



ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Minutes

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

The regular monthly meeting of Advisory Neighborhood Commission 1B occurred on Thursday, November 4, 2010, at 7:00 pm in the Reeves Center, Commissioner E. Gail Anderson Holness, Chairperson, presiding. Commissioner Myla Moss was present as Secretary. Other Commissioners present during the meeting: Peter Raia, 1B02, Sedrick Muhammad, 1B03, Deborah Thomas, 1B04, Brianne Nadeau, 1B05, Juan Lopez, 1B07, and Rosemary Akinmboni, 1B08. Commissioners absent: Melissa McKnight, 1B06. Thomas K.D. Smith, 1B09, Eduardo Ferrer, 1B10.

Chairperson Anderson Holness observed the presence of a quorum and 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.
- ✓ Our meeting agenda is based on a strict time frame. We want to address all issues and assure participation by all interested parties, but we also want to make sure that our meeting ends at a reasonable hour. Therefore, we ask that all presentations be limited to five minutes. Mr. Jim Irwin, our staff director, will give each presenter a three-minute and one-minute warning, and then will announce the expiration of time. We request all those asking questions to be as brief and concise as possible. Community announcements at the end of the meeting are limited to two minutes each.
- ✓ This meeting is audio-recorded for the public record and the draft minutes of the meeting, which will be published on our website as soon as possible.
- ✓ 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. 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 asked Commissioners to introduce themselves.

Chairperson Anderson Holness commended and thanked Commissioners whose service on the Commission was ending, including Commissioners Nadeau, Akinmboni, Raia, and Ferrer.

Chairperson Anderson Holness noted that several Commissioners-elect were present. She congratulated them and asked them to introduce themselves. Lauren McKenzie, elected to 1B09 and Tony Norman, elected to 1B10, were introduced.

Presentations

Chairperson Anderson Holness introduced Ms. Sonia Gutierrez, Founder and Chief Executive Officer of the Carlos Rosario International Public Charter School.

Ms. Gutierrez briefly reviewed the history of the school and noted that they had received the support of ANC 1B in 2002 when they were beginning the renovation of the building they now occupy at 11th and Harvard Streets N.W.

Ms. Gutierrez introduced staff members who accompanied her. Their presentation reviewed the curriculum and extensive academic accomplishments of the school.

The discussion included the school's efforts to work with neighbors to ease problems related to parking, noise and traffic.

Public Safety and Public Safety Committee Report

Commissioner Muhammad presented the Public Safety Committee report, which was accepted for information purposes and is entered into the minutes below.

PUBLIC SAFETY COMMITTEE REPORT
November 4, 2010
Commissioner Sedrick Muhammad, Chairperson

Commissioners,

Below is a summary of some public safety reports that took place between October 7 and today. First is a brief summary from DC FEMS followed by MPD's PSA 304 & 305 30 Day Crime Stat report, respectively.

October 15

DC FEMS reported a fire at 211 Elm St NW (Carver Hall How U) - 4 story dorm - fire in lower level trash room, light smoke, there were no injuries

October 20

DC FEMS reported a Motor Vehicle Collision at Vermont Av & U St NW - EMS reported several injured

October 22

DC FEMS reported a cyclist struck on 1500 blk U St NW

October 27

DC FEMS reported a cyclist struck at 5th St & Harvard Rd NW. EMS evaluated & transported 1 adult to trauma

October 28

DC FEMS reported a tech rescue due to a car crashing into bldg on the 1300 block of Euclid St NW

October 29

DC FEMS reported a pedestrian struck at 15th & Girard St NW.

DC FEMS reported a pedestrian struck on the 2400 block of 14th St NW

November 2

DC FEMS reported a fire on the 700 block of Gresham Place NW in a 2 story row house. Fire was on the first floor.

DC FEMS reported a fire at 2811 Sherman Ave NW. 11 occupants displaced (8 adults, 3 children)

Today

DC FEMS reported 2 hours ago there was a small fire at 1911 Vermont Ave. The 2 story row house is being renovated and is unoccupied.

MPD PSA 304

Crime Type	10/7/2009 to 11/3/2009	10/07/2010 to 11/03/2010	% Change
Homicide	0	1 [view map]	N/A
Sex Abuse	1	3 [view map]	↑ 200
Robbery Excluding Gun	0	5 [view map]	N/A
Robbery With Gun	1	1 [view map]	No Change
Assault Dangerous Weapon (ADW) Excluding Gun	3	2 [view map]	↓ 33
Assault Dangerous Weapon (ADW) Gun	1	0 [view map]	↓ 100
Total Violent Crime	6	12 [view map]	↑ 100
Burglary	5	7 [view map]	↑ 40
Theft	5	5 [view map]	No Change
Theft F/Auto	13	19 [view map]	↑ 46
Stolen Auto	6	1 [view map]	↓ 83
Arson	0	0 [view map]	N/A
Total Property Crime	29	32 [view map]	↑ 10
Total Crime	35	44 [view map]	↑ 26

MPD PSA 305

Crime Type	10/7/2009 to 11/3/2009	10/07/2010 to 11/03/2010	% Change
Homicide	0	2 [view map]	N/A
Sex Abuse	0	0 [view map]	N/A
Robbery Excluding Gun	4	14 [view map]	↑ 250
Robbery With Gun	6	1 [view map]	↓ 83
Assault Dangerous Weapon (ADW) Excluding Gun	5	2 [view map]	↓ 60
Assault Dangerous Weapon (ADW) Gun	2	0 [view map]	↓ 100
Total Violent Crime	17	19 [view map]	↑ 12
Burglary	4	8 [view map]	↑ 100
Theft	19	18 [view map]	↓ 5
Theft F/Auto	26	43 [view map]	↑ 65
Stolen Auto	3	5 [view map]	↑ 67

Arson	0	0 [view map]	N/A
Total Property Crime	52	74 [view map]	↑ 42
Total Crime	69	93 [view map]	↑ 35

Commissioner Sedrick Muhammad
ANC 1BO3
Chairman, ANC 1B Public Safety Committee

Commissioner Moss added to Commissioner Muhammad’s report by noting that she was meeting with Councilmember Graham, Assistant Police Chief Dianne Groomes, and Commander Kishter of the Third District, regarding the tragedy at DC 9 on Ninth Street and the recent incidents of people being assaulted as they walked in the neighborhood.

Commissioner Raia asked the community to be alert and watchful, as the assaults mentioned by Commissioner Moss were carried out by young men targeting the gay and lesbian community. Citizens reporting such crimes should be sure to identify them as hate crimes.

Commissioner Moss said that the Metropolitan Police Department (MPD) and the Department of Consumer and Regulatory Affairs (DCRA) had been very helpful in dealing with a problem house in her single-member district (SMD) on Florida Avenue. The house was occupied by a group of young males who were dealing drugs, had weapons, and were apparently involved in some of the assaults. The house was shut down. However, the illegal activities have not been completely eradicated. One of the subjects of discussion at the meeting will be the establishment of a police substation on Ninth Street.

Officers Reports

Secretary’s Report – Minutes of October 2010 meeting

Commissioner Moss submitted the draft minutes of the October, 2010 meeting for approval.

Commissioner Moss moved that the draft minutes of the October 7, 2010 meeting be approved.

Commissioner Lopez seconded the motion.

The motion was adopted unanimously, 7 yes 0 no, 1 abstain. Commissioner Nadeau abstained.

Treasurer’s Report

Chairperson Anderson Holness noted that Commissioner Ferrer, Treasurer, was necessarily absent due to illness. She presented the Treasurer's Report:

ANC 1B Treasurers Report – November, 2010

Overview

The October, 2010 Industrial Bank Statement is attached to this report. The current balance is \$35,262.69.

The following checks were written at the October 7, 2010 meeting:

Name	Check #	Amount	Purpose
U.S. Treasury	1784	\$107.59	Federal payroll taxes & withholding
U.S. Treasury	1785	\$392.60	Federal payroll taxes & withholding
U.S. Treasury	1786	\$725.97	Federal payroll taxes & withholding
U.S. Treasury	1787	\$938.12	Federal payroll taxes & withholding
U.S. Treasury	1788	\$1,158.59	Federal payroll taxes & withholding
U.S. Treasury	1789	\$1,249.74	Federal payroll taxes & withholding
UPS Store	1790	\$108.75	Printing – meeting announcement flyers & brochures
Best Buy	1791	\$298.84	Computer audio speakers and IT support services
James Irwin	1792	\$1,405.92	Staff wages
James Irwin	1793	\$8.80	Reimbursement for postage
Emergence Community Arts Collective	1794	\$2,000.00	Grant #10-16

The following checks were cashed last month:

Date Cashed	Name	Check #	Amount	Purpose	Meeting Approval Date
10/12/10	James Irwin	1792	\$1,405.92	Staff wages	Budget approved 10/1/09
10/12/10	James Irwin	1793	\$8.80	Reimbursement for postage	10/7/10
10/25/10	Emergence Community Arts Collective	1794	\$2,000.00	Grant #10-16	10/7/10

Expenses to be approved

Name	Amount	Purpose
James Irwin	\$1,292.80	Staff wages-net pay
James Irwin	\$35.97	Reimbursement for web hosting fees
Capital Services & Supplies	\$401.57	Office supplies, including invoice dated 8/5/10 not paid

Commissioner Raia moved that expenses be approved as stated in the report.
Commissioner Muhammad seconded the motion.

Commissioner Lopez asked about the 8/5/10 invoice. Jim Irwin, Staff Director, said that the invoice had arrived shortly after the August meeting, should have been approved at the September meeting, but was overlooked. The expense was purchase of printer cartridges and classified as office supplies.

The motion was adopted unanimously, 8 yes, 0 no.

Design Review Applications and Design Review Committee Report

Mr. Tony Norman, Chairperson of the Committee, presented the Committee report:

**ADVISORY NEIGHBORHOOD COMMISSION 1B
DESIGN REVIEW COMMITTEE
Tony Norman, Chairperson
Report and Recommendations
November 4, 2010**

The Design Review Committee met at the Thurgood Marshall Center, 1816 12th Street N.W., on Tuesday, October 19, 2010. The meeting was called to order by Chairperson Tony Norman at 6:30 PM. Committee members present were: Eric Fidler, Joel Heisey, Lee Jackson, Patrick Nelson, Sylvia Robinson

Others present were: Matt Sislen, Dantes Partners, Jordan Bishop, Dantes Partners, Buwa Binte, Dantes Partners, Paul Milstein, Douglas Development Corporation, Carolyn Brown, Holland & Knight law firm, Lee Rubenstein, R2L Architects, Sasha Rosen, R2L Architects

SUMMARY

The Committee reviewed two projects: the Justice Park development at 1421 Euclid Street N.W. and the design for a proposed development at 2221 14th Street N.W.

Dantes Partners gave the Committee an update on the status of the Justice Park project.

The developers of 2221 14th Street N.W. presented their project and asked the Committee to recommend that the full Commission support the conceptual design for historical preservation review.

RECOMMENDATION

Mr. Joel Heisey moved that the Committee recommend that ANC 1B support Douglas Development's conceptual design for 2221 14th Street as not incompatible with the Greater U Street Historic District with respect to height, massing, design, and materials, and communicate that support to the Historic Preservation Review Board.

Mr. Patrick Nelson seconded the motion.

The motion was adopted unanimously, 6 yes, 0 no.

REPORT ON RECOMMENDATION

Justice Park

- The Committee has previously reviewed this project and received an update on the current status of the design concept for the project.
- The location of the project, 1421 Euclid Street N.W., is one lot removed from the BP gas station at 14th and Euclid Streets.
- This project will provide work-force targeted rental apartments, available to people making between \$40,000 and \$60,000 annual income. This is intended to address the shortage of affordable housing in Columbia Heights. Rents will be somewhere around \$1,100-\$1,200 for a one-bedroom apartment, instead of the current average \$3,000 for a one-bedroom.
- Chairperson Norman noted that the Committee had previously voted to support the concept of workforce housing on the Justice Park site.
- Tenant selection will begin when the project is about three months away from completion. Criteria for selection are established by District and Federal laws, including the Fair Housing Act, Section 3 requirements, low-income housing tax credit requirements set by the federal government, which sets an income threshold. To qualify, a tenant may not be able to make more than \$60,000. The specific restrictions and criteria will depend upon the type(s) of financing the developer can acquire.
- The site has been awarded to Dantes Partners. What this means is that the developer has the right to exclusively negotiate with the city. If the city and the developer cannot come to agreement within 90 days, the developer can withdraw and the city can transfer the site to another party or retain it.

- The land is being leased by the city to the developer. The developer will own the building which will be constructed, but the city will continue to own the land. The term of the lease is currently being negotiated. It could be as much as 99 years.
- Regarding lease payments, the developer proposes to make a cash payment to the District, a cash and/or in-kind payment to support the garden that will be established directly across the street from the site. Cash lease payments will be based on a percentage of the operating profits of the building.
- The next step is the negotiation of a term sheet, which transfers what the developer offered to the city for the development of the site into a legal statement of terms about 13 pages long. The term sheet forms the basis for the next step, a Land Development and Disposition Agreement (LDDA), about 60 pages long. Negotiation of the term sheet has been completed and is awaiting the Mayor's approval. A public hearing has been scheduled for November 8th. They are currently negotiating the LDDA. This will be relatively straightforward because the project is a multi-unit residential building, with no mixed uses included. The actual design of the building does not have to be specified in the LDDA.
- The actual design of the building will be determined after public input through a series of charettes.
- The tentative plan is to design a building with somewhere between 28 and 39 units. There will be a combination of studios, one-bedroom and two-bedroom apartments. The actual mix will depend on public feedback and design considerations.
- If all goes well and financing is secured, they hope to break ground by October, 2011.
- The public hearing is required by D.C. Law to give notice to the public that a publicly-owned asset is being disposed of. It will give the community an opportunity to ask the developer questions and engage in discussion about the conceptual design of the project. It also provides an opportunity for someone to contest the sale of the property to the developer.
- When negotiation of the LDDA is completed, it will go to the City Council for approval. Public hearings will be held by Councilmember Cheh's Committee on Government Operations and Councilmember Kwame Brown's Committee on Economic Development. This provides another opportunity for the public to comment on the project and express their needs and concerns. They hope that these Council hearings can be completed before the end of 2010.
- Neighbors of the project have expressed concern about setbacks and close proximity to the site, the fact that the range of the target market is low to moderate income, aesthetics of the building, the building being rental vs. homeownership. These are issues that can be negotiated.

- Dantes Partners wants to make clear to the community that they will not compromise on aesthetics or architectural design. They want this project to be a landmark building.

2221 14th Street N.W.

- The location of the project is the southeast corner of 14th Street and Florida Avenue N.W., across from the Solea condominium building. View 14 is directly north across Florida Avenue. It is currently an auto sale lot.
- The project will be a multi-unit residential building, market rate, with 8% of the units affordable housing. They will be seeking some zoning relief.
- They are in the very early stages of the project, but wanted to inform the community and the ANC and begin getting input from them.
- The developer is seeking the Commission's support for their design review concept.
- They have presented their concept to the Meridian Hill Neighborhood Association.
- The property is located in the Greater U Street Historic District and the applicant is seeking design review before the Historic Preservation Review Board.
- They have met with the Office of Planning and the Historic Preservation Office to get their input. Their current design reflects the comments of these offices.
- The new building will be 75 feet in height and contain approximately 26,044 square feet of residential use and 2,500 square feet of commercial retail/service uses.
- The exterior of the building will be clad in brick, with glass and brick projecting bays on the Florida Avenue elevation. Residential balconies will be located on the 14th Street elevation. The ground floor commercial space will also include projecting glass bays to help activate the street.
- The site is 5,530 square feet, so it is quite tight and they are trying to do as much as possible with the space.
- There will be underground parking for ten cars and bicycles. Access to the parking garage will be by ramp from the alley off of Florida Avenue. They will be yielding five feet of property to increase the alley width from 10 to 15 feet. The District Department of Transportation has accepted this approach.
- The project will include 30 residential units. Current zoning requires one parking space for every two units, but it is impossible to provide 15 parking spaces in the space available. They will therefore be seeking a zoning variance to permit ten instead of 15 spaces.

- They propose retail use for the ground floor space. They are studying how to make the retail most useful for the community.
- Each floor includes five one-bedroom apartments ranging from 600 square feet to 720 square feet and one efficiency unit at 400 square feet.
- The building is LEED designed.
- Current zoning is C3
- There are zoning and building code issues that the Committee will review at later meetings. Action at this meeting focused on the question of historic preservation review.

Mr. Norman noted that the project would be seeking zoning variances and special exceptions, and would be coming before the Committee and the Commission again for support for those applications, but the action item for this meeting was a request for support for the design concept before the Historic Preservation Review Board.

Commissioner Thomas noted that the project was located in her district, but she had not been informed of it.

Mr. Norman said that the Committee had specifically asked that Commissioner Thomas be contacted regarding the project.

Chairperson Anderson Holness emphasized the policy of the commission that all projects be reviewed by the commissioner representing the SMD in which the project was located and the civic or neighborhood associations in the area. It was very important to contact the commissioner of jurisdiction so that commissioners did not come to the meeting and only then find out about projects going on in their districts. The Commission relied on the recommendations and advice of that commissioner regarding a proposed project. She asked the developer of 2221 14th Street to contact Commissioner Thomas, and include her and the community in the process.

Mr. Sasha Rosen, architect for the project, said that they had sent e-mails and attempted to contact Commissioner Thomas after the committee meeting.

Commissioner Thomas said that she had not received any e-mail about the project and always responded to e-mails. She also said that Commissioner Nadeau's SMD bordered hers and the project was just across the district boundary, so Commissioner Nadeau should be involved as well.

Commissioner Nadeau commented that the Meridian Hill Neighborhood Association (MHNA) would want to be involved.

Mr. Rosen said that they had presented their project to MHNA in October.

Chairperson Anderson Holness asked Mr. Rosen to meet with Commissioners Thomas and Nadeau.

Mr. Norman said that the developer was seeking support for the design concept from the Commission because they had a hearing before the Historic Preservation Board later in November. He suggested that Mr. Rosen present his project to the Commission.

Mr. Rosen made a brief presentation that essentially repeated the points made in the Design Review Committee report above.

Commissioner Nadeau asked about the size of the parking garage and the reason for not constructing more than one parking level.

Mr. Rosen said that the issue was not money or obstructions that would prevent digging deeper. The problem was that the size of the lot and therefore the size of the basement precluded the clearance necessary to construct another ramp to a lower level. It would be impossible to make the turn and get a car down the ramp.

Commissioner Nadeau asked about the number of parking spaces for bicycles in the underground garage.

Mr. Rosen said they had room in the garage for fifteen bicycles. The District Department of Transportation had requested four bicycle spaces outside, so four spaces would be provided near the entrance to the building.

Mr. Rosen said, in response to questions from Commissioner Nadeau, that there would be 30 units in the building, they would be rental units, and rents would be market rate.

Chairperson Anderson Holness asked what the rates would be.

Mr. Rosen said the rents would be approximately \$2,000-\$2,400 per month for a one-bedroom apartment. He said ten percent of the units, or three, would be affordable housing.

Commissioner Nadeau asked what trash removal plan would be in place if a restaurant opened in the retail space on the ground floor.

Mr. Rosen said this was one of the toughest issues they were working on. Because of the configuration of the lot and the building, the location of the elevator and the entrance to the residential units is fixed and cannot be adjusted. This means that the best locations for trash storage are taken up by other functions. They are currently working on how to locate trash storage and collection on the alley.

Chairperson Anderson Holness asked if D.C. residents would be hired to work on the project.

Mr. Rosen said that Douglas Development was strongly committed to hiring residents, but he did not know if an agreement had been finalized.

Chairperson Anderson Holness and Commissioner Thomas warned that the project would be shut down if local residents were not employed.

Commissioner Nadeau asked about the construction schedule.

Mr. Rosen said they hoped to begin construction on July 1, 2011. They estimated the project would take 12 months to complete.

Commissioner Thomas noted that there were two schools located immediately adjacent to the project and suggested that the developer had consulted with them about safety issues related to traffic in and out of the alley. Children from the schools would be crossing the alley at various times of the day.

Commissioner Thomas also asked about the mural on the side wall of the property and what would be done to replace it.

Mr. Rosen said they had spoken to the artist who created the original mural and asked him whether he wanted to recreate the original mural, move it to a different location, or create a new mural. He would like to create a new mural. He will come to the community with some ideas and will get feedback from the community.

Commissioner Moss asked about plans for the rooftop of the building.

Mr. Rosen said the rooftop would be green-designed and would be restricted to residents due to the limited space and size of the building. There will not be a concierge at the entrance, so control of who enters the building is limited.

Commissioner Moss asked if local small businesses were being considered for the retail space.

Mr. Rosen said he did not know of any specific agreements, but he knew the developer was a local business and was committed to supporting and bringing in local businesses.

Commissioner Raia said that, if a restaurant was established in the retail space, consideration should be given to how to keep the area quiet for the residents and the neighbors.

Mr. Norman noted that the only thing the Committee had reviewed and approved was the design concept with reference to historic preservation concerns. Other issues such as zoning or parking would be reviewed at another meeting. The developer did need approval for the design concept at this meeting.

Commissioner Nadeau asked Mr. Rosen to provide the timeline for all approvals they would need.

Mr. Rosen said review by the Historic Preservation Review Board would be on November 15. Review by the Board of Zoning Adjustment would likely be toward the end of January; they did not have a hearing date yet. He hoped that he and Commissioners Nadeau and Thomas could meet in November.

Commissioner Nadeau moved that ANC 1B support the design concept proposed for 2221 14th Street NW and communicate its support to the Historic Preservation Review Board.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

Commissioner Nadeau observed to Mr. Rosen that Mr. Jamal had a history of being less than direct with the Commission on development projects, and the Commission needed for him to show up and be involved in the further review and discussions about the 2221 14th Street project.

Liquor Licenses and ABC Committee Report

Commissioner Raia said there was no Committee report.

Martin's Restaurant and Lounge, 1919 9th Street N.W. -- application for new Retail Class C Tavern license

Commissioner Moss reviewed the application for a new Class C Tavern license for Martin's Restaurant and Lounge. She said this is a sensitive location, as the previous owner had leased out his establishment to another party and ceded control over its operation. A young woman had been killed there and the establishment had been shut down. She has visited the new restaurant and met with the owner. They are in the process of negotiating a voluntary agreement with the community and the Commission. However, the owner was not present at this meeting and had not yet met with Commissioner Raia, chairperson of the ABC Committee, or with the U Street or Westminster Neighborhood Associations.

For these reasons, Commissioner Moss moved that ANC 1B protest the application of Martins Restaurant and Lounge for a new Retail Class C Tavern License on the basis of concerns related to peace, order, quiet and parking.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

Pica Taco, 1406 Florida Avenue N.W. – application for new Retail Class D Restaurant License

Commissioner Thomas said that this applicant has met with the Meridian Hill Neighborhood Association, residents of Union Row and other residents with concerns. No one seemed to have any major concerns. This is a very small establishment with seating capacity of 14.

The owner, Ms. Maria Villatta, spoke briefly to the Commission and said that she had a petition of support from neighbors and a letter of support from her next door neighbor.

Commissioner Thomas moved that ANC 1B support the application of Pica Taco for a new Retail Class D Restaurant license.

Commissioner Muhammad seconded the motion.

Commissioner Raia asked if there was a voluntary agreement.

Commissioner Thomas said no, there was no need for a voluntary agreement.

The motion was adopted 7 yes, 0 no, 1 abstain. Commissioner Raia abstained.

Yegna, 1920 9th Street N.W. – application for substantial change to license

Commissioner Raia said that the owner was not present, but she had appeared before the Commission two months ago to seek support for the conversion of her license from CR to CT. They do have a voluntary agreement with the Commission.

Commissioner Raia moved that ANC 1B support the application of Yegna to change its license from Class C Restaurant to Class C Tavern, and that he be authorized to negotiate changes in the voluntary agreement between Yegna and the Commission to conform to their new business model.

Commissioner Nadeau seconded the motion.

Commissioner Nadeau asked if there were any concerns in the community about the change in license in view of the incidents that have occurred on that block in the past few years.

Commissioner Raia said that he had attended the last Westminster Neighborhood Association meeting, and no concerns were expressed.

The motion was adopted unanimously, 8 yes, 0 no.

Liquor License Renewal Applications

Commissioner Raia noted that there were numerous applications for liquor license renewals. None of these applications involved any change in the license and none were controversial.

Commissioner Raia moved that ANC 1B support the applications for renewal of liquor licenses for the following businesses:

Chuck & Bill Bison Lounge, 2718 Georgia Avenue N.W. --
renewal of Retail Class C Tavern License

Manchester Bar & Restaurant, 944 Florida Avenue N.W. –
renewal of Retail Class C Tavern License

Etete Ethiopian Cuisine, 1942 9th Street N.W. – renewal of
Retail Class C Tavern License

Solly's U Street Tavern, 1942 11th Street N.W. –
renewal of Retail Class C Tavern License

Nellie's Restaurant & Sports Bar, 900 U Street N.W. –
Renewal of Retail Class C Tavern License

Dodge City, 917 U Street N.W. – renewal
of Retail Class C Tavern License

Lounge of Three, 1013 U Street N.W. – renewal of
Retail Class C Tavern License

Tabaq, 1336 U Street N.W. – renewal of Retail Class
C Tavern License

Pure Nightclub and Lounge, 1326 U Street N.W. – renewal of
Retail Class C Nightclub License

Twin Jazz, 1344 U Street N.W. — renewal of
retail Class C Tavern License

Bar Pilar, 1833 14th Street N.W. – renewal of Retail
Class C Tavern License

Café Saint-Ex, 1847 14th Street N.W. – renewal of Retail
Class C Tavern License

Jin, 2017 14th Street N.W. – renewal of Retail Class
C Tavern License

Town, 2009 8th Street N.W. – renewal of Class C Nightclub license

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

DC 9, 1940 9th Street N.W. – renewal of Retail Class C Nightclub License

Commissioner Raia said there were concerns with DC 9 because of the recent incident resulting in the death of a patron.

Commissioner Raia moved that ANC 1B does not support DC 9's application for renewal of its Retail Class C Nightclub license.

Commissioner Muhammad seconded the motion.

Commissioner Nadeau asked if the motion was to protest the renewal or just not support it.

Commissioner Raia said the motion was to not support the application,

Commissioner Nadeau said that in that case the motion was not needed.

Chairperson Anderson Holness and Commissioner Raia said that the intent was to get the Commission's non-support on the record.

Commissioner Nadeau said that the motion in that form was meaningless to the Alcoholic Beverage Regulatory Administration.

Chairperson Anderson Holness said that it meant a lot to the Commission's record and so the motion would be accepted; whether or not they had to do it, they were going to put it on record officially that the commission did not support the renewal.

The motion was adopted 5 yes, 0 no, 3 abstain. Commissioners Raia, Lopez and Nadeau abstained.

La Fonda, 2100 14th Street N.W -- application for new Retail Class C Restaurant license --- Voluntary Agreement and Withdrawal of Protest

Commissioner Thomas reviewed the reasons for the Commission's protest of this application. She said that the voluntary agreement had been negotiated and there was one additional amendment that had to be added. That amendment could be put on the record at this meeting. The applicant had met with all of the neighborhood associations and resident associations that were affected; they had also met with Martha's Table and

St. Augustine Church. She wanted to move to remove the protest and approve the voluntary agreement with one additional amendment.

Commissioner Raia said he had not seen or reviewed the voluntary agreement. Commissioner Thomas said it had just been completed today and it could be distributed to commissioners now for review.

Commissioner Nadeau said that the voluntary agreement addressed issues related to noise, hours, trash disposal, the daycare center next door, hours for an outdoor patio, should the owner decide to apply for one. Otherwise, it was a standard voluntary agreement.

Commissioner Thomas said that the amendment that still needed to be added to the voluntary agreement provided for soundproofing to mitigate possible disturbances to the daycare center next door to the restaurant.

Commissioner Thomas also noted that residents of Union Row disagreed with the closing time for the outdoor patio and wanted it to close every night at 12 midnight rather than closing at 1:00 AM on Friday and Saturday nights.

Ms. Leeann Sadowski, 2125 14th Street N.W., said that residents at Union Row were concerned that allowing La Fonda to keep their patio open until 1:00 AM on Fridays and Saturdays would set a precedent for Eatonville, the restaurant located on the ground floor of their building, to apply for extended hours on Fridays and Saturdays. Currently, Eatonville must close its patio at 12 midnight every night of the week. The Union Row residents want the closing hour for La Fonda's patio to be the same as for Eatonville.

Commissioner Nadeau noted that the patio was located on V Street N.W., where the most important factor was "eyes on the street" to help deter criminal activity. The presence of the patio would contribute to that, so that was a very influential factor in the negotiation of an extended time for Fridays and Saturdays. Commissioner Thomas and herself had taken into consideration many concerns of Union Row residents and had provided for all of them except for this one extended hour on Fridays and Saturdays.

Commissioner Raia commented that there was no proof that an outdoor café or patio associated with a bar or restaurant contributed in any way to the protection of citizens from crime, so "eyes on the street" should not be taken into consideration when negotiating the voluntary agreement.

Commissioner Thomas observed that the residents and businesses on the affected block, as well as the church and Martha's Table, were all in support of the extended hour for Friday and Saturday.

Commissioner Raia observed that the closing hour for all days of the week for the patio specified in the agreement was 12 midnight.

Commissioner Thomas said that changing the closing hour to 1:00 AM for Fridays and Saturdays was one of the amendments she wanted included in the motion she would make.

Commissioner Thomas moved that ANC 1B approve the voluntary agreement between it and La Fonda as amended to allow their outdoor patio to be open to 1:00 AM Friday and Saturday nights, and that its protest of La Fonda's application be withdrawn when the voluntary agreement has been signed.

Commissioner Nadeau seconded the motion.

The motion was adopted, 7 yes, 1 no. Commissioner Raia voted no.

Grant Applications and Grants Committee Report

Commissioner Akinmboni presented the report of the Grants Committee:

GRANTS COMMITTEE REPORT November 4, 2010 Commissioner Rosemary Akinmboni, Chairperson

The Committee met at 5:30 PM on Tuesday, October 26, 2010 in the Commission office, 2000 14th Street N.W., Suite 100B.

Committee members present: Commissioner Rosemary Akinmboni, Chairperson, Commissioner Brianne Nadeau, Commissioner Juan Lopez, and Ms. Halima Roebuck.

Others attending: Ms. Camille McKenzie, Columbia Heights-Shaw Family Collaborative, Mr. Mack Thompson, Columbia Heights Village Tenants Association.

The committee considered a request for \$500 for the DC Winter Tournament of games to be held on December 4. Commissioner Akinmboni explained the new rules to the members of the community, focusing on the need to have the grant serving residents of the 1B community. Although this event takes place in 1A, it was noted that participants will be from both 1A and 1B, as with the summer games. The venue rotates between 1A and 1B and the 1A location was selected because it was indoors and because of its proximity to both communities.

There will be five youth helpers from the community, two judges, facilitators and a coordinator (Mack Thompson). All those benefiting from the grant live in the community. ANC1A is supporting this project with a grant of \$500 and there is a range of financial support from business to community

organizations, including the Columbia Heights – Shaw Collaborative. CHSC is providing more in-kind than is currently reflected in the budget.

Commissioner Akinmboni moved that the committee support the grant in the amount of \$500. Commissioner Lopez seconded the motion. It was adopted unanimously, 4-0.

Grant application for \$500.00 from the Columbia Heights Tenants Association

Commissioner Akinmboni moved that ANC 1B approve the application of the Columbia Heights Tenants Association for a grant of \$500.00.

Commissioner Muhammad seconded the motion.

The motion was adopted, 7 yes, 1 no. Commissioner Nadeau voted no.

Commissioner Moss said she was submitting a grant application to the Grants Committee from Inner Voices, Inc., which organizes an annual Christmas Day dinner for the community. This project is greatly assisted by businesses such as Town, the 930 Club and WPFW-FM.

New Business

There was no new business.

Community Events & Announcements

Commissioner Muhammad announced the meeting of his single-member district on November 17 at 7 PM at 2437 15th Street N.W. The guest speaker is Fire/EMS Chief Dennis Rubin, who will be discussing health and safety tips and distributing smoke alarms to the community.

Chairperson Anderson Holness announced that the Commission attempts to set its agenda a month in advance, so people who have an issue they want to include on the agenda should give notice the month before the meeting. Two weeks before the Commission meeting items will not be added to the agenda, because by that time, the agenda for the next meeting is already set. She asked that anyone wanting an agenda item on the December meeting agenda contact Staff Director Jim Irwin at the ANC office immediately.

Commissioner Lopez announced that the problem with the crosswalk at 14th and Girard Streets was finally resolved by DDOT with the installation of pedestrian pylons.

Commissioner Akinmboni announced that D.C. Department of Employment Services was holding a job fair in partnership with Comcast at the Naylor Road Career ?Service One Stop Center, 2626 Naylor Road, on Monday, November 9, beginning at 10:30 AM.

Mr. John Guggenmos, Town Nightclub, said that every Christmas they try to adopt a family in the community to help with Christmas. He asked commissioners to give him recommendations about deserving families. The weekend after Thanksgiving Town will be conducting its annual coat drive for needy people. Patrons can get into the club for free on that night by donating a coat.

Andrea Doughty, Arts District Branding Project, announced that there would be a presentation of preliminary brand concepts for the Arts District at 1353 U Street NW on Monday, November 8th at 7:30 PM. This will provide an opportunity for community feedback. She also announced that there would be a reception for mid-city artists on Friday, November 5th at 1506 14th Street N.W., beginning at 6:00 PM.

Mr. James Burrell, Prince Hall Masons, said that the Masons would be having their annual Session on December 8, 9, 10. Visitors would be coming in from all over the United States and there would be some international visitors as well. He said they would be seeking relief from the two-hour parking limit from the DDOT for those three days and asked the Commission to support their request. He added that they were also arranging for additional parking at Howard University. The request for relief was for only three days,

Chairperson Anderson Holness said that the Prince Hall Masons had been very supportive of the community and had been a stabilizing force in the community for many years. In the past, the Commission had supported their request. Chairperson Anderson Holness said that she thought it would be the consensus of the Commission to support their request and communicate that support. She asked the Commission if that was the consensus.

Commissioner Muhammad said that easement of parking enforcement was not going to happen.

Chairperson Anderson Holness said that they were only asking for the Commission's support.

Commissioner Muhammad said that the reality was that DDOT was not going to do it, that easement of enforcement was not going to happen, and that the people most impacted by the request were the people living in that area. Parking was already a big issue for them. He did not think it was in anyone's best interest for the Commission to support this request.

Chairperson Anderson Holness said that the Masons were asking for the Commission's support for what they do, and the Commission had supported what they do in the past. The Prince Hall Masons were not asking the Commission to support their request to DDOT. They were not asking the Commission for a petition.

Commissioner Muhammad said that Mr. Burrell did ask the Commission to support their petition for relief of parking enforcement for those three days.

Chairperson Anderson Holness asked Mr. Burrell to restate his request to the Commission.

Mr. Burrell said they were asking for the Commission's support. The petition was a separate activity.

Commissioner Muhammad said he was stating for the record that he did not believe that the Commission should support their request.

Chairperson Anderson Holness said that, for the record, she wanted to clarify that they were not asking the Commission to support, on the record or off the record, their request for easement of parking enforcement. They were just verbally saying that the Commission say that it supports what they do. Chairperson Anderson Holness said she did not think that the Commission did not support what the Prince Hall Masons do. The Commission was not supporting the parking request; they were not asking the Commission to support their parking request. Chairperson Anderson Holness thanked Mr. Burrell for coming and making his announcement.

Commissioner Nadeau said that she felt the Prince Hall Masons should be asking for the Commission's support and the Commission should be working with the Masons to notify the community of what was going on. It had been an agenda item in past years and the Commission had voted on it in past years. She felt that this request had been sneaked in during the announcement period,

Commissioner Raia said the request was not getting a lot of support so there was nothing to vote on.

Chairperson Anderson Holness said that they were not asking for the Commission's support.

Commissioner Nadeau said there should have been a request.

Chairperson Anderson Holness said there had been no request, only an announcement.

Commissioner Nadeau said that there should have been a request for the Commission's support.

Chairperson Anderson Holness asked Commissioner Nadeau what the Commission should do, chastise the Masons?

Commissioner Nadeau said no, the Commission should ask the Masons.....

Chairperson Anderson Holness said this was an organization in the community like any other organization. They did not ask the Commission for anything; they simply came to

make an announcement. Did Commissioner Nadeau think the Commission should chastise them for making an announcement?

Commissioner Nadeau said no, but the Commission should ask them in the future....

Chairperson Anderson Holness said that the Commission did not have the authority to chastise any organization that comes before it. If the Masons did not ask the Commission for a vote, what is the Commission to do? The Commission cannot just vote because it wants to do.....

Commissioner Nadeau said that any organization that does not come before the commission and just goes on with its project is not following the process. Parking is included in the process. Parking is no small thing. It should come before the ANC.

Chairperson Anderson Holness said the Masons did not bring it before the Commission. She asked Mr. Burrell to take back to his organization the request that, in future, if they wanted the Commission to vote on something, they should notify the Commission to have it on the agenda in a timely manner.

Mr. Burrell said he would do so.

There being no further business, Commissioner Muhammad moved that the meeting be adjourned.

Commissioner Nadeau seconded the motion.

The motion was adopted unanimously.

The November, 2010 meeting of ANC 1B was adjourned at 8:57 PM.