

ADVISORY NEIGHBORHOOD COMMISSION 1C
Adams Morgan
Minutes of July 1, 2009

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on July 1, 2009 at Mary's Center. Commissioner Bryan Weaver called the meeting to order at 7:05 pm. Approximately 20 members of the public attended.

In attendance were Stacey Moye (1C01), Christ Otten (1C02), Bryan Weaver (1C03), Mindy Moretti (1C04), Nancy Shia (1C06), Wilson Reynolds (1C07) and Kathie Boettrich (1C08).

CHAIRPERSON ANNOUNCEMENT

Commissioner Weaver reported that the ABC board voted today to uphold the revocation of the liquor licenses of Bossa and Bobby Lew's. They will be allowed to continue operation during the appeals phase.

SECRETARY'S REPORT

Commissioner Boettrich made a motion that the secretary's report be accepted. The motion was seconded, discussed and passed by voice vote.

COMMISSIONER ANNOUNCEMENTS

Commissioner Shia announced that H.D. Cooke will reopen and the principal has asked for the community's help in moving back in, more details to follow as the school year approach.

Commissioner Boettrich provided information from two community meetings; the Zoo's annual meeting and the U-Street redesign.

Commissioner Weaver provided an update on condominium plans for 2362, 2364, 2366 and 2368; which may be changed based on input from the developer.

Commissioner Otten announced that a meeting on the renovations at Kalorama Park will be held July 14.

PUBLIC ANNOUNCEMENTS AND COMMENTS ON NON-AGENDA ITEMS

A Resident discussed her concerns about the 18th St. redesign along two central issues; the trees that will be destroyed and the ability for ongoing business survival. Lisa Duperier provided further information on the process and input from Adams Morgan Main St.

Evelyn Jackson asked for more clarification on the building of condominiums on Champlain St. asked for tree pruning at the 2400 block of Ontario Road. Commissioner Weaver confirmed that the ANC fought the raze permit on Champlain St.

Tom Harrison from Adams Morgan MainStreet announced that Adams Morgan would celebrate Bastille Day on Tuesday July 14th from 4 pm to 8 pm with Bocce ball, a band / musical demonstration at Marie Reed's basketball court. Local restaurants will participate with food specials.

Gian Cossa from the D.C. office of the environment (office of compliance) discussed a new outreach programs with proactive enforcement in "hot spot"/ high-risk areas. Adams Morgan (ANC1C) is a high-risk area (along with Ward 4).

Barry Weise from the D.C. office of the environment announced that the city is looking for projects for the D.C. summer work program – urban conservation corps. He provided contact information for projects. (535-2325 – Melissa McKnight) – these must be neighborhood improvement projects.

Lisa Duperier gave an update on Llorente Park at 18th St. and Wyoming.

GUEST SPEAKERS

Ximena Hartsock, DPR Director (acting) presented information on a new project at Kalorama Park near the basketball courts. She will plan a follow up community meeting before the project is started.

Archie Williams, D.C. Public Library and Chris Wright presented an update on the community outreach activities and design for the Mount Pleasant Public Library.

COMMITTEE REPORTS

A. ABC & Public Safety

- The next meeting is planned for Wednesday, July 8 at the Kalorama Recreation Center.

B. Public Services

- Commissioner Shia made a motion to waive the guidelines on the Urban Rangers' grant. The motion was seconded, discussed and passed by voice vote. Commissioner Shia made a motion to approve a grant for \$1,600 to Urban Rangers for college textbooks for four students. Commissioner Moretti made a friendly amendment to make the grant contingent upon adjusted paperwork. It was seconded, discussed and passed by voice vote.
- The next meeting is planned for July 22 at the Kalorama Recreation Center.

C. PZT Committee

- The next meeting will be held on Monday, July 6 at the Kalorama Recreation Center.

NEW BUSINESS

Commissioner Shia offered a motion to support ANC 1D's library resolution by sending a letter from ANC 1C Be It Resolved: ANC1D acknowledges the hard work and effort by DCPL design staff to make changes to the design of the Mt. Pleasant Library Renovation Plans, referred to as Design Scheme F and presented at the meeting on June 3rd at the Mount Pleasant Library and attended by Council Member Jim Graham and several members of ANC 1D. ANC 1D advises the Mayor, DCPL, DCRA, and DCFEMS that despite great progress, we still have significant concern that the current designs of a patio, garden and access ramp along Lamont Street permanently forestall emergency access by large fire-fighting equipment, thereby potentially endangering many residents of the ten or more multi-story apartment buildings to the south. The first priority should be the safety of the residents in these buildings in case of fire. ANC1D requests the DC Council to assist in clarifying and in providing any law changes needed to secure an access route without serious blockages (no cars or masonry fences) that would be in keeping with Appendix A of the most recent International Fire Code. The motion was seconded, discussed and failed on voice vote:

YEA: Weaver, Shia

NAY: Moye, Moretti, Reynolds, Boettrich

ABSTAIN: Otten

Commissioner Moretti made a motion that ANC1C agrees to amend the joint voluntary agreement between ANC1C, the Kalorama Citizen's Association and Ventnor's Sports Café to allow for the substantial

change of the license to include construction and operation of a summer garden on the rear of the first level of the establishment; and supports a stipulated license provided the conditions contained in the amendments match the application filed by the licensee. It was seconded, discussed and passed by voice vote.

Commissioner Moretti made a motion that ANC 1C agrees to amend the joint voluntary agreement between ANC 1C, the Kalorama Citizen's Association, Reed Cooke Neighborhood and the Black Squirrel to allow for a substantial change of the license to include the addition of the basement level and accommodate for the application of an entertainment endorsement. It was seconded, discussed and passed by voice vote.

Commissioner Moretti made a motion that ANC 1C agrees to amend the joint voluntary agreement between ANC 1C and the Kalorama Citizen's Association and the Reef to allow for an entertainment endorsement and supports a stipulated license provided the conditions contained in the amendments match the applications filed by the licensee. It was seconded, discussed and passed by voice vote.

Commissioner Reynolds offered a resolution in response to Harris Teeter Inc.'s request to add additional language in Zoning Commission case No. 08-17 and a response to Holland & Knight's additional language in proposed amendment to the Reed Cooke Overlay District. The resolution was seconded, discussed and approved by voice vote:

Whereas, On June 6, 2009, by a vote of 7-0, with a quorum present, ANC 1C did vote to support amending the Reed Cooke Overlay District by the addition of a new Section (1401.2) proposed in Zoning Commission Case No. 08-17 to read: Section 1401.2. If any principal uses prohibited by § 1401.1 would be permitted as an accessory use in the underlying zone district, that accessory use is also prohibited in the RC Overlay District; and

Whereas, ANC 1C is aware of an additional proposed change on behalf of Harris Teeter, Inc. to include a modification to specifically exempt Square 2572, Lot 36 from the proposed amendment by the addition of the following language to § 1401.2: "except for accessory uses located in the grocery store located in Square 2572, Lot 36."

Now, Therefore Be It Resolved: ANC 1C urges the Zoning Commission to not include the additional proposed change submitted on behalf of Harris Teeter, Inc. for the following reasons:

-Adequate protection and procedures exists to allow for continued existing uses, and potential future uses as a grocery store;

-As of this date, ANC 1C did not benefit from service of this notice;

-Future prohibited ancillary uses not present on the subject parcel should be subject to the processes and procedures set forth in the zoning regulations;

-Creation of a single exception related to the operation of a single building is contrary to equal protection under law;

-There exists no compelling public interest to be served by the creation of such exception;

-The reasonable expectations of the building owner are met by the suggested language without the exception.

(Stated simply, he got what he wanted and the exception requested involves giving him more than he needs or could reasonably expect.)

-The operation of the building, to the extent possible given its present use, should conform with the Reed-Cooke Overlay;

And be it Further Resolved, Should the Zoning Commission vote to accept the additional proposed language: "...except for accessory uses located in the grocery store located in Square 2572, Lot 36." Such adoption shall be accompanied by further language suggested by ANC 1C, to read as follows: "...except for present accessory uses located in the grocery store located in Square 2572, Lot 36; as within the current location of the level (floor) of the grocery store within Square 2572, Lot 36 as of July 1, 2009; by the number of square feet as of July 1, 2009 in the same Square and Lot; and limited to this specific location, and square feet."

ADJOURNMENT

Commissioner Moretti made a motion to adjourn. The motion was seconded, discussed and passed by voice vote. The meeting adjourned at 10:01 p.m.