



ADVISORY NEIGHBORHOOD COMMISSION 1B
Government of the District of Columbia

DRAFT

Minutes

**Thursday, October 6, 2011. 7:00 PM,
Reeves Center, 2000 14th Street N.W.**

The regular monthly meeting of ANC1B occurred on Thursday, October 6, 2011, at 7:00 pm in the Reeves Center, Commissioner Juan Lopez present as Chair. Other Commissioners present during the meeting: Sedrick Muhammad, Deborah Thomas, Mary Streett, Charlie Meisch, Ahnna Smith, Lauren McKenzie, Tony Norman. Commissioners absent: Myla Moss, E. Gail Anderson Holness.

Chairperson Lopez observed the presence of a quorum and called the meeting to order at 7:17 PM.

Agenda

Chairperson Lopez asked that the presentation by Mr. Damon Harvey, District Department of Transportation, regarding the enhanced residential parking program, be moved to the beginning of the agenda, as Mr. Harvey had a previous engagement and could not stay for long.

The agenda was approved with this change.

Presentation

Mr. Damon Harvey, DDOT, described the new enhanced residential parking program and discussed the DDOT requirement that ANCs determine that a consensus of residents favor implementing the program and demonstrate to the DDOT how that consensus was determined.

Following the presentation and a discussion, Chairperson Lopez moved that the Transportation Committee develop a process for surveying ANC 1B and determining whether a consensus exists for implementation of the enhanced residential parking program, and recommend that process to the Commission.

Commissioner Meisch seconded the motion.

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

Transportation Committee Report

Mr. Eric Fidler submitted the report of the Transportation Committee.

ANC 1B Transportation Committee

**Report for the committee meeting held on Monday, September 12, 2011
Submitted to ANC 1B on October 6, 2011, by Eric Fidler, committee chair**

Agenda

Presentation on the requested reduction in Georgia Avenue Great Streets funding

Attendees: Mr. Eric Fidler, Mr. Patrick Nelson, Comm. Tony Norman (ANC 1B10), Comm. Sedrick Muhammad (ANC 1B03), Comm. Lauren McKenzie (ANC 1B09)

Venue: Thurgood Marshall Center, 1816 12th St NW, Washington, DC

Presenters:

Mr. Brian Kenner, Office of the Deputy Mayor for Planning and Economic Development, brian.kenner@dc.gov

Mr. John McGaw, Executive Office of the Mayor, john.mcgaw@dc.gov

Mr. Dawit Muluneh, District Dept. of Transportation, dawit.muluneh@dc.gov

Mr. Juan Camilo Barragán, Executive Office of the Mayor,

Mr. McGaw explained the request to reprogram \$1.44 million from the Lower Georgia Avenue Great Streets project. Mr. McGaw stated that the money would be directed to a police facility that would serve citywide functions of the police. Since the District's lease for the police facility is a non-capital lease, there are fewer sources of money to complete the \$11-million project and the Georgia Avenue money was expected to help fill a \$3.5-million funding gap.

Mr. Kenner said that the \$1.44 million in question is money used for business development programs and is not normally used for streetscaping, as streetscaping is typically funded through DDOT.

Mr. McGaw said that the \$1.44 million is meant to leverage other private investment on the corridor, not to rehabilitate sidewalks and pavement; that portion of Great Streets comes from other sources and remains intact.

Mr. McGaw admitted that he recommended the reprogramming request to the mayor. Comm. Norman thanked Mr. McGaw for admitting responsibility for the decision.

Mr. Nelson expressed his sincere dissatisfaction with the mayor's request and said that the District routinely ignores Lower Georgia Avenue. He said the District should have budgeted appropriately for the police facility rather than breaking promises to residents on other projects. He said that were the funds

properly advertised, businesses would very quickly find ways the mayor's office could spend it.

Comm. McKenzie asked Mr. Kenner why there was little outreach from mayor's office to find ways to spend the economic development money on Lower Georgia Avenue. Mr. Kenner said that the position for overseeing the Lower Georgia Avenue project had changed hands and that no one person was focusing on it at this moment.

Mr. Fidler asked whom residents should contact if the funding remains; Mr. Kenner said to contact him.

Comm. Norman stated that the mayor's move sent the wrong signal on his commitment to economic development on Lower Georgia Avenue.

Mr. Kenner said that money for economic development could be reprogrammed later for Lower Georgia Avenue. Mr. Fidler and Comm. Norman expressed their skepticism at the possibility.

Mr. Fidler explained to the mayor's representatives that residents continue to strongly oppose the reprogramming request because Lower Georgia Avenue needs economic development funding. Furthermore, it would be unwise to accept a reduction now for promises of restoration later since it is hard to fight to get new money.

Afterward

Within two days, the mayor reversed his decision; the Great Streets funding for Lower Georgia Avenue will remain intact.

Announcement of Special Public Meeting

Chairperson Lopez announced that the Commission would hold a special public meeting on Wednesday, October 19, 2011, beginning at 6:30 PM, for the purpose of holding a special election to fill a vacancy in ANC 1B02. He also announced that the Board of Elections and Ethics had certified two candidates for this vacancy: Alexandra Lewin-Zwerdling and Stanley Mayes. The meeting will be held at the Thurgood Marshall Center, 1816 12th Street N.W.

Chairperson Lopez stated that the Commission must adopt rules governing this special election. He presented the rules:

Advisory Neighborhood Commission 1B Special Election Procedures to Fill the Vacancy in SMD 1B02

Date and Place of the Election: The election will be held during a special public meeting of ANC 1B on Wednesday, October 19, 2011, beginning at 6:30 PM. The meeting will be held at the Thurgood Marshall Center, Conference Room 1, 1816 12th Street N.W.

Eligibility to Vote: The election will be open to registered voters of SMD 1B 02 only. Potential voters must present themselves at the polling place and must have either a BOEE voter identification card showing that they are registered to vote in SMD 1B02 or be listed as a voter in SMD 1B02 on the voter registration list provided by the Board of Elections and Ethics (BOEE).

The Candidates: The order of the names on the ballot will be in alphabetical order. On the day of the election, each candidate will be given a place outside the meeting room at which they or their representatives will be able to greet voters and answer questions. No electioneering will be permitted inside the Thurgood Marshall Center or on the entrance walkway leading into the building. Ballots may only be cast for candidates certified by the BOEE; in accordance with the ANC law there will be no write-ins.

Eligibility of Voters: As voters enter the meeting room, they will be checked to determine whether their name is on the BOEE voter registration list or whether they have a voter identification card indicating they are registered in SMD 1B02. If their name is on the list, they will enter their signature on the list opposite their name. Those whose names are not on the list but who have a voter identification card will enter their names, addresses, and signatures on a separate sheet.

Election Manager: The Election Manager shall be Gottlieb Simon, Executive Director of the Office of Advisory Neighborhood Commissions, who shall appoint impartial assistants who are not residents of ANC 1B, as needed.

Voting: Casting of ballots, supplied by the ANC, will commence at 6:35 PM. A ballot box will be placed in the meeting room where it can be observed by all present at the meeting. The candidates or their representatives may check the ballot box before voting begins to assure that it is empty. Each candidate will be permitted one observer (the candidate *or* a designee of the candidate) to observe the voting process, but the observer will not be permitted to interrupt or interfere with the voting, and will not be permitted to communicate directly or indirectly with any voter. All ballots must be placed in the ballot box or returned to the election manager, who will make note of the returned ballot and the reasons for it. The election manager will have authority to replace spoiled ballots. The Chairperson shall appoint the election manager. Voting will continue until the polls close at 8:30 pm. Anyone still in line waiting to register at 8:30 pm will be allowed to vote if otherwise qualified.

Counting the Votes: The ballot box will remain closed until the polls have closed. After the voting ends, the ballot box will be opened, and the votes will be counted by at least two impartial vote counters. The candidates or their representatives may observe the counting of the votes. The results will then be submitted to and read aloud by the Chairperson of the ANC. Gottlieb Simon, the election manager will report to the Commission any unresolved issues not addressed by these rules. The Commission will take action to resolve these issues before the end of the meeting. In the event of a tie vote, in accordance with the DC Code, the candidates or their proxies will cast lots (e.g. draw slips of paper from a box or flip a coin) to determine the winner. In the event of any incident or occurrence that threatens the conduct or fairness of the election or the vote count, the election manager will be authorized to suspend the balloting or counting

Filling the Vacancy: Following the results of the election, the ANC will vote on a resolution stating the name of the winner and asking the Board of Elections to declare the vacancy filled.

Chairperson Lopez moved that the Commission approve the rules as stated.

Commissioner McKenzie seconded the motion.

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

Approval of September 1, 2011 minutes

Chairperson Lopez submitted the minutes of the September 1, 2011 commission meeting for approval. He noted one correction: the date at the head of the minutes should read September 1, 2011.

There were no other corrections.

Commissioner Lopez moved that the minutes be approved as corrected.

Commissioner McKenzie seconded the motion.

The motion was adopted, 8 yes, 0 no.

Treasurer's Report

FY 2012 Budget

Commissioner Streett submitted the proposed budget for 2012:

FY 2012 DRAFT BUDGET

ITEM	2012
Allotment	25,893
Other deposits	28,000
Total funds available	53,893
Net Salary & Wages	19,200
Federal wage taxes	1,989
State	558
Unemployment Insurance	434
Tax penalties paid	0
Local transportation	0
Office rent	12,875
Telephone service/website	150
Postage & delivery	500
Utilities	0
Printing & copying	1,500
Flyer distribution	0

Purchase of service	700
Office supplies	1,500
Office equipment-purchase	0
Grants	0
Bank charges	100
Other	0
Total disbursements:	40,306

In the course of discussion, Commissioners agreed to provide \$2,500 for community grants.

Commissioner Streett moved that the Commission adopt the FY 2012 budget with the addition of \$2,500 for grants.

Commissioner Meisch seconded the motion.

The motion was adopted 6 yes, 0 no 2 abstain. Commissioners Muhammad and Thomas abstained.

Commissioner Streett moved that ANC 1B give six months notice to the Department of General Services that it intends to terminate the lease for office space in the Reeves Center.

Commissioner Meisch seconded the motion.

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

Commissioner Streett moved that a committee of three commissioners be appointed to search for and recommend new office space, and that the committee should report to the Commission in three months.

Commissioner McKenzie seconded the motion.

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

Commissioner Streett said that she would take the lead on the committee and renegotiating the existing lease. Commissioners Norman, Smith and Meisch said they would serve on the committee.

Public Safety and Public Safety Committee Report

Commissioner Muhammad presented the Public Safety Committee report.

**ADVISORY NEIGHBORHOOD COMMISSION 1B
PUBLIC SAFETY COMMITTEE
Commissioner Sedrick Muhammad, Chairperson
Report, October 6, 2011**

Commissioners,

Below is MPD's PSA 304 & 305 30 Day Crime Stat report, respectively.

PSA 304

Crime Type	9/5/2010 to 10/5/2010	09/5/2011 to 10/5/2011	% Change
Homicide	0	1 [view map]	N/A
Sex Abuse	0	1 [view map]	N/A
Robbery Excluding Gun	4	14 [view map]	250
Robbery With Gun	0	1 [view map]	N/A
Assault Dangerous Weapon (ADW) Excluding Gun	4	1 [view map]	75
Assault Dangerous Weapon (ADW) Gun	1	0 [view map]	100
Total Violent Crime	9	18 [view map]	100
Burglary	7	7 [view map]	No Change
Theft	11	19 [view map]	73
Theft F/Auto	11	20 [view map]	82
Stolen Auto	7	5 [view map]	29
Arson	0	1 [view map]	N/A
Total Property Crime	36	52 [view map]	44
Total Crime	45	70 [view map]	56

PSA 305

Crime Type	9/5/2010 to 10/5/2010	09/5/2011 to 10/5/2011	% Change
Homicide	1	0 [view map]	100
Sex Abuse	1	1 [view map]	No Change
Robbery Excluding Gun	5	19 [view map]	280
Robbery With Gun	3	1 [view map]	67
Assault Dangerous Weapon (ADW) Excluding Gun	5	2 [view map]	60
Assault Dangerous Weapon (ADW) Gun	1	0 [view map]	100
Total Violent Crime	16	23 [view map]	44
Burglary	4	2 [view map]	50
Theft	25	34 [view map]	36
Theft F/Auto	44	28 [view map]	36

Stolen Auto	11	6 [view map]	45
Arson	0	0 [view map]	N/A
Total Property Crime	84	70 [view map]	17
Total Crime	100	93 [view map]	7

Liquor Licenses and ABC Committee Report

Commissioner Meisch presented the report of the ABC Committee:

ABC COMMITTEE Charlie Meisch, Interim Chairperson Report and Recommendations October 6, 2011

The ABC Committee met at the Thurgood Marshall Center, 1816 12th Street N.W., on September 26, 2011, at 7pm. Committee members present were: Heather Ferris, Kathryn Wildt and Matt Bevens

SUMMARY

The Committee reviewed one project that requires Commission action in September:

- The Enterprise, applying for a Retail Class “C” Multi-Purpose Facility license

RECOMMENDATIONS

Mr. Bevens moved that the Committee recommend that the Commission send a letter of support to ABRA for The Enterprise’s application, pending approval of a Voluntary Agreement. Ms. Ferris seconded the motion. The motion carried 4-0.

REPORT ON RECOMMENDATIONS

The Enterprise

The Enterprise is a new theater and jazz lounge proposed for 2917 Georgia Avenue, N.W. The Enterprise will feature twice-daily shows by the Pin Points Theater Company and a jazz lounge on Thursday, Friday and Saturday nights. They plan to serve catered sandwiches and soups. The Enterprise is applying for an occupancy load of 88 and a summer Garden with 8 seats. The business also plans to host a six-week summer theater program for DC residents.

Commissioner Tony Norman (1B10) appeared to represent the community. Mr. Norman noted the community’s excitement around this idea, but noted concerns regarding parking and trash pickup. Those concerns have been addressed in the draft voluntary agreement; The Enterprise has made arrangements with nearby parking lots to alleviate

parking concerns and have agreed to handle trash disposal and pick-up in accordance with identified best practices.

Jon Fonveau, a neighbor, noted a concern about what might replace The Enterprise if the business model fails. Chairman Meisch noted that any significant deviation from the current plan would require a change in the license and that the VA would still govern but that the Committee would look into the community's options.

The Enterprise, 2917 Georgia Avenue N.W. – application for new Class C Multipurpose Facility License – Norman

Following a presentation from the applicant and discussion, Commissioner Meisch moved that ANC 1B support the application of the Enterprise for a Class C Multipurpose Facility License and approve the voluntary agreement negotiated with the applicant.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no

Voluntary Agreement – El Rey, 919 U Street, NW -- Meisch

Mr. Sheldon Scott, representing El Rey, described the business and the proposed voluntary agreement.

Following discussion, Commissioner Meisch moved that the Commissioner approve the proposed voluntary agreement, withdraw its protest and support the application of El Rey for a Retail Class C Restaurant license.

Commissioner Muhammad seconded the motion.

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

Design Review Applications and Design Review Committee Report

Commissioner Norman presented the Design Review Committee report:

DESIGN REVIEW COMMITTEE Tony Norman, Chairperson Report and Recommendations October 6, 2011

The Design Review Committee met at the Thurgood Marshall Center, 1816 12th Street N.W., on Monday, September 19, 2011. The meeting was called to order by Chairperson Tony Norman at 6:30 PM. Committee members present were: Lee Jackson, Patrick Nelson, Sylvia Robinson.

Also present: Commissioner Deborah Thomas, ANC 1B04, Commissioner Mary Streett, ANC 1B05, Christina Parascandola, resident, Andrew Spencer, Project

Manager, Jair Lynch Development, Kaleena Francis, Assistant Project Manager, Jair Lynch Development, Sam Healey, Jair Lynch Development, Jair Lynch, Jair Lynch Development, James Gaither, Chairman, Redevelopment Committee, Paul Dunbar Apartments Residents Association, Laurie Pletcher, D.C. Housing Authority, Andre Gould, construction project manager, D.C. Housing Authority.

SUMMARY

- The Committee reviewed the revised design concept and community concerns regarding the Paul Lawrence Dunbar Apartments, 2001 15th Street NW (Jair Lynch). This building was formerly known as the Campbell Heights Senior Housing building.
- The Committee heard and discussed neighbor concerns about the design concept and the developer's responses to those concerns. No committee action was taken.
- The Committee heard a brief presentation regarding a project at 2905 11th Street N.W. (at Harvard Street) which was not on the meeting agenda. This project is located in ANC 1A on the border with ANC 1B, and neighboring residents of ANC 1B have expressed concerns. The project will be on the agenda for the Committee's October 17 meeting so that residents can present their concerns to the Committee.

REPORT OF COMMITTEE DISCUSSION

- Mr. Andrew Spencer, Jair Lynch Development, reviewed the evolution of the design concept for the Paul Dunbar Apartments renovation and expansion. He noted that the design concept had been reviewed and discussed with residents and community groups and had been adjusted over the course of the summer. The project is scheduled to be reviewed by the Historic Preservation Review Board on September 22, 2011. Mr. Andrews noted that the project is a matter of right and is consistent with all zoning regulations for the neighborhood. However, they have worked diligently to accommodate concerns expressed in community meetings.
- Ms. Christina Parascandola expressed the concerns and objections of residents on 15th Street who are neighbors to the project. These concerns included:
 - Excessive height and bulk; neighbors are anxious to see the building scaled back due to its overwhelming bulk and the fact that it will overshadow the historic townhouses on 15th Street.
 - A design concept that is inconsistent with the historic nature of the 15th Street corridor. The glass and brick façade of the proposed addition and the very large proportion of glass to brick are very contemporary, not historic, and do not fit with the neighborhood.
 - The extension of the building to the property line at 15th and V Streets NW means that the building will block street views of the houses across the street and will encroach on the sidewalk and street. Concerned residents would like to see the building set back from the sidewalk to preserve sight lines.

- Substantial concerns were expressed about the process, or lack of process, in reviewing this project. Ms Parascandola noted that residents were unaware of the proposed design or the fact that the project would be reviewed by the Historic Preservation Review Board until very late in the process. She expressed particular concern that the developer had not notified the residents of 15th Street and the surrounding neighborhood to inform them of the proposed design. She argued that there must be notice given and neighbors must have a reasonable period to review and comment on the design.
- Commissioner Streett asked the developer to delay its appearance before the Historic Preservation Review Board to work with the neighbors in resolving their concerns
- Mr. Andrews and Mr. Lynch responded to these concerns in an extensive discussion:
 - Reduction of the size of the addition would mean reducing the number of apartments that can be constructed, which would, in turn, adversely impact the financial viability of the project.
 - Mr. Andrews said that the revised design concept reflected their architect's efforts to respond to the concerns expressed about the amount of glass in relation to brick and to create a much more elegant facade. A larger proportion of brick had been added to the façade of the structure. Their discussions with the HPRB staff indicate that they have made the façade sufficiently consistent with the neighborhood. However, they are still in the concept phase of design, and additional adjustments and improvements can be made. Committee member Patrick Nelson noted that concerns about the design of the façade had been expressed in the Committee's previous review of the project and that the design had been substantially improved since the last meeting.
 - The setback of the building would reduce the building space and create problems for providing off-street parking and adequate access for emergency services and homecare providers, both of which were particularly requested by the residents of the apartments.
 - With regard to process, Mr. Andrews observed that the developer had consulted with U Street and Meridian Hill Neighborhood Associations and, of course, ANC 1B, and had undergone a thorough review with the Commission. The developer had followed the process established by the Commission and had complied with all applicable laws regarding notification and consultation of the community. He noted that contacting every single resident in the area was not practical or a reasonable expectation. He said that Jair Lynch Development would continue to meet and work with neighbors and others in the community to address any remaining concerns. Mr. Andrews also noted that the project was still in the conceptual phase and that there will be many opportunities to further refine and improve the design.
 - Mr. Lynch and Mr. Andrews said, in response to Commissioner Streett's request to defer the project, that they could not do that.

Deferring the hearing would result in extensive and expensive delays.

2905 11th Street N.W.

Ms. Laurie Patcher and Mr. Andre Gould gave a brief presentation regarding this project.

- This is a 14-unit apartment building which is proposed to be converted to a 14-unit assisted living facility, located at the corner of 11th and Harvard Streets N.W.
- Residents will be elderly persons who cannot live independently. Many of the residents will be transferred from other public housing units.
- The building has been vacant for a long time, and part of it has been destroyed by fire.
- The project is located in ANC 1A, and they have met with ANC 1A and neighbors who live in 1A. The general reaction of 1A residents has been supportive.
- Projected completion date is January, 2012.
- Neighbors of the building residing in ANC 1B are not necessarily objecting to the project, but want to know what it will look like and details of the design. There will be a more detailed presentation at the October 17 Committee meeting to inform ANC 1B residents and Commissioner Lauren McKenzie, and hear any concerns they might have.

1932 9th Street NW

Commissioner Norman noted that a new development is proposed for the vacant lot at this address and is up for review at the Historic Preservation Review Board this month. Since the Commission and the Committee have not had time to review this project, he moved that ANC 1B request that the HPRB defer consideration of this matter for one month.

Commissioner McKenzie seconded the motion.

The motion was adopted unanimously 8 yes, 0 no.

Review of revised design for revised conceptual design for renovation and expansion of the Paul Dunbar Apartments, 15th and U Streets NW

The Commission discussed the Paul Dunbar project and residents' concerns about the proposed design of the new addition to the structure at length, focusing on Commissioner Streett's request that the commission reconsider its support of the project and issue a clarifying letter following further consultation with the developer and residents, and Commissioner Thomas's objections to this request. Commissioner Thomas believed that community consultation had been sufficient and that the developer had done all that was required and more to inform and consult the community and the commission.

No action was taken.

Grant Applications and Grant Committee Report

There were no grant applications and no committee report.

New Business

Redistricting ANCs

Chairperson Lopez reported on the final report of the Ward One Redistricting Task Force and thanked Commissioner Norman for his effective representation of ANC 1B's concerns during the work of the commission. He noted that the report essentially retained the existing borders of ANC 1B. The ANC will add a twelfth commissioner. He also thanked Commissioners for their active support of the ANC 1B position.

Commissioner Muhammad moved that ANC 1B send a letter to the City Council supporting the four-ANC plan submitted by the Ward One Redistricting Task Force to the City Council.

Commissioner Smith seconded the motion.

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

There being no further business, the meeting was adjourned at 10:10 PM.