



ADVISORY NEIGHBORHOOD COMMISSION 1B
Government of the District of Columbia

DRAFT

Minutes

**Thursday, February 4, 2010,
7:00 PM, Reeves Center, 2000 14th Street N.W.**

The regular monthly meeting of Advisory Neighborhood Commission 1B occurred on Thursday, February 4, 2010, at 7:00 pm in the Reeves Center, Commissioner E. Gail Anderson Holness presiding in the Chair and Commissioner Myla Moss serving as Secretary. Other Commissioners present during the meeting: Rosemary Akinmboni, Eduardo Ferrer, Juan Lopez, Sedrick Muhammad, Brianne Nadeau, Peter Raia, and Deborah Thomas. Commissioners absent: Meghan Conklin and Thomas K.D. Smith.

Chairperson Anderson Holness called the meeting to order at 7:00 PM.

Chairperson Anderson Holness then made the following announcement:

We ask that you silence your cell phones. By “silence” I mean either put them on “silence” or turn them off if you are able. The vibration and rings interfere with our recording and we sometimes lose valuable information.

- ✓ This meeting is audio-recorded for the public record and the draft minutes of the meeting, which will be published on our website within one week.
- ✓ We welcome and encourage public comment at appropriate points in the meeting. Normally, we will ask for public comment on issues before the Commission before any motion is offered for official action. Once a motion has been made and seconded, comment and discussion is confined to Commissioners.
- ✓ We ask that all those making presentations, asking questions, or making comments speak loudly and clearly for the benefit of our recording device. You can come forward and sit at the witness table and make sure that your comments are picked up. Please state your name, residence address, and what organization you represent. If you are representing yourself as a resident, rather than an organization, please say so.

- ✓ For the accuracy of our public records, we ask that all those making presentations, asking questions, or making comments complete the very brief speaker information form located on the sign in table at the back of the room. Please give the completed form to our Staff Director, Jim Irwin, either before or after you speak to the Commission. The purpose of this form is to assure correct spelling of your name in the minutes, accurate address and accurate statement of representation.

Thank you for your attendance, participation and cooperation.

Chairperson Anderson Holness called attention to the new ANC 1B brochure which was now available. It provided a contact list of commissioners and other information on Commission activities.

Chairperson Anderson Holness observed the presence of a quorum at 7:04 PM.

Chairperson Anderson Holness asked Commissioners to introduce themselves.

Chairperson Anderson Holness thanked Commissioner Brianne Nadeau for her service as Chairperson in 2009.

Chairperson Anderson Holness called attention to the agenda for the meeting. She said a time frame for the consideration of issues had been added. She noted that people would often leave before the meeting was over, so she was trying to contain the meeting to one-and-a-half hours, so that everyone would be able to participate and be a part of the meeting, and would not leave until all had been heard. She hoped that everyone would be able to abide by the time limits that had been set. She said that Mr. Jim Irwin, Staff Director, would serve as time keeper and would let speakers know when their time was almost up. She thanked everyone for coming and participating.

Election of Design Committee Chair

Chairperson Anderson Holness noted that the election of the Chair of the Design Committee had been deferred from the January meeting. She opened the floor for nominations.

Commissioner Muhammad nominated Mr. Tony Norman. He said Mr. Norman was very active in the community and was a member of the Lower Georgia Avenue Task Force. There will be a lot of redevelopment on lower Georgia Avenue, especially around Howard University. Mr. Norman had also been a member of and active in the Commission's Design Committee last year.

Chairperson Anderson Holness asked if there were other nominations.

There was none.

Commissioner Muhammad moved that Mr. Tony Norman be elected Chair of the Design Committee by acclamation.

Commissioner Raia seconded the motion.

Commissioner Nadeau asked if the Commission could hear from Mr. Norman.

Mr. Norman said that he had worked on the Design Committee with Commissioner Thomas. He was the Vice President of the Pleasant Plains Civic Association, and had worked on a number of issues and projects in that capacity. He had worked closely with Commissioners Moss and Akinmboni. He had served on the Columbia Heights Development Board. He said Commissioner Nadeau had been very helpful on the McMillan issue and ANC 1B had been one of the first Commissions to provide support when she was Chair early in 2009.

Chairperson Anderson Holness asked if there were any other questions. There being none, she called for a vote on Mr. Norman's nomination.

Mr. Norman was elected Design Committee Chair 6-0-1, with Commissioner Nadeau abstaining.

Presentations

U.S. Census Bureau – 2010 Census

Chairperson Anderson Holness called on Ms. Sharon Moore of the Census Bureau to make a presentation. She observed that 2010 is a census year and it was extremely important that everyone participate in the census. Ms. Moore would provide important information on this.

Ms. Moore said she was a recruiting assistant with the Census Bureau. She said that she administers the test to qualify applicants for census jobs. These jobs pay from \$16.00 to \$21.50 per hour. She said they were currently looking for sites to administer the test, spaces that would accommodate up to 20 people. They were also looking for organizations to help distribute recruiting brochures and to help spread the word about census jobs and participation in the census. She said the most important thing was for everyone to fill out the census survey when it arrived around April 1st, sign it and return it.

Commissioner Thomas asked whether the informational brochures and tests were in any other language than English. Ms. Moore said they had brochures in Spanish and they were also recruiting Spanish-speaking individuals to administer the test. She said there were two Census Bureau offices in Washington, D.C. Her office was called D.C. East. People could contact her at 301-244-1060, which was her office number. Her personal cell phone number, for people who had sites suitable for testing, was 312-933-6822.

5th Annual Marathon and Half-Marathon

Ms. Diane Thomas, of the Greater Washington Sports Alliance, said their offices were located at 18th and Eye Streets, N.W, but that they would soon be relocating to ANC 1B and moving into space in the Solera Building at 14th Street and Florida Avenue N.W. They are a non-profit organization which organizes sports events for Washington, D.C. They operate the National Marathon, which runs in March every year. This year, it will run on Saturday, March 20th. The Marathon route will run through ANC 1B down Harvard Street N.W. Streets will be closed for about an hour forty-five minutes. The National Marathon is a competitive race. Runners must qualify by having run previous races and posted qualifying times. In the ANC 1B area the first runner will enter about 7:30 AM and the last runner will leave about 9 AM. They will have a station at SunTrust Plaza at 18th Street N.W. and Columbia Road N.W. They will be handing out commemorative T-shirts and they hope that people will come by to pick up a T-shirt and watch the runners go by.

Commissioner Muhammad said that, to him, SunTrust Plaza was in another country and he asked whether, next year, an event could be scheduled in ANC 1B.

Ms. Thomas said yes, absolutely, they could have stations anywhere along the marathon route. She said that SunTrust was the title sponsor of the race, which was why one station was established at the Plaza. Any group interested in organizing a station could contact the Alliance through the website and sign up.

Commissioner Nadeau moved that ANC 1B send a letter of support for the National Marathon.

Commissioner Ferrer seconded the motion.

The motion was adopted unanimously, 9-0.

Officers Reports

Secretary's Report – Minutes of January, 2010 meeting

Commissioner Moss moved that the draft minutes of the January 2010 meeting be approved as submitted.

Commissioner Ferrer seconded the motion.

The motion was adopted unanimously, 9 yes, 0 no.

Treasurer's Report

Commissioner Ferrer presented the Treasurer's Report and noted two corrections: the date of the report is January, 2010 not January 2009, and the statement that no checks were written in January 2010 is not correct. The two checks that were cashed in January, 2010 were also written in January 2010.

Commissioner Ferrer said that expense reimbursements to be approved totaled \$386.54 for office supplies, postage, printing of the ANC 1B brochures, and six months post office box rental. Receipts for all of these expenses have been submitted.

Commissioner Ferrer moved that reimbursement to James Irwin for these expenses in the amount of \$386.54 be approved by the Commission.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 9-0.

Commissioner Ferrer moved that the Treasurer's Report be approved with the two corrections he had noted.

Commissioner Moss seconded the motion.

The motion was adopted unanimously, 9-0.

Public Safety and Public Safety Committee Report

Commissioner Muhammad thanked Commissioner Moss for her service as the previous Chair of the Public Safety Committee. He said he had big shoes to fill and every single month Commissioner Moss has been there for the community and for ANC 1B.

As the new Chair of the Committee, Commissioner Muhammad said he planned to have the Public Safety Committee represented in all eleven single-member districts (SMDs) in ANC 1B. He plans to attend as many public meetings as possible. He will also meet with the leadership of the Metropolitan Police Department (MPD) and DC Fire and Emergency Medical Services (DCFD) on a consistent basis regarding public safety issues. He will be giving a detailed report on the serious public safety issues that have developed in ANC 1B during the past month, identifying them by SMD and ANC Commissioner.

In ANC 1B02 (Commissioner Raia), there was a house fire on January 8th at 1020 W Street N.W. The fire was put out, but one person was transported to a nearby hospital with burns. On January 11th, police who were taking a stolen auto report observed the vehicle passing them and stopped it, making arrests.

In ANC 1B03 (Commissioner Muhammad), on January 12th, he met with Councilmember Graham, Commander Jacob Kishter of MPD, Inspector Medina, the D.C. Housing Authority Police Chief, and others regarding public safety issues at Garfield Terrace.

On January 14th, the D.C. Attorney General, Peter Nickels, announced a multi-agency task force targeting property owners and tenants who harbor illegal drug activity and making strides to combat drug nuisances. The task force is relying on the drug nuisance abatement law which allows the Attorney General to seek court orders allowing tenants to be evicted or requiring property owners to expend resources to abate drug nuisances.

[Part of Commissioner Muhammad's report was inaudible due to audio interference.]

In ANC 1B04 (Commissioner Thomas), on January 25th, on the 1200 block of W Street N.W., there was a home invasion. Three roommates were robbed inside their home at gunpoint by three intruders.

In ANC 1B01 (Commissioner Moss), after an extensive investigation, a search warrant was executed in the 2000 block of 4th Street N.W. The location was operating an illegal gambling house and two arrests were made.

On February 3, PSA 305 had their meeting. Five new plainclothes officers are assigned to the Third District to work on auto theft cases. Each officer is assigned to different PSAs. Sergeant Crystal Beslo is in charge of these officers.

In ANC 1B07 (Commissioner Lopez), on February 3rd, homicide detectives were investigating the death of a man that occurred on the 2800 block of 14th Street N.W., as the result of a domestic dispute. The victim was identified as 28 year old Ty Angelo Jackson of the [inaudible] block of Alabama Avenue S.E.

Also on February 3rd in ANC 1B07, the 3rd District Armed Robbery Tac Unit observed a gunman on the 1400 block of Fairmont Street N.W. After a brief foot pursuit, the individual was apprehended and a high-powered weapon with several rounds of ammunition was recovered.

On February 23rd, MPD will host a public vice seminar where MPD will discuss the successes of the MPD district vice units and ongoing drug issues that plague D.C.

On February 26th, Commander Larry McCoy, former Commander of the 3rd District, is being honored for 31 years of service to MPD. He retired on January 7th.

Chairperson Anderson Holness thanked Commissioner Muhammad for his extensive report and expressed the hope that in the future, he would provide a written report to the Commission that could be distributed to the community so that people would know what is going on in their PSAs.

Commissioner Moss said that Lieutenant Jova, the MPD representative for PSA 305, advised that a lot of gang members are about to be released from prison and will be infiltrating back into the community, so residents, especially in LeDroit Park, should be aware of that. Also, MPD is working with Metro Transit Police on robberies around the 12th and U Metro stop where the perpetrators are escaping into the Metro.

Chairperson Anderson Holness commented that one of the speakers scheduled for the March Commission meeting is the new Director of the Mayor's Office of Ex-Offender Affairs.

Commissioner Lopez asked if Commissioner Muhammad could provide e-mail notice to Commissioners when public safety incidents occur in their SMDs.

Commissioner Muhammad said he would do that by e-mail, text message or phone call, depending on what Commissioners preferred.

Commissioner Moss said she wanted to put on record special thanks to MPD and the Vice Division for clearing out the gambling house. It had been a real problem for residents of LeDroit Park, and they wanted to give MPD credit for a job well done.

Chairperson Anderson Holness thanked Commissioner Muhammad for his report and said it would be received for informational purposes, which meant that the Commission did not have to approve it.

Design Review Applications and Design Committee Report

1916 9th Street N.W.—Application for Variance and Special Exception

Commissioner Raia provided background on this application. He said that for many years the building at this location had been commercial, but the current owner has found out that the property is actually zoned residential.

Mr. William Basiliko, owner of the property, said that when he purchased the property, the office Zoning Commission website map showed it as zoned commercial. He found out that it was actually zoned residential when he applied for a permit last October. He said he planned for the building to be multi-use. First, it would be an art gallery for upcoming local D.C. artists, people who show their work in Busboys and Poets, restaurants, gyms. They really do not have a place to show their work, so his goal was to have a place for them to show their work at a nominal fee. He would take 20%, which is very low, meaning that the artists would receive 80% of all sales. The second use of the building would be as a community center, to provide space to community organizations for meetings and events. For example, the lady from the Census Bureau could use space to administer the employment test. The fee for the use of the space would be a donation to an educational program in D.C. He would not be getting any money from the use of the space. The user would identify a worthy program, decide

how much to give to it, and then provide him with a receipt and some information about the program they have donated to. The third component of the building is to be a green building [inaudible due to audio interference].

Commissioner Nadeau commented that it was this Commission that had discovered the error in the zoning map. She asked Mr. Basiliko what plan he had for trash disposal for big events or community use of the space.

Mr. Basiliko said that the contract with a user would require the user to be responsible for removing their own trash.

Commissioner Nadeau asked what the situation was for loading and unloading art and other objects.

Mr. Basiliko said that the building was landlocked and that he would have to load and unload from the front. The goal was to have a large variety of artists, so there would be a small amount of art from each individual artist and not a lot of loading or unloading from any one party.

Chairperson Anderson Holness commented that she had attended a meeting at the Department of Transportation regarding truck routes in the city. One of the things she had recommended to them was that there be a certain time frame for trucks to come into the area, and to prevent truck traffic during the morning and afternoon rush hours. That was something that might be helpful in this situation.

Commissioner Nadeau suggested that the letter from the Commission include a recommendation that loading or unloading occur only between rush hours.

Commissioner Moss asked if Mr. Basiliko had consulted with his neighbors about the project, especially considering he was landlocked, and had he received any positive or negative feedback.

Mr. Basiliko said the neighbors were all very positive about having a business there other than another restaurant. They saw it as something that would bring additional business into the neighborhood, which would be good for their businesses.

Commissioner Moss asked if artists would work on-site or would they just bring their products to the gallery.

Mr. Basiliko said they would bring their product to the gallery, but he was hoping to be able to offer art classes for kids in the community and already had two people signed up to teach classes.

Mr. Lynn Johnson, residing on Westminster Street N.W., said he was the president of the Westminster Neighborhood Association. He wanted to convey a couple of concerns to the Commission. He said that the property was in fact zoned R-4, although the maps

had shown it as C-2 for years. The error was regrettable, but the reality was that the property was zoned R-4 for a reason. The property had residential buildings on three sides. The zoning was changed to R-4 21 years ago.

Chairperson Anderson Holness asked if Mr. Johnson had a specific question. She realized that he wanted to provide the Commission with background, but what the Commission wanted was for him to get to a specific question on the issue.

Mr. Johnson said that the Westminster Association would request that the community center definition be very narrowly defined. They had concern about the disposal of trash. The second concern they had was that if a variance was granted, it would then stay with the building even if it were sold.

Chairperson Anderson Holness said that one standard she wanted to set was that when the floor was opened to the community, she wanted people to ask questions. Comments could go on forever.

Mr. Basiliko said that he was asking two things: a special use exception. The building had been a hair salon for over forty years. He was asking to change that to an art gallery. He had to keep it an art gallery. He could not change the use. He was also asking for a variance so that he could enclose the back area of the building and increase the interior space.

Mr. Scott Pomeroy asked if Mr. Basiliko would consider alternatives to his trash plan. He said a commercial establishment is required to provide trash and recycling service, so having patrons be responsible would not be a legal solution. He said there were a number of possible solutions that were legal.

Mr. Basiliko said that he would.

Mr. Jamie Pearson asked how the trash would be handled since disposal of trash could not be imposed on patrons.

Chairperson Anderson Holness said that question had already been answered.

Mr. Pearson said that he was also making a plea to Mr. Basiliko to take the trash disposal issue more seriously.

Mr. Basiliko said he did take the issue very seriously. He said he would have recycling in the basement for the trash from the gallery. He knew that garbage was an issue and he was willing to look at alternatives.

Commissioner Raia said that, with reference to Commissioner Nadeau's concerns, he would work with Mr. Basiliko to develop an agreement governing the operation of the business.

Commissioner Raia moved that ANC 1B support Mr. Basiliko's application for zoning variances and a special exception.

Commissioner Moss seconded the motion.

Commissioner Nadeau offered an amendment to include in the letter of support that the Commission requests a cooperative trash plan with the businesses in the area and that the owner meet with the Westminster Neighborhood Association.

Commissioner Raia said Mr. Basiliko would meet with the community. He said maybe he did not understand Commissioner Nadeau's amendment. His motion was to support the application. Before the motion was, he will enter into an agreement with the community on the trash plan. It does not have to be in the support letter to the Zoning Commission.

Commissioner Nadeau said that it should be included.

Commissioner Raia disagreed.

Commissioner Nadeau said that if nobody supported her amendment, she would withdraw it.

Commissioner Raia's motion was adopted unanimously, 9-0.

Dogs by Day and Greenpets

Commissioner Thomas asked that this matter be deferred to a later meeting.

321 T Street N.W.—Review of Conceptual Design

Commissioner Moss introduced Mr. James Phillips, the architect for 321 T Street N.W., which is located in the center of historic LeDroit Park. The conceptual design for this residence will be going before the Historic Preservation Review Board (HPRB). He has consulted with the neighbors on both sides.

Mr. Phillips said the project is a single-family structure, which is abandoned. The design for which they are asking support would remove formstone from the front of the building, construct a rear addition and replace all windows. [Some of Mr. Phillips's comments were inaudible.]

Commissioner Moss added that the owners were asking for a variance in the rear.

Mr. Phillips said they were not asking for a variance. They were asking the Commission's support because the structure is historic. Any time a rear addition is proposed for a historic structure, HPRB needs to approve.

Commissioner Moss said she understood that variance referred to zoning, but for clarity and for constituents who asked her, was there a variance in relation to the project.

Mr. Phillips said there was no variance in relation to the project.

Commissioner Moss said, because of the economic situation, there was a lot of concern about whether the project was financially viable and would be completed. She said the community needed as much commitment as possible that this project would go all the way through.

Mr. Phillips said that he was the only architect, and the only commitment that he could guarantee is that they will be issued a permit. He said it was the owner's house and to his knowledge it was fully funded.

Commissioner Moss asked the owner, Mr. Grayson, if he could acknowledge her concern regarding the financial viability of the project.

Mr. Grayson said he could submit a financial statement to Commissioner Moss showing the finances in place to complete the project.

Commissioner Moss noted that such a statement was not legally required, but Mr. Grayson's offer was greatly appreciated, and if it was OK with him, while not sharing details, she would provide a general assurance to the neighbors on both sides that the financial statement demonstrated the viability of the project.

Commissioner Moss asked if he was the owner, or was there another owner.

Mr. Grayson said there was another owner in addition to himself.

Commissioner Moss asked if both owners were on the project and had clarity that the project was going through.

Mr. Grayson said yes.

Commissioner Moss asked Mr. Grayson to provide the name of the other owner when he provided the financial statement.

Commissioner Moss moved that ANC 1B support the conceptual design of 321 T Street N.W. as presented by Mr. Phillips.

Commissioner Muhammad seconded the motion.

The motion was adopted, 8-0-1, with Commissioner Nadeau abstaining.

Broadcast Center One PUD – 7th Street N.W. – Motion for two-year extension and amendment

Commissioner Moss said that Mr. Steven Cassell, the attorney for Broadcast Center One PUD, was present to request support for an extension of the project. This development is a centerpiece in her single-member district. Radio One is expected to be a primary anchor tenant for the project. In addition, negotiations are before the Council for the United Negro College Fund to locate their headquarters at this site.

Mr. Cassell said that Broadcast Center One was moving forward after going through two very difficult years. They were ready to begin construction on the project and had a contract with Turner Construction in late October, 2008 when the economy went bad and the banks stopped lending money. The banks told him that they would not lend if the project was not 100% leased. At that time, they had 60,000 square feet leased to Radio One and TV One, but 35,000 square feet of additional office space and the apartment building were not yet leased. They began looking for additional tenants and the United Negro College Fund became a possibility. By May of 2009, the project had become the UNCF preferred site. At the same time, Radio One expressed interest in expanding their office space to 85,000 square feet, which meant that the project did not have enough square footage to accommodate both tenants. The application for an extension and amendment of the PUD is due to the fact that the project was redesigned in the last two months; now the office footprint was expanded to 160,000 square feet and the apartment building was reduced by the same amount. The apartment count would be reduced from 180 apartments to 133, but the 25% affordable unit rate would still be maintained. There would still be retail opportunities on 7th Street.

Commissioner Moss moved that ANC 1B support Broadcast Center One's application for a two-year extension and amendment of its PUD.

Commissioner Muhammad seconded the motion.

Mr. David Corson observed that there had been several groundbreaking deadlines which had been passed and he asked when groundbreaking for the project would actually occur.

Mr. Cassell said the project had been going on for several years and no one had more project fatigue than he did. There had been several times when they thought they were ready to go and circumstances beyond their control prevented that. He said that it was not possible to announce a groundbreaking date while they were in the middle of negotiations, but now that UNCF had decided to move in to the project, he could announce that, contingent on construction financing, the groundbreaking would be in June or July, 2010.

Mr. Corson asked how the community would be informed about the status of the project.

Mr. Cassell said they would be more than happy to communicate the progress of the project to the community and whatever the Commission thought was appropriate for communication would be acceptable to them.

Mr. Patrick Williams asked what would happen, what penalties would be imposed, if the project did not meet deadlines or maintain established dates.

Mr. Cassell said there were deadlines established in their lease agreement with Radio One and TV One, and the agreement with UNCF, along with the agreement with the Deputy Mayor's office, so any extensions have to be approved and are subjected to very serious scrutiny as to whether it is an extension due to circumstances beyond their control or something that was a failure to execute on their part. He said the project had now been underway for five years, and there was an extreme sense of urgency on the part of the developer and the partners to get the project completed.

The motion was adopted unanimously, 9-0.

Liquor Licenses and ABC Committee Report

Commissioner Raia said there was no ABC Committee report. He announced that the ABC Committee would be meeting on February 18, 2010 at 7:00 PM. He said he would determine the meeting location tomorrow and would ask Mr. Irwin to distribute an announcement through the community listserves.

MASA 14 – 1825 14th Street N.W. – Retail Class C License – Application for Substantial Change

Chairperson Anderson Holness noted that the Commission was attempting to adhere to a time frame as noted on the agenda. She said Mr. Irwin would be holding up a sign to note when time was almost up and she asked that speakers respect the time. She said that people's time was extremely important and they did not want to keep people at a meeting all night.

Mr. Andrew Kline, representing the owners of MASA 14, said they were present to discuss a proposed rooftop inside and outside at MASA 14. He referred to a drawing to describe the second floor interior addition and exterior rooftop deck. He said that the second floor addition provided a natural sound barrier. The height of the adjacent building creates an additional wall. The open area would be to the front. The nearest residence is about 160 feet away on Swann Street. Behind the business are commercial establishments.

Chairperson Anderson Holness called for questions from the Commission. There was none.

Mr. Latif Guler, representing the applicant, asked to add some information. He said that the original building, 100 years ago, had a rooftop beer garden. He cited an InTowner

article that said in 1902, the Washington Post had selected the building as one of the coolest places in D.C. He said the building was historical, dating back to the 1890s and that they were trying to make it one of the coolest places in D.C. again.

Commissioner Raia said that the community had come to him and he had met with the community and the applicant to discuss their plans. He said he had seen their plans and knew Mr. Guler's objective with the deck. MASA 14 already has a voluntary agreement, but there is community concern about the hours of operation for the deck, which makes it his concern.

Chairperson Anderson Holness said that, before she entertained a motion from Commissioner Raia, she would ask for questions from the community.

Mr. Joel Larson, said he lived in the 1400 block of Swann Street, not in the area of ANC 1B, but in the residential area referred to by Mr. Kline. He asked what address Mr. Kline had used to calculate the 160 feet distance. He said he knew the figure was less than 160 feet and would be even lower when new residences were constructed across the street. He asked if Mr. Kline stood by his 160 feet figure.

Mr. Kline said he did stand by the 160 feet, based on a crude observation using Google maps.

Mr. Larson asked if it was not true that the residential density had greatly increased over the past 50 to 70 years since the previous usage of the building. Was it not true that there were no longer automobile warehouses on 14th Street? Now there were condos.

Mr. Guler said they acknowledged that there had been a change, which was why they had cut down the original project by 60 percent. [The remainder of the exchange between Mr. Guler and Mr. Larson is inaudible due to extraneous audio noise.]

Chairperson Anderson Holness noted that people were saying they were not getting information in their communities. There are community meetings outside of the Commission meetings, and generally, by the time these matters come to ANC 1B, they should be resolved and what the Commission should be doing is voting on them. She recommended that business applicants attend community meetings and discuss their plans with residents so that they will be informed before they come to the Commission meetings. She said community groups included the LeDroit Community Civic Association, the Pleasant Plains Civic Association, and other civic associations. She recommended that applicants go to the civic associations first so that when they come to the Commission, the questions will not be as lengthy and residents will have more information.

Commissioner Raia said that MASA 14 had come before the community group regarding the development of the rooftop deck and were coming to the Commission regarding the ABRA license.

Mr. Ron Richard, 1340 T Street N.W., asked what MASA 14 would do about reducing noise to prevent it from disturbing residents after hours. He said that was his main concern, in addition to the presence of the alley, which was also a source of noise.

Mr. Guler said that the second floor structure they were building would create a natural sound barrier. He said any additional noise would be directed to the front of the building, to 14th Street. The architect was also working on additional green sound barriers for the deck. In addition, his building was surrounded by three-story buildings, which provided additional sound barriers. He doubted there would be any additional noise to the back of the building.

Mr. Ramon Estrada, ANC 2B09, said he was the ANC Commissioner who represented the residents who live on Swann Street N.W., and who would be affected by MASA 14's expansion. He asked what adjustments were being made to closing hours.

Commissioner Raia noted that the sidewalk café hours were up to midnight.

Commissioner Estrada asked if the same hours would apply to the roof deck.

Mr. Guler's response was inaudible due to audio interference.

Commissioner Estrada asked what the increase in seating capacity would be. Mr. Guler said an addition 70 seats would be added, increasing total capacity to 320 seats.

Commissioner Estrada said he noted that the indoor space on the second floor had a bar and additional seating. The residents were concerned about how the doors to that space would be managed. Would the people inside be kept inside after the roof deck closes?

Mr. Kline said the people in the second floor interior space would be dining. They would not be carrying drinks or walking around.

[The remainder of the exchange between Mr. Kline and Mr. Estrada was inaudible because of audio interference.]

Commissioner Estrada asked if there would be outdoor music. Mr. Kline said there would be no outdoor music.

Ms. Kuk-ja Kim, 1330 13th Street N.W. asked a question regarding indoor seating capacity that was mostly inaudible due to audio interference. Ms. Kim also asked if the second floor roof deck doors would always be closed. Mr. Guler said he would work with Ms. Kim to address her concerns regarding the roof deck doors and come up with a solution for them.

Ms. Heather Harter, 1316 T Street N.W., asked if Mr. Guler planned to have just tables for dining on the roof, or more of a bar situation.

Mr. Guler referred to the drawings of the addition. He said they would be constructing a kitchen on the second floor and they wanted people to come there to dine.

Ms. Harter asked about having the rooftop deck open until 3:00 AM. She asked if there would be restaurant dining until 3:00 AM.

Mr. Guler said that right now they were serving food until 1:00 AM on weekdays and 2:00 AM on weekends. He said the hours would be the same.

Ms. Kim noted that Mr. Guler had said that the hours of operation for the rooftop deck were still being negotiated. She asked if the hours of operation had now been established.

Mr. Guler said that they had not met with the community and that this was their first meeting.

Mr. Kline said that was not correct; they had met with the U Street Association; they had had trouble meeting with Commissioner Raia because of his schedule, but had met with him on Monday, and now they were meeting with the Commission.

Ms. Kim asked if there had been discussion at the U Street Association regarding the ABC license, or was it just about the preliminary architectural design.

Mr. Kline said that the U Street Association meeting focused mainly on the HPRB process.

Mr. Lincoln Lieber, 1332 T Street N.W., said that everyone liked the design of the addition and the restaurant, but had the Commission taken into account the precedent that would be set by allowing a rooftop deck that would significantly change the character of the neighborhood?

Chairperson Anderson Holness answered yes.

Mr. Ed Weber, 1400 block of Swann Street N.W., asked if the restaurant had such a large volume of dining business after 12 midnight that they needed an additional 70 seats on the second floor.

Mr. Guler said they were a dining destination, not a nightclub, so they want to build capacity.

Chairperson Anderson Holness said the next question would be the last, as the Commission had spent more time on this issue than planned.

Mr. Tony Cord, 1133 14th Street N.W., commented that the Donovan House Hotel is located next to his condominium building. It has launched a successful rooftop operation which has enhanced the neighborhood and the general quality of life.

Commissioner Raia said that MASA 14 already had a voluntary agreement which stipulates their hours on the inside, so there is no issue on the inside hours. There are issues with the deck and the noise, and with the doors being open, which is undetermined at this point.

Commissioner Raia moved that ANC 1B protest MASA 14's application for a substantial change to its license on the basis of peace, order and quiet, so that the voluntary agreement may be amended so that it matches the business model that they are currently trying to become by the expansion.

Commissioner Muhammad seconded the motion.

Commissioner Raia said that, in negotiating the voluntary agreement, he would not negotiate for the roof deck to be open past midnight. He would like it to close earlier than midnight.

The motion was adopted 8-1, with Commissioner Nadeau voting no.

Mr.; Kline asked that, in dealing with the Commission, a couple of other Commissioners be designated to work with him. He said Commissioner Raia seemed to be busy and it was difficult to get in contact with him, so he wanted to have someone they could work with.

Commissioner Raia said he completely disagreed with Mr. Kline.

Chairperson Anderson Holness said Mr. Kline would have to work with Commissioner Raia as he could.

Mr. Kline said he would copy Chairperson Anderson Holness on everything to see that they got a response.

Bella, 900 Florida Avenue N.W., New Retail Class C Restaurant License

Chairperson Anderson Holness said this application was for a Class C Restaurant License with entertainment, including dancing and live bands.

Commissioner Raia said that no one from the business was present at the meeting. However, he had met with them three times, most recently yesterday, due to the fact that they have a stop-work order on their business. He talked with the owner and his representatives about a voluntary agreement. They are willing to enter into a voluntary agreement. They will have a CR license, which means they have to serve a certain percentage of food, with the entertainment endorsement.

Commissioner Raia moved that ANC 1B protest the application of Bella for a Class C Restaurant License on the basis of peace, order and quiet, and authorize him to negotiate a voluntary agreement.

Commissioner Muhammad seconded the motion.

Commissioner Moss said that she had heard feedback from residents about this new business, and she encouraged Commissioner Raia to communicate to the representatives that they need to show up and take questions from the community as well as the Commission. There is some concern that no one knows who the owners are, whether they have experience as restaurateurs. We want them to be visible and engaging with the community.

Commissioner Raia agreed. He said he understood that the cuisine would be Italian/African.

Mr. Scott Pomeroy asked if the owners would be attending the ABC Committee meeting.

Commissioner Raia said he did not know and did not speak for them. He said he could ask them.

Mr. Pomeroy said that they should be asked to attend the meeting so that they could present themselves to the community.

Commissioner Ferrer asked if there was a particular reason why the owners did not appear at the Commission meeting.

Commissioner Raia said that as far as he knew, they had been asked to attend.

Commissioner Nadeau asked why the Commission should not just protest the license outright rather than trying to negotiate with them.

Commissioner Raia said because we did want to negotiate. He asked what protesting outright would do for the Commission. They would still get their license. ABRA would not refuse to give them a license. The Commission has never had the power to stop a license.

Commissioner Thomas referred to the Chairperson's remarks about businesses going to community association meetings to inform residents of their proposals. She said she thought the same should apply to attending committee meetings. Business owners should attend committee meetings to provide information and answer questions.

Chairperson Anderson Holness agreed.

Commissioner Raia said that when he talked with businesses, he suggested that they attend, but sometimes community associations did not invite them to their meetings.

Commissioner Akinmboni said that business applicants should be going to the residents in the neighborhoods where they are located and taking the initiative to provide information and consult with those residents.

Chairperson Anderson Holness agreed, and said that this was necessary so that the community could be involved, ask questions and get information. The community could ask questions at the Commission meetings too, but what she was saying was that community associations and the neighborhoods should be the first point of contact for businesses

Commissioner Ferrer said that the Commission was in the position where it protested the license and ABRA overruled it, or it protested unless the business entered a voluntary agreement, in which case the Commission had some negotiating power with them.

Commissioner Raia said that protesting on the basis of peace, order and quiet would give the Commission negotiating power on how the licensee runs the establishment. He said that he had asked ABRA if the Commission had the power to stop a license and had been told no.

Commissioners Akinmboni and Nadeau said the Commission did have such power.

Commissioner Raia said only if the Commission wins the case and that has not happened.

The motion was adopted, 6-3, with Commissioners Akinmboni, Lopez and Nadeau voting no.

Ulah Bistro, 1214 U Street N.W. – Application for Substantial Change to License

Commissioner Raia said that no one from Ulah Bistro was present. He said he had spoken with the owner. Ulah Bistro is one of the outstanding restaurants on U Street. The owner has already requested the half-hour prior which the law states that he is supposed to stop the entertainment. He already knows that his doors will be closed. The Commission does not have a voluntary agreement with Ulah Bistro because it is a well-run establishment. No voluntary agreement is needed.

Commissioner Raia moved that ANC 1B support Ulah Bistro's application for a substantial change in its license.

Commissioner Muhammad seconded the motion.

Commissioner Akinmboni asked why the owner had not appeared at the Commission meeting.

Chairperson Anderson Holness said that was a question Commissioner Akinmboni might want to ask the owner.

Commissioner Raia said they were invited and he would have to ask.

Commissioner Moss asked if the Commission had not approved sidewalk seating for Ulah Bistro in 2009.

Commissioner Raia said that the Commission had supported that also.

Commissioner Moss said there were condos across the street on 12th Street and asked if there were any issues with sound or noise.

Commissioner Raia said they had not had an entertainment endorsement and he had never had any issues or complaints. That was why the Commission had supported every request they had made, because they were responsible. There had been issues with Indulge, but not with Ulah. Ulah has had its doors open, but understands that if they have music, they must keep the doors closed.

Commissioner Moss said that the Commission walked a fine line between restaurateurs and entertainment. The city was becoming a mini-Manhattan, accommodating more and more of a club atmosphere. She wanted to be sure that residents in the area were comfortable with another establishment playing music.

Commissioner Nadeau asked if the Commission did not currently have a voluntary agreement with Ulah Bistro.

Commissioner Raia said no, they did not.

Commissioner Nadeau asked if all Commissioners were aware that if the application were supported, the entertainment endorsement would transfer to a new owner.

Commissioner Raia said that would be true if they maintained the same exact grounds.

The motion was adopted 6-1-2, with Commissioner Nadeau voting no and Commissioners Moss and Thomas abstaining.

Chairperson Anderson Holness thanked Commissioner Raia for all the work he was doing for ANC 1B.

Grant Applications and Grants Committee Report

Extension of African American Holiday Association Grant Period

Commissioner Moss said that, as a result of the December snowstorm, the African American Holiday Association had been unable to complete its program as funded by the Commission. They have not been able to use all the funds or carry out all the projects. She said she was requesting an extension of the grant period so that they could carry out another project on February 13th.

Commissioner Moss asked Ms. Ayo Handy Kendi if she had been able to carry out some projects and expend some funds as proposed in the grant application.

Ms. Kendi said she had.

Commissioner Moss asked if she had receipts for those expenditures.

Ms. Kendi said she did and she had provided them to Mr. Irwin.

Commissioner Moss moved that ANC 1B support an extension of the grant funds for the African American Holiday Association.

The motion was seconded by Commissioner Akinmboni.

Commissioner Lopez asked when the grant had been approved.

Commissioner Moss said in December, 2009.

Commissioner Lopez recommended that the auditor be consulted first, because the grant application had specifically stated what the grant was for, and now the grant would have to be resubmitted and get the auditor's agreement.

Commissioner Moss said that Gottlieb Simon had been consulted and that he had recommended going forward with the grant extension. She said it was important to be in compliance with the requirements, which was why Ms. Kendi was providing a report and receipts to date.

The motion was adopted unanimously, 9-0.

Columbia Heights Village Together Grant Application

Commissioner Akinmboni introduced Mr. Mack Thompson, Director, to describe the grant application.

Mr. Thompson said this year will be the fifth Tournament of Games. It was started in the 14th and Girard Park by the Columbia Heights-Shaw Family Support Collaborative as an organizing tool for the design process regarding the renovation of the park. The tournament was so successful and had so many people participating that it has continued every year since. He said the CHSFSC continues to support the tournament

with funding, but does not sponsor it. ANC 1A also supports it, but they only provide grants once a year. In addition, the Tournament has lost support from the general contractor for the park renovation, who has completed the work on the park. He said the grant would benefit residents of ANC 1B08, 1B06, 1B07, 1B03, and 1B09. Those were the areas where participants in the Tournament came from. Last year, they had about 330 participants, and at least 150 came from these ANC SMDs.

Commissioner Moss thanked Mr. Thompson for organizing a program that targets young people and keeps them out of harm's way. She noted that there was no line-item budget and that the request was for \$900.00 for "manpower/labor." She asked Mr. Thompson to provide details of how many people would be hired and what amounts they would be paid.

Mr. Thompson said they did not hire by the hour. The payments were in the form of a stipend for judges, facilitators and coordinators. They would be hiring six people.

Commissioner Lopez asked how the stipends would be recorded and submitted to the Commission.

Mr. Thompson said they would have a receipt that would show a person received a certain amount of money on a date for a specific purpose.

Commissioner Raia suggested that the form being used by the African American Holiday Association be adapted for use by this grant.

Commissioner Muhammad commented that Mr. Thompson had done a fantastic job over the years that he had known him.

Commissioner Akinmboni moved that ANC 1B support the grant application of Columbia Heights village Together for \$900.00.

Commissioner Muhammad seconded the motion.

Commissioner Moss asked that the motion be amended to include a request for a specific budget for the \$900.00.

Commissioner Akinmboni agreed to amend her motion to include the requirement that a budget for the \$900.00 expenditure be included.

Commissioner Lopez asked when the event would occur.

Mr. Thompson said Saturday, March 6th.

Commissioner Lopez noted that the date was not specified in the grant application and asked that the application be amended to include the event date.

The motion was adopted 8-1, with Commissioner Nadeau voting no.

Arose Youth Development Letter of Support

Commissioner Akinmboni said that Arose Youth Development had wanted a letter of support for a grant application, but the deadline had passed by the January meeting. She wanted the Commission to approve a generic letter of support for Arose Youth Development that could be used for future grant opportunities, since these opportunities sometimes came up at short notice and there was not time to submit them to the Commission individually.

Commissioner Akinmboni moved that ANC 1B write a letter of support for Arose Youth Development for fiscal year 2010.

Commissioner Nadeau seconded the motion.

The motion was adopted unanimously, 9-0.

New Business

There was no New Business.

Community Events and Announcements

Commission Announcements

Commissioner Thomas said that, now that the Commission had new committee chairs and new committee members, she hoped that there could be a system for announcing when and where committee meetings would be held.

Chairperson Anderson Holness said that committee meetings could be announced through the Commission website.

Commissioner Akinmboni asked who the members of the Grants Committee were.

Chairperson Anderson Holness said that the membership of the Committee was open to volunteers from the community.

Commissioner Muhammad announced that the South Columbia Heights Neighborhood Association, of which he is the president, would be meeting on Wednesday, February 17th, at 7:00 PM, at the Josephine Butler Parks Center, 2437 15th Street N.W. This will be a joint meeting with Metropolitan Police Department (MPD) PSA 304. The guest speaker this month will be Dr. Pierre Vigilance, Director of the D.C. Department of Health.

Chairperson Anderson Holness announced that ANC 1B11 would be holding its monthly meeting on Monday, February 8th, weather permitting. The guest speaker was Maybelle Bennett, of Howard University, to discuss zoning issues. She will also be speaking to the Commission at the March meeting. The other guest was the new Director of the Mayor's Office of Ex-Offender Affairs. The meetings are held at the Kelly Miller/LeDroit Senior Center. On the third Saturday of the month, ANC 1B11 will have its monthly empowerment meeting at the same location.

Chairperson Anderson Holness announced that there is a new informational brochure for ANC 1B available with contact information for commissioners and information on Commission activities.

Commissioner Thomas announced that the V-W Task Force had met last night with Councilmember Graham, CSOSA and others. The task force meetings will resume on a regular basis and will be scheduled in the evenings instead of the in the mornings so that more residents of V, W Streets and Florida Avenue can attend. This is a good forum for exchanging information about crime, public safety issues and other issues in that area.

Commissioner Muhammad asked that he be notified of the task force meetings so that he could attend and also include people from that neighborhood in the Public Safety Committee meetings to improve the exchange of information about public safety issues.

Commissioner Moss announced that the Mary Church Terrell Foundation and Howard University will be holding a forensic challenge seminar. ANC 1B has provided grant funds to enable the seminar to take place. It will be held on Saturday, February 20th, between 11 AM and 3:30 PM at the Howard University Blackburn Center. The Forensic Challenge is in the form of a debate, a revisiting of the debate between Booker T. Washington and W.E.B. DuBois.

Chairperson Anderson Holness noted that a memorial service was scheduled for Friday, February 5th for the late Howard University President Emeritus Dr. Cheeks. However that service has been cancelled due to weather and will be rescheduled at a later date. Dr. Cheeks did a lot for Howard University and for the community.

Commissioner Lopez asked when the next Public Safety Committee meeting would be.

Commissioner Muhammad said that PSA 305 met on the first Tuesday of the month and PSA 304 on the third Wednesday of the month. However, Commissioner Muhammad was in the process of visiting all the various PSA and community meetings around ANC 1B, hoping to get 12 to 15 people to join the Committee, and he would be announcing a meeting time and date once that process had been completed.

Commissioner Raia announced that the ABC Committee would be meeting on February 18th at 7:00 PM. He would be able to announce the location tomorrow. The MidCity

Business Association would be briefing the Committee on the hospitality program. An agenda would be posted.

Commissioner Lopez asked when the ANC 1B office would be open.

Chairperson Anderson Holness said that arrangements were in process, and the opening would be announced on the website once a firm date could be established. She expected to have an open house and a ribbon cutting when the office was opened.

Chairperson Anderson Holness thanked everyone for a very orderly meeting and noted that the meeting had only gone overtime by 30 minutes. She hoped that they would be able to cut it down to an hour and a half in future.

Commissioner Raia moved that the February 2010 meeting of ANC 1B be adjourned.

Commissiner Ferrer seconded the motion.

The motion was adopted unanimously and the meeting was adjourned at 8:58 pm.