

**ADVISORY NEIGHBOURHOOD COMMISSION 1B  
Government of the District of Columbia**

**Minutes**

**Thursday, August 1<sup>st</sup>, 2013,  
7:00 PM, Reeves Center, 2000 14<sup>th</sup> Street N.W.**

The regular monthly meeting of the Advisory Neighborhood Commission 1B occurred on Thursday, June 11<sup>th</sup>, 2013, at 7:00 pm in the Reeves Center, Commissioner Tony Norman being present as chair. Other commissioners present during the meeting: Sedrick Muhammad, Emily Washington, Ricardo Reinoso, Jeremy Leffler, Dyana Forester and Zahra Jilani. Commissioners Deborah Thomas, James Turner, Juan Lopez, E. Gail Anderson Holness and Marc Morgan were not present.

Chairperson Tony Norman did not observe the presence of a quorum and called the meeting to order informally at 7:00 PM.

Tony Norman introduces himself. Notes that quorum has not yet been made but that anticipates that the other commissioners will be there shortly.

Leffler introduces himself.

Reinoso introduces himself.

Norman introduces himself.

Washington introduces herself.

Zahra introduces herself.

**Announcements**

Klemens, the chairman of the transportation committee, announces that the transportation committee will be meeting on the last Thursday of each month, and this month they would be discussing with DDOT for accomodating bikes on 11<sup>th</sup> street.

The Ward 1 Liaison to the mayor announced that that there would be a meals program between June and August distributed at the Columbia Heights rec center.

Leffler announced the ABC Committee Meeting date.

Jilani announced Dog Days on U Street the following weekend.

Reinoso announced that on Tuesday August 6<sup>th</sup> that Meridian Park would be holding a National Night

Out event. He also announced that that he was organizing a weekly Wednesday morning run beginning in late August.

A policewoman made a report back about the neighborhood watch meeting that occurred the previous month.

## **Presentations**

### Georgia Avenue Dedicated Bus Lane and Streetscape Project

Klemens said that the committee reviewed the project and unanimously approved DDOT's plan and asked that the commission approve it as well.

Alberta Paul introduces herself as the communications specialist for DDOT. She says that her team will make an abbreviated presentation about the project. She announces the various individuals on her team.

Mr. Lefferson makes his presentation. He says that the project location will be Georgia Avenue between Barry Avenue and Florida Avenue and will be about 1.4 miles long. He says about 5 years ago that there was a study that rapid bus services could improve transport speed by 16%. He says that the project will provide better multi-modal transportation and complies better with American with Disabilities Act (ADA) requirements. The congestion between Barry and Barry place would be relieved by new left turn lanes. The project will increase the number of trees. The pavers will be replaced with cobble pavers that will absorb more stormwater. There will be general improvements to street lights and signals. There are signs warning drivers to watch for pedestrians. The road will also be milled and repaved.

The construction will start at the McDonald's and then go to V Street. The contractor will then do the other side of street.

The project will also install curb ramps that are more accessible to those in wheelchairs.

Flexi Pave surfaces will be used around street trees to better accommodate tree roots.

Lefferson estimates the project will complete construction in 10 months.

Community comments are opened.

A woman asks for a summary of the project. The presenters give a very brief description of the project.

Jilani asks if there are bike racks going to be installed. The presenter says that they are in discussions about it, but it would be unlikely as the sidewalks are too narrow to accommodate bike racks.

A man asks what the streets would be losing in the completed project. The presenter said the bus

lane would be cut back and that curbside parking would be cut back. The presenter added that parking along this street was rarely occupied fully, and thus not much parking would be lost.

Alberta Paul adds that they are working with Howard University to allow the local businesses to use a portion of the Howard University parking lot.

Leffler asks if the parking will be free.

Alberta Paul says that the parking is currently free but there is no guarantee that it will be free in the future.

Another representative adds that many driveways for businesses will be closed along Georgia Avenue for traffic improvement.

## **Minutes**

Norman asks if there are any alterations to the July minutes. There are no alterations.

## **ABC Committee**

Norman asks if Leffler could talk about the draft standards for protesting liquor licenses proposed by the ABC committee.

Leffler said that for the past few months the ABC committee has been working on a set of draft standards for protesting liquor licenses that has been recently put on the ANC 1B website. He said that the purpose of the standards is to ensure that all parties could feel that they are being treated fairly. He added that the standards would be different according to the location of the business. The objective is to strike a balance between the needs of businesses and residents in ANC 1B. He said that there was a tentative town hall meeting on this issue before the next wave of tavern licenses are up for review.

Norman suggests the end of August would be a good day to hold the town hall.

Leffler says the plan is to draft an frequently asked questions document (“FAQ”) for business owners. He also added there are businesses already located in the district that are operating illegally. He added that many residents are upset about the proliferation of “CT” licenses and that this document would clarify issues to both residents and businesses. Leffler added that the ABC committee would be addressing outdoor and rooftop spaces.

Norman asks that if anyone can't make the townhall meeting that they give comments in writing. He encouraged the residents to participate.

Jilani suggests the commission begin discussions about the ABC renewals.

Leffler says that the ABC committee voted to protest Pelican's Rum. He said he failed to reach an agreement between the protester and the owner of Pelican's Rum as the owner refused to remove

flower boxes that the protester objects to. The owner had agreed to reduce outdoor hours with respect to the resident. The ABC committee would be continuing its protest.

Leffler says that ABC committee voted to protest Queen Makeda and that designee letters had been sent in. Support letters have been submitted for Right Proper and Dixon Wine Bar.

### Natural Market

Leffler says that the committee addressed Natural Market. Natural Market is a grocery store. The committee voted unanimously to support it.

Reinoso says he met with the owners of Natural Market. He says it's a much needed grocery and that most residents support it. He says some community members are concerned about parking, but added that because the establishment is small he does not anticipate too much traffic. The establishment will be using the trash receptacles in the rear of the building. They are going to construct a chute and lever for deliveries and trash. He adds that he is in support of it.

Kevin Lee, the legal council of Natural Market, passes out menus to the commission. He says that it's a high quality grocery store with a sushi bar on location. He adds there is a wall between the trash and residents so he doesn't anticipate trash problems.

A woman asks where Natural Market is located. Kevin Lee responds 2400 15<sup>th</sup> street.

A man asks if there are any other Natural Markets. Kevin Lee answers no.

Reinoso adds that the owner has locations in Virginia. He adds that there will be 2-3 tables in the location.

Jilani asks if the committee voted to support. Leffler says they voted unanimously to approve.

### Cause DC

Leffler says that Cause DC is the next establishment. The owner did not show up to the ABC committee meeting. There were residents with concerns about noise. It is applying for a substantial change to add a summer garden.

Nick Vilelle is the proprietor of Cause DC. He says that the planned rooftop garden will include noise mitigation and that he doesn't believe noise will be a problem.

A local resident says she hears music from Cause DC.

Another local resident 10 feet away from the establishment says that he hasn't been notified and therefore opposes the establishment.

Another resident in opposition complains the door has been open to the establishment creating noise pollution. He says that the noise mitigation measures taken by Cause DC are insufficient. He adds that those on the rooftop can look into his bedroom window.

Vielle says that the door has been opened because of an air conditioner malfunctioning. He says he will address it.

Norman hopes that the establishment will work with local residents to address these concerns.

Leffler adds that committee voted to protest Cause D.C.

### Flash

Flash has applied for a substantial change. They are extending all hours to 24 hours a day. Leffler says the owners have been giving a good faith effort to committee. He adds that they have been in talks to amend the application. The committee voted to protest the application until the owners met with the single member district person Marc Morgan and the LaDroit Park Civic Association.

Andrew Klein is the representative of the licensee. He says that “soft closings” are much better for the neighborhood. All local establishments are commercial.

Leffler asks if they have talked to Morgan.

Klein says they have reached out to Morgan but have not received a response.

Klein adds that they are reviewing adjusting their outdoor hours and that they will be primarily focused on food service beyond the time which alcohol is not permitted to be served.

Washington comments that soft closings would resolve some residents' concerns with more liquor establishments as not all patrons would leave the establishments at the exact same time.

Klein says that soft closings have had a positive effect in other areas.

Forester asks how long the kitchen will be open.

Klein answers the kitchen will remain open past the time alcohol cannot be served.

A resident comments that most of the surrounding buildings are abandoned and that he couldn't imagine noise being a problem.

Leffler adds that it might not always be the case that those buildings will be abandoned.

A resident asks what sort of food the establishment will serve.

Klein says it will be standard tavern fare.

A woman expresses concern about drunk driving.

Klein says that this will reduce the incidence of drunk driving.

Leffler expressed concern about the outdoor space being used at very late hours.

Reinoso asked what sort of entertainment will be provided past 3 a.m.

Klein said that the establishment would use DJs.

Leffler expressed concern that the requirements for noise levels would probably change as the area becomes more developed.

Leffler asked that Tony Norman use the executive power of the commission to make a decision on the establishments in the event that there is no quorum because of the time limits imposed on the commission.

Norman responded that the commission could hold a executive meeting to resolve any such issues that arise. Norman asked when the protest letters were due.

The staff person responded August 12<sup>th</sup> for Flash and August 26<sup>th</sup> for Cause DC.

Norman added that the executive committee was permitted by bylaw to vote on the issue.

Washington asked if there was a time limit to Natural Market.

Leffler responded that he didn't know but that all the establishments had letters due in August.

Leffler asked Flash if they would be willing to amend outdoor and outside entertainment hours than what they've applied for.

Flash responded they would consider it.

### Climax

Leffler said that Climax is applying for a summer garden that would be the same hours as the establishment. It is located at 900 Florida Avenue. There were neighbors present who were opposed regarding noise. Climax has had 8 citations in 2012, one which resulted in a felony charge. The owner has run a summer garden illegally. The ABC committee voted in the majority to protest. Leffler feels the hours need to dial back the hours.

The abutting neighbor, Eartha Clark, said that the property has a problematic history. She says the owners have put up an illegal deck. The property owners were impossible to contact. There was no placards or permits. The deck went in up 2012. Clark says that the property owners don't have any

respect for the neighborhood.

Leffler adds that August 19<sup>th</sup> is the due date for the letter and that the committee voted 7-2 to protest.

### Mediterranean Spot

The establishment wants to serve beer and wine. Meridian Hill civic association voted to protest because of concerns about the patio hours, and that Jilani recommended the commission to support with the caveat that the patio only be on U street. Leffler noted that the ABC committee voted to take no action unanimously.

Jilani said they are applying for a CR license. She notes there has been a protest by the Meridian Hill Association and abutting neighbors.

The owner said that they have tried to survive without serving beer and alcohol, but that it has become impossible to survive. He says that the establishment is currently open until 4 am but that following the change they will close a midnight. There will be no music. He adds the outdoor patio is quite small. The owner expresses a desire to negotiate with the protesters.

A resident expressed her support for the establishment and said they reached out to the community. She adds there are few places that serve affordable food.

The protester, a woman, gave a handout to the commission. She lives next door to the establishment. She says the outdoor area will be 6 feet from her home. She notes for the record the ABC committee voted to take no action. She says that the establishment is not included on the agenda. She said that she was given no opportunity to bring neighbors to speak on the matter, while Jilani had invited people to support the establishment at the commission meeting. She asks the commission take no action.

Leffler noted that the establishment was placarded and notice was given about the liquor license and that the ABC Committee had given notice of their agenda.

The protester said she didn't receive notice from the establishment owner nor from the ABC Committee.

Norman asked if the protester was attempting to resolve the issue with the establishment owner.

The protester said she was and that she was protesting so she could get the status to get a settlement agreement.

Norman notes that the agenda is sent out 7 days in advance.

Leffler says that the committee voted to take no action, but only pending the resolution of some questions. Since then the committee has received answers to those questions.

Jilani said that the ABC committee represents the community and that a vote in support is only representative of the community and won't detract from the protester's ability to reach a settlement agreement.

The protester says that Jilani is wrong, saying that she had not received notice.

There is an exchange between the protester and Leffler, Leffler saying that the placard is sufficient notice for residents and the resident saying that it is insufficient notice. She says that the fact that the establishment is not on the agenda makes it difficult for her to prepare.

Reinoso asks that the commission make a better effort to include more on the agenda.

Norman said there are logistical issues with issuing agendas, but agreed that the commission should make a better effort to include more on the agenda.

Norman notes that, with Sedrick Muhammad, the committee now has quorum.

Jilani makes a motion to support the Mediterranean Spot's application for a liquor license. Leffler seconds. Vote is 6 in favor, 1 abstention.

Leffler makes a motion to protest Cause DC, Flash and Climax until such a time the issues can be worked out with the single member district and the neighbors. Jilani seconds.

Washington asks if the commission could stipulate they are generally in favor of soft closings with respect to flash.

Leffler withdraws motion. Leffler makes a motion to protest Cause DC and Climax on peace order and quiet until such a time the issues can be worked out with the single member district commissioner. Jilani seconds. Vote is 6 in favor, 1 abstention.

Leffler makes a motion to protest Flash until such a time the establishment amends outdoor hours and outdoor entertainment hours. Leffler notes that he is supportive of soft closings. Jilani seconds. Vote is 6 in favor, 1 abstention.

Reinoso moves to support Natural Market for their license. Leffler seconds. Vote is 6 in favor, one abstention.

### **Minutes (cont'd)**

Leffler makes a motion to accept the minutes as presented. Reinoso seconds. 7 in favor with unanimous approval.

### **Transportation Committee**

Kapnos Valet Parking Permit

Klemens introduced a representative of Avenue Parking. Klemens said there was a divided vote to support Kapnos's application for valet parking, noting that several committee members did not want to invite more traffic into the area.

Leffler asked if Kapnos wasn't already operating valet parking.

The Avenue Parking representative said that they were issued a variance from a legal advisor of DDOT to allow them valet parking but they didn't currently have anything in writing.

The Avenue Parking representative presented to the committee. He gives a diagram of the planned parking. They lease a nearby parking lot, they will arrive from W street and take on 13<sup>th</sup>, then V, and then pull into 14<sup>th</sup> and W. There is a second location in the alley between Colonial and W. They can handle approximately 25 cars.

The representative said that they had contacted nearby residents and that there was no opposition.

Muhammad said that there were residents who objected to the building itself and he felt it was unlikely that there was no objection.

Klemens said some residents were concerned that the parking lot was over capacity and that there was some fears of traffic.

Forester says that the staging zone is in a one-way street and that this might cause problems.

The representative said that there was 20 feet to allow multiple cars to park, and that this would allay blockages.

Norman noted that Commissioner Thomas was present at the transportation committee meeting, and asked Klemens what Thomas's position was.

Klemens said that Thomas had concerns about the valet parking.

The representative said that Thomas was also concerned the parking lot was going to be developed, but the representative added that the this was why they had contracted with Colonial to act as a back-up.

Reinoso asks how many cars Colonial can hold.

The representative wasn't sure.

Jilani said that she was concerned that the two parking spots were being taken away from residents and that she wanted to encourage people to use metro. She said she was opposed.

Norman said that without valet parking then the customers would have taken up spots from residents anyway.

Forester asked if it would take away business if Kapnos used a placard indicating where parking could be found.

The representative said that if they did they wouldn't have a contract with Kapnos.

Norman asked what the motion of the Transportation Committee was. Klemens said that the Transportation Committee voted to recommend to the full ANC to support Kapnos's application for valet parking, with a vote of 4 yea, 2 nay and 1 abstention.

Washington asked if three cars pull up at the same time would the cars block the street.

The representative said they would but it would also depend on the efficiency of the attendants.

Reinoso asked how many attendants there were.

The representative answered three. He added that if more space was needed they could always apply for more space.

Reinoso stated for the record that Thomas neither supported nor opposed the application, and that he had concerns with the size of the street but that he was in support.

The representative said that valet would prevent congestion from drivers looking for spots.

Norman asked if there was a motion.

Reinoso noted there was no quorum.

Norman said if there was an immediate need they could call an executive committee meeting.

#### Georgia Avenue Streetscape Improvement

Klemens said that the transportation committee voted to request the commission write a letter of support in favor of the Georgia Avenue Streetscape Project contingent on the support of commissioner Marc Morgan and E. Gail Anderson Holness and the Georgia Avenue Task Force.

Norman said that the commission could bring this issue to the executive committee.

#### Naming of 1800 Block of 12<sup>th</sup> Street and 1300 Block of W street

Klemens mentioned that transport committee voted to support the naming of the above streets in honor of Anthony Bowen unanimously.

Norman said that all these issue could be addressed at an executive committee meeting.

Reinoso asked that any commission meeting where a vote was to take place would be open to the public.

Norman said that the commission could send out notice for the meeting.

### **Public Safety Committee**

Muhammad gave the crime report. 1 homicide, 1 sexual abuse, 14 robberies, 4 robberies with a gun, 2 assaults excluding guns, 1 assault with a gun. There were 7 burglaries, 37 reports of theft, 19 reports of theft from auto, 4 reports of stolen auto. Muhammad reiterated that people should be more mindful of their surroundings.

Forester said that there was a student raped two doors down from where her daughter takes classes at Howard University. She expressed that she was upset that the camp director hadn't reached her. She said that she tried to contact campus police and no response was given. She asked for more patrols around the school.

Muhammad said that he will follow up with Forester's concerns. Norman concurred.

### **Grants Committee**

Holness is absent.

### **Design Review Committee**

Norman noted there was no design committee meeting and no report.

Motion to adjourn by Muhammad. Norman seconds. No objection. Unanimous approval