agenda.

#### **Committee Reports**

Chairman Smith discussed the vote to form two additional committees, ABC Committee and Design and Review Committee. He indicated that the Design and Review Committee will deal with issues ranging from single family homes and Board of Zoning

Adjustment to large scale developments and DDot issues. The committee will be composed of and chaired by community residents and/or business owners. Commissioners can and will join the committees, but the focus is to involve the community as much as possible. Chairman Smith has begun emailing information about the Design and Review Committee to interested parties. Commissioner Spalding stated that the ABC Committee will be specifically composed of both community members representing the hospitality industry and community members who would like to serve on a regular basis to review, monitor, and work with best practices in the hospitality industry. Members will inform the Commission of any upcoming ABRA issues. The proposed meeting day for the ABC committee is every third Thursday of the month. Commissioner Spalding will be emailing information about the committees to the various community organizations in ANC1B. Commissioner Hunter requested that information on the committees also be emailed to the Commissioners.

Commissioner Moss stated that the Public Safety Committee meets at the DC Housing Finance Agency at 7pm on the first Thursday of each month. The committee collaborates with PSA 305. .

## **Events and Announcements**

### **Commission**

Commissioner Hoerrner announced that she held a safety meeting on April 21, 2008 with residents of Kelly Miller and LeDroit Park Apartments to discuss the recent crime increase in the area. The DC Housing Authority, DC Housing Authority Police Department, the Mayor's Office, Metropolitan Police Department, ANC1B, Howard University, LeDroit Park Civic Association, and Councilmember Jim Graham's Office attended the meeting. The following services were committed:

- Metropolitan Police Department- two person foot patrol from 3pm-11pm, 5 days a week in the immediate area
- DC Housing Authority Police Department- one person foot patrol, 7 days a week
- Mayor's Office- improved lighting
- Speed humps will be looked into for the area

- 67 security cameras will be installed both inside and outside of the buildings
- A more collaborative relationship between Metropolitan Police Department, DC Housing Authority Police Department and Howard University Police Department
- Meet and greets with Metropolitan Police Department
- Continued vice activity
- All roof hatches in the Kelly Miller buildings have been sealed and the ladders removed

There will be a follow-up meeting in one and a half months to make sure that the committed services are actually in effect.

Commissioner Spalding announced the Cardozo-Shaw Clean and Green will work with the Cherry Blossom Celebration on Saturday, May 3, 2008. There would be yard work and cherry tree planting at 11am on the Vermont Street median and at 11<sup>th</sup> and S Streets, NW. The Cardozo- Shaw Neighborhood Association meeting will be held Thursday, May 8, 2008 on the top floor of the \_\_\_\_\_ Saloon at 7pm.

Commissioner Akinmboni announced the following:

- Department of Public Works Recycling collection-Saturday, May 3, 2008 and Saturday, May 17, 2008 at RFK Stadium
- Shakespeare Company Outdoor Concerts beginning May 22, 2008 through June 1, 2008. The concerts are free to attend.

### **Presentations**

Chairman Smith discussed the Georgia Avenue/Pleasant Plains Heritage Trail. The Heritage Trail will be on Georgia Avenue from S Street to New Hampshire Avenue.

Sylvia Robinson, founder of the Emergence Community Arts Collective at 733 Euclid Street, NW, has been working with the Cultural Tourism DC and the Pleasant Plains Civic Association on this project. She has been filming a video memory program featuring community residents that are familiar with the rich cultural history of the area. Ms. Robinson is asking ANC1B for a letter of support for the trail. She has already received a letter of support from Darren Jones, President of the Pleasant Plains Civic Association. Commissioner Moss and a community resident raised questions about the boundary lines of the Georgia Avenue/Pleasant Plains Heritage Trail and LeDroit Park. Chairman Smith ensured Commission and community that the boundary lines will be verified to avoid any discrepancies.

Chairman Smith moved that ANC1B be in support of the Georgian Avenue/Pleasant Plains Heritage Trail. Commissioner Conklin seconded the motion and the motion was adopted 9-0.

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

#### **BZA**

Commissioner Spalding discussed the Zoning Administrator use permit application for 2130 10<sup>th</sup> Street, NW. Residents from the 2100 block of 10<sup>th</sup> Street submitted a strong letter asking that the Commission not support the requested commercial use of the property. Community residents also voiced concerns about the up keep of the property and the fact that the owners do not live in the District. Commissioner Spalding indicated that the property is located in what has been listed as residential zoning in the comprehensive plans for this and abutting blocks. The issue here is that the Zoning Administrator decides on the use of this property. If the Zoning Administrator decides to forward the application to the Board of Zoning Adjustment, the Commission and constituents will have a say in the use of the property. If the Zoning Administrator decides to allow the owners to use the space commercially, the Commission and its constituents will not be heard.

Commissioner Spalding moved that ANC1B request the Zoning Administrator require that 2130 10<sup>th</sup> Street apply for a use variance from the Board of Zoning Adjustment, the property has been vacant for a sufficient period of time to constitute a discontinuance of use variance accorded to the previous certificate of occupancy, the Commission has in the comprehensive plans specifically requested that both this and abutting blocks be rezoned to residential from commercial and this projected use is inconsistent with current and projected use. The Commission asks that in deference to concerned constituents living proximate to this building, the Zoning Administrator move this application to the Board of Zoning Adjustment for either a use variance or a special exception in changing a non-

conforming use. Commissioner Moss seconded the motion and the motion was adopted 9-0.

### **ABRA Licenses**

Commissioner Spalding indicated that all information about licenses was included in the Commissioners' packets. He would take any questions or concerns from Commissioners after the list was reviewed. Commissioner Spalding indicated that two licenses were in show cause fact finding hearings for the month and received fines and suspensions as a result of the hearings.

- Dukem received a \$2500 fine and a two day suspension for serving alcohol to minors.
- Asmara received a \$1500 fine and a one day serve/ four day stayed suspension for after hour's consumption and gambling upstairs from the restaurant.

Commissioner Spalding indicated that the ABC Board is very concerned with one story licensees using the second floor for activities. He encouraged business owners to make fellow business owners aware that ABC representatives are out looking for this type of activity.

There are two voluntary agreements that the Commission has received from businesses.

- Marvin-The voluntary agreement had to be rewritten to reflect the actual certificate of occupancy for a CT02 license. The new notice and opportunity was added to the CURE clause at the end of the document. This was suggested by Board member Ghandi to give owners the opportunity to correct the problems in the business.

Commissioner Spalding moved that ANC1B accept the new voluntary agreement and safety and security plan that were already voted on with the changes. Commissioner Conklin seconded the motion and the motion was adopted 9-0.

- Tabaq-The ANC protested the original license. Now they have completed a new standard ANC1B voluntary agreement with substantial changes from the Wallach Place residents and safety and security plan.

Commissioner Spalding moved that ANC1B accept the new voluntary agreement and safety and security plans for Tabaq. Commissioner Conklin seconded the motion and the motion was adopted 9-0.

Commissioner Spalding reviewed application 78743, Chix LLC for a new DR01 license. This is a license to only serve beer and wine. Chix also wants to use the front space of the restaurant as a summer garden. Business owners were asked to speak to DDot public space about the garden usage. Owner Lucas Umanya was present and spoke about the business and the plans to give patrons an option to have beer or wine with their meal.

Community residents have been notified about the summer garden usage and are supportive. Commissioner Spalding moved that ANC1B support the new DR01 license for 78743, Chix LLC and support for use of the space in front of the building for a summer garden, dependent on approval from DDot public space. Commissioner Moss seconded the motion and the motion was adopted 9-0.

Representatives for application 78749, Parliament House were in attendance to discuss plans for the business. Owners indicated that the business will have a pub downstairs and a DJ with good music upstairs. Commissioner Spalding moved that ANC1B support the new CT01 with entertainment endorsement for license 78749 for Parliament House located at 917 U Street, NW. He also indicated that the business is required to submit a safety and security plan for a CT01 license. Commissioner Mathews seconded the motion and the motion was adopted 9-0.

Commissioner Spalding discussed application 78849, The Republic. Owners were present and informed the Commission of a community open house that is planned for the end of May. A community member voiced an issue about encouraging patrons to use public transportation when going to The Republic and other U Street venues. Commissioner Spalding indicated that the use of public transportation and not parking in the immediate residential area of the venue is included in the voluntary agreement. Commissioner Spalding motioned that ANC1B support the CN03 license, voluntary agreement, and the safety and security plan for The Republic. Commissioner Conklin seconded the motion and the motion was adopted 9-0.

Commissioner Moss provided an update on license 00237 for Columbia Lodge #85 IBPEO. There was an ABRA hearing on April 23, 2008 and the Elks Lodge needed to provide a security plan that deals with violence and patron liquor consumption. The Lodge did not provide the required plans and the hearing was rescheduled to May 14, 2008. Members of the community met with Lodge representatives on both April 9, 2008 and April 30, 2008. The meetings were very productive and resulted in the creation of a security plan that the community and representatives agreed on. The final security plan must be reviewed by the Lodge Council, Commander Kucik, and the LeDroit Park Civic Association. Commissioner Moss felt very good that Lodge members complied with ABRA and will write a letter of support for the license when the final security plan is reviewed.

Commissioner Spalding reviewed application 71810, Café Collage and stated that this is a confusing license application. This past January the Commission voted to protest the renewal of the CT01 license, but the business never reopened and the license was put in safe keeping. The owners have asked for the license to be taken out of safe keeping, as a result, the old protest has been thrown out. There is also a possibility that the ownership of the property has changed. Commissioner Spalding indicated that he received several emails about the building being used for drug sales and drug usage. Community members voiced issues with the building ownership and the fact that they were unaware of an approved voluntary agreement. Commissioner Spalding will make copies of the approved voluntary agreement available to concerned community members.

Commissioner Spalding moved that ANC1B protest the removal of safe keeping of the CT01 license 71810 Café Collage located at 1346 T Street, NW on the basis of peace, order, and quiet. Commissioner Conklin seconded the motion and the motion was adopted 9-0.

Commissioner Spalding reviewed the new DX02 application for the Source Theater by the Cultural Development Corporation (CDC). The DX02 license is a multi-purpose license. Travis Bowerman, CDC Director of Programs, was in attendance to answer any questions. The organization is asking for a stipulated license in order to host the Source Festival beginning June 21, 2008. Commissioner Spalding moved that ANC1b support a stipulated license toward a DX02 license for Cultural Development Corporation doing business as Source Theater at 1835 14<sup>th</sup> Street with notation of a stipulated license. Commissioner Moss seconded the motion and the motion was adopted 9-0.

Chairman Smith indicated the arrival of Jackie Reyes an Outreach and Service Specialist from the Mayor's Office. Ms. Reyes introduced her new partner Donny Gonzalez to the Commission.

Commissioner Spalding reviewed application 71156 for DC9. The application is for a roof deck and summer garden. Owner Bill Speiler was present to discuss the plans for the deck and address concerns of the Commission and community members. An attempt to contact community members about the plans has been made. Commissioner Spalding moved that ANC1B protest the application for substantial change to add a rooftop summer garden with 50 seats for DC9. He indicated that the owners will have to do a safety and security plan and a voluntary agreement to address the noise concerns. He asked that the Commission allow him to draft both documents in an expedited fashion. Commissioner Nadeau seconded the motion and the motion was adopted 9-0.

Commissioner Spalding indicated that he has specific concerns for application 78816, Lounge of Three located at 1013 U Street, because it is located on a block that has one hundred percent occupancy. As a result, there is no space for trash behind or beside the building. He also indicated that this is a problem for other businesses on the block and that the Commission will have to address the trash issue by encouraging the business owners to jointly purchase a trash compactor. Commissioner Hunter agreed and inquired about government funds being used to address the trash issue. He also asked if the trash issue could be on the June meeting agenda. After a discussion about the not knowing who owned the business, Commissioner Spalding moved that ANC1B write a letter to the ABC Board specifically requesting that the ABC Board request of ABRA that ownership and certificate of occupancy are both listed in the notice that all ANC's receive. Commissioner Hunter seconded the motion and the motion was adopted 9-0. Commissioner Spalding also moved that ANC1B protest the CT application 78816 of the Lounge of Three for 1013 U Street. Chairman Smith seconded the motion and the motion was adopted 9-0.

### **Grant Applications**

Chairman Smith gave a brief explanation of grant application 08-03 for Positive Productions in the amount of \$4000. The grant is for the Arts under the Stars program that runs from April through October and provided open mic poetry events for the community. Positive Productions did not send a representative to the meeting despite being aware that someone needed to attend the meeting. Smith stressed the importance of the event because it provides cultural activities for youth and other community residents along Georgia Avenue and in the surrounding neighborhoods. Members of the Commission voiced concerns with the \$4000 grant request. Commissioners Nadeau and Hunter stated they would be more willing to approve the grant if the amount was reduced to \$2000. Commissioner Moss inquired about other funding sources. Commissioner Mathews indicated that the group did receive funding from DC Arts and Humanities last year. Smith stated that the owner of Sankofa provided funds for the event as well. Commissioner Conklin inquired about the amounts of past grant application awards. Commissioner Spalding stated that they were granted \$3500 and \$4000 in the past before grant limitations were put into place. Chairman Smith moved that ANC1B support the grant application 08-03 for \$4000. Commissioner Mathews seconded the motion and the vote was as follows:

Commissioner Hunter- yes

Commissioner Hoerrner- yes

Commissioner Spalding- no

Commissioner Smith- yes

Commissioner Nadeau- no

Commissioner Akinmboni – yes

Commissioner Moss- yes

Commissioner Mathews- yes

Commissioner Conklin- abstain

The motion was adopted 6-2-1.

Commissioner Hunter introduced grant application 08-04 for Literacy Volunteers in the amount of \$1000. He then called for a representative from Literacy Volunteers to discuss the organization and grant proposal. Literacy Volunteers is a program that works with adult learners that are below a 6<sup>th</sup> grade reading level. Commissioner Hunter moved that ANC1B support grant application 08-04 amount \$1000. Commissioner Spalding seconded the motion and the motion was adopted 9-0.

Chairman Smith reviewed grant application 08-05 for DC Caribbean Carnival in the amount of \$2000. Roland Barnes President of the DC Caribbean Carnival was in attendance to answer any questions the Commission and community had about the grant proposal. Chairman Smith moved that ANC1B support grant application 08-05 for DC Caribbean Carnival in the amount of \$2000. Commissioner Akinmboni seconded the motion and the motion was adopted 8-1, Commissioner Spalding voting no.

Commissioner Spalding further discussed the Metropolitan Baptist Church grant. He then moved that ANC1B support a stop payment on the grant check to Metropolitan Baptist Church, re-issue the check, and provide the Auditor with a letter of explanation about the check. Commissioner Conklin seconded the motion and Commissioner Spalding asked that the receipts and the letter to the Auditor be received prior to the check being issued. The motion was adopted 9-0.

Commissioner Spalding made Commissioners aware of two new grant applications that will be on the June meeting agenda. The grant applications are: \$2,000-Empower DC-Commissioner Hunter and \$2000-Park Triangle Productions-Commissioners Hoerrner and Moss.

### **New Business**

Commissioner Hunter asked that the Ward I Single Sales ban be tabled to the June meeting.

Commissioner Spalding discussed the NIF grant application by Hung Tao Chey Mei Leadership Institute. The Institute received a \$50,000 grant to work with youth. Commissioner Spalding moved that ANC1B support the ANC1B located organization and the application for a NIF Grant. Commissioner Hunter seconded the motion and it was adopted 9-0.

James Parker, the Program Manager from Arose Youth Development, Incorporated spoke about the organization's youth development programs with Garfield Plaza and Faircliff Plaza East and West. Currently, the organization is offering arts instruction in keyboarding and other percussion instruments to students. The organization is requesting a \$1500 grant to help build a studio for the arts program. Phi Beta Sigma Fraternity, Inc and the Children's Youth Trust have also provided funding for this Project. Commissioner Hunter and other Commissioners were unclear of the purpose of the presentation. Upon clarification, it was determined that this was a grant application. Chairman Smith stated that he would look into the confusion behind this issue and Mr. Parker would be invited to the June meeting to further discuss the Arose Youth Development, Inc grant application.

The meeting was adjourned at 9:16pm.

