

# **ADVISORY NEIGHBORHOOD COMMISSION 1C**

## **Adams Morgan**

### **Minutes of September 7, 2005**

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held at Wednesday, September 7, 2005 at Mary's Center at 2355 Ontario Rd., NW. Alan Roth, chairman, called the meeting to order at 7:10 p.m. Approximately 20 members of the public were in attendance.

In attendance were Alan Roth (1C01), Jon Canty (1C02), Bryan Weaver (1C03), Mindy Moretti (1C04), Andy Miscuk (1C05), Graham King (1C06), and Lynn Taylor (1C08).

### **CHAIRMAN'S REPORT**

Commissioner Alan Roth, chairman, announced Josh Gibson, commissioner 1C07 had resigned from the ANC effective Sept. 7, 2005. Commissioner Roth asked members of the audience to encourage neighbors to run for the vacant seat.

### **SECRETARY'S REPORT**

Commissioner Moretti, secretary made a motion to approve the minutes from the August 3, 2005 meeting. The motion was seconded, discussed and approved by voice vote.

### **TREASURER'S REPORT**

Commissioner Canty, treasurer reported that the ANC has \$68,881.43 in the bank. He noted that the Commission's third quarterly allotment had been approved and anticipated the fourth quarterly allotment being approved soon.

### **PUBLIC COMMENTS**

- Carmela Vetri with Adams Morgan Main Street announced that the organizations next wine tasting will be at Blue Fin Sushi on October 11.
- Corinna Moebius announced that the next public meeting for the DDOT Transportation study Adams Morgan would be on Thursday, Sept. 8, at the First Church of Christ Science. She also announced that Adams Morgan Day will be Sunday, Sept. 11.
- Ann Hargrove announced that the Kalorama Citizens Association will be giving a presentation on the Washington Heights historic survey on Sept. 15th at 7 p.m. at the Goodwill Baptist Church. She also announced that the KCA will hold a historic yard sale on Belmont during Adams Morgan Day.
- Tony Harvey with the InTowner questioned the DDOT process for the Adams Morgan Transportation study.
- James Coleman with the Friends of Marie Reed announced that the stakeholder meetings for the possible public-private venture at Marie Reed are continuing and that the next meeting would be Sent. 20th.

## COMMISSIONER ANNOUNCEMENTS

- Commissioner Taylor announced an upcoming health fair focusing on African-American health issues.
- Commissioner Miscuk made the sad announcement that a bartender at Chloe had recently died due to injuries received during an altercation. On a lighter note, Commissioner Miscuk also announced that work had finally begun on the replacement of the Quarry steps.

## COMMITTEE REPORTS

### A. MPD

Commissioner Roth called for and received unanimous consent to take the MPD report out of order so the officers in attendance could get back to work. Sgt. Aceto noted that he was not able to get crime statistics before the meeting but that there has been an increase in burglaries at ABC establishments, particularly those without burglar alarms. Sgt. Aceto also reported that theft-from-auto numbers continue to be high. Sgt. Aceto also reported on a number of recent arrests that should close several outstanding robberies.

Commissioner Weaver questioned the officers in attendance about an incident on July 9th at Walter Pierce Park. The officers had no answers regarding the incident but promised to look into it and report to the ABC & Public Safety Committee meeting on Wednesday, September 14th. At this time, Commissioner Weaver also announced that the October ABC & Public Safety Committee meeting would actually be an Officer Appreciation Party at the Blue Room.

### B. Public Services

Commissioner King offered a resolution to support the application for a sidewalk cafe for Crumbs & Coffee on Columbia Rd., NW. The resolution was seconded and discussed. Commissioner Miscuk offered an amendment that was approved by unanimous consent. The resolution, as amended was discussed and approved by voice vote:

#### ***Resolution of Recommendation for Approval for Sidewalk Cafe***

*Whereas, Crumbs and Coffee, located at 1737 Columbia Road, NW, has applied for a public space permit (#13872) for a sidewalk cafe; and*

*Whereas, the address is located within ANC 1 C; and*

*Whereas, upon inspection of the plans, the sidewalk cafe would leave 12'7" of public walkway and leave at least 9.5 feet of unobstructed public sidewalk from the railing to the curb; and*

*Whereas, the ANC 1 C Public Services Committee voted in favor of approval of this application on its August meeting; and*

*Whereas, for the ANC response to carry "Great Weight", the request must be voted on by the commission as a whole;*

*Now Therefore Be It Resolved That, Advisory Neighborhood Commission 1 C recommends that the sidewalk cafe application #13872 be approved.*

Commissioner King announced that the next meeting of the Public Services Committee will be on Sept. 26, 2005 at 7:30 p.m. at the Kalorama Rec. Center.

### **C. ABC & Public Safety**

Commissioner Weaver gave an update on the show cause hearing for Timerhi and noted that the ABC Board had decided to postpone the hearing until November.

Commissioner Weaver made a motion that ANC 1C accept an altered Voluntary Agreement with Mantis. The motion was seconded, discussed and approved by voice vote.

Commissioner Moretti made a motion that ANC 1C accept a revised Voluntary Agreement with T.S. Muttly's. The motion was seconded, discussed and approved by voice vote.

Commissioner Moretti offered a resolution to protest the application for "B" License for Harris Teeter. The resolution was seconded, discussed and approved by voice vote.

#### ***Resolution Opposing the Class B License Application #61034 for Harris Teeter***

*Whereas Harris Teeter (the Applicant) has applied for a Class "B" Retailer's License (App. # 61024/License #73993) for its proposed location at 1631 Kalorama Rd., NW; and*

*Whereas, said address falls within the jurisdiction of ANC 1C.*

*Now Therefore Be It Resolved that ANC 1 C opposes this license application on the grounds that would adversely affect the peace, order, and quiet of the neighborhood; and*

*Be It Further Resolved, that ANC 1 C opposes this license application on grounds that it would adversely affect residential parking needs and vehicular and pedestrian safety.*

Commissioner Weaver announced that the next meeting of the ABC & Public Safety Committee would be the following week, Sept. 14th, at 7 p.m. at the Kalorama Rec. Center.

### **D. Planning Zoning and Transportation**

Commissioner Taylor reported that due to a lack of pending business, there was no meeting of the PZT Committee in August.

Commissioner Taylor announced that the BZA hearing on the Harris Teeter zoning variance will be November 29th and that the PZT Committee will take the issue up at a future meeting.

Commissioner Taylor noted that there may not be a meeting in September because of the lack of pending business and a scheduling conflict. She encouraged folks to monitor the Web site for updates.

## **NEW BUSINESS**

By unanimous consent the ANC scheduled a Summit for Youth on Tuesday, Sept. 20th at 7 p.m. The summit, designed to find out what kids in the neighborhood are thinking/want, will be held outdoors at Kalorama Park. Mary's Center will serve as a rain date back up. Commissioner King called for volunteers and for members of the public to donate back-to-school supplies.

Commissioner Moretti offered a resolution opposing H.R. 3525. Commissioner Miscuk called for a division for a show of hands vote. The vote, by show of hands, was 5-0-1. Commissioner Taylor abstained and Commissioner Weaver was not in the room.

### ***Resolution Opposing HR. 3525***

*Whereas U.S. Representative Henry Bonilla (R-Texas) introduced a bill to the U.S. House of Representatives (HR. 3525) on July 28, 2005 that would rename 16th Street, NW as Ronald Reagan Boulevard; and*

*Whereas a portion of 16th Street, NW falls within the boundaries of ANC 1 C; and*

*Whereas HR. 3525 is being vehemently opposed by many citizens of the District of Columbia, various D. C. elected officials, as well as many of Mr. Bonilla's own colleagues in the House of Representatives; and*

*Whereas former-president Reagan was quoted as saying, that it was his intention as president to "...make [government] work with us, not over us; stand by our side, not ride on our back;"*

*Now Therefore Be It Resolved that ANC 1 C strongly opposes HR. 3525 and any other attempt by members of the U.S. Congress to "ride on the backs" of the residents of the District of Columbia*

*And Be It Further Resolved that ANC 1 C calls upon the members of the House Government Reform Committee to respect the wishes of the residents of the District of Columbia and the family of the former president and kill this legislation before it progresses any further.*

Commissioner Moretti offered a resolution in support of the tenants at 1773 Lanier Place, N.W. The resolution was seconded and discussed. Diana Prieto, a resident of 1773 provided the Commission and public with a brief overview of the situation. Commissioner Moretti noted that the building owners had been invited to attend the meeting but that their lawyer declined. The resolution was approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Taylor

NAY: None

### ***Resolution in Support of the Residents of 1773 Lanier Place, NW***

*Whereas, the residents of 1773 Lanier Place, NW (the residents) have been locked in a protracted battle with Lanier Associates, LLC, (the owners) over the ever-worsening condition of their building and many of the units in the building; and*

*Whereas, the residents have also been in an ongoing legal battle with the owners to purchase the Property at 1773; and*

*Whereas, throughout this process the owners have failed to maintain the building and have even taken retaliatory action against the tenants including the elimination of basic services and eliminating such "amenities" as the washers and dryers; and*

*Whereas, the residents have enlisted the help of several D. C. agencies to move this process forward; and*

*Whereas, the residents of 1773 Lanier, through their racial, ethnic, and financial diversity represent the very fabric of Adams Morgan; and*

*Whereas, the loss of these residents and the loss of this mixed-income building would be yet another blow to the Adams Morgan community.*

*Now Therefore Be It Resolved, that ANCI C supports the residents of 1773 Lanier Place, NW and will do whatever it can within its powers to assist the residents as they continue their battle to purchase their building; and*

*Be It Further Resolved, that ANCI C calls on the Department of Consumer and Regulatory Affairs, the Department of Health, the Department of Housing and Community Development, Councilmember Jim Graham and any other affected District agency to do whatever it takes to facilitate this process to the benefit of the tenants so they may purchase their building and remain a part of the community;*

*And Be It Further Resolved, that ANCI C again calls on the necessary city agencies to demand of the owners that basic repairs be addressed immediately for the well-being of the residents at 1773 Lanier Place, NW.*

Commissioner Weaver offered a resolution reaffirming the ANC's opposition to the special exception by Montrose LLC and ANC's support of the Kalorama Citizens Association pending appeal against the roof deck pennit in the "Belmont Tower" case. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Taylor

NAY: None

***Resolution Concerning the Upcoming BZA Hearings on 1819 Belmont Road, N. W. ("Belmont Tower")***

*Whereas, Montrose LLC, the owner/developer of 1819 Belmont Rd., NW (Square 2551, Lot 45), has applied to the Board of Zoning Adjustment (BZA) for a special exception from the roof structure set-back requirements of subsection 411 of the Zoning Regulations, which is scheduled for hearing before the BZA on Tuesday, September 20, 2005 (BZA Application No. 17221), and*

*Whereas the Kalorama Citizens Association (KCA) has filed an appeal of the building permit issued by the Department of Consumer and Regulatory Affairs (DCRA) on March 2, 2005, allowing the erection of a roof deck in violation of subsection 2510.1 of the Zoning Regulations (enforcing the Height of Buildings Act), the hearing on which is scheduled to occur before the BZA on Tuesday, October 18, 2005 (BZA Appeal No. 17335), and*

*Whereas, Advisory Neighborhood Commission 1 C (ANC 1 C) and the Adams Morgan community are well-acquainted with the facts surrounding the development of this property, which has been the subject of previous ANC resolutions and lengthy BZA proceedings. and*

*Whereas ANC 1 C on September 8, 2004 approved a resolution by unanimous vote in opposition to the special exception sought in Application no. 17221 and filed its ANC report in this case with the BZA by letter dated September 23,2004.*

*Now Therefore Be It Resolved, that ANC 1 C hereby reaffirms its opposition to the requested special exception for the reasons set forth in its September 2004 resolution and report, and be it*

*Further Resolved, that ANC 1 C supports the KCA Appeal in Case No. 17335 for the reasons set forth in KCA 's filing and authorizes the filing of a report to that effect with the BZA under section 3115 of the Zoning Regulations, and be it*

*Further Resolved that ANC 1 C may be represented before the BZA in both cases by the Commissioner from Single Member District 1C03 in which the property is located, the Chairperson of ANC 1 C and or the Chairperson of the ANC's Planning, Zoning and Transportation Committee.*

Commissioner Weaver made a motion that ANC 1 C request that DDOT reschedule the re-bricking of the alley behind 1910 Calvert St., NW to FY06 after it had been moved by DDOT officials to FY07. The motion was seconded, discussed and approved by voice vote.

## **ADJOURNMENT**

Commissioner Moretti made a motion to adjourn. The motion was seconded, approved by voice vote and the meeting adjourned at 9:15 p.m.