

**Advisory Neighborhood Commission 6A**  
**Minutes**  
**Miner Elementary School**  
**February 9, 2012**

**Present:** Commissioners Alberti, Healy, Holmes, Hysell, Lawler, Ronneberg

**Absent:** Commissioners Mack and Veenendaal-Selck

The meeting was convened at 7pm

**1. Community Presentation**

There was not a quorum at 7pm when the meeting was convened and the Chair said that the meeting would proceed with non-voting items until there was one. He introduced a representative of DDOT to comment on the status of the H Street - Benning Road streetcar line.

She said that the line was proceeding on schedule and the outstanding issue currently was final decisions on the turn-around locations and the car barn. Discussions were now being held about the location of the car barn at the Minnesota Avenue terminus of the trolley line, with opposition being raised by residents of that community because of a lack of notification. They are looking at several sites in the area. She said she would return with an engineer to discuss the turn-around issues at the H Street end of the line. She mentioned a completion date of summer 2015.

Community Comment

Warren William, who said he is a lifetime resident of the neighborhood said he had become aware that stores in the community are selling synthetic marijuana. He said he had seen a store on Benning Road -an old High's grocery store—where he had seen a 13 year old buying it. He said it was legal because it's being sold as incense. He said he had been trying to be proactive about it and had talked to Steve Harvey. He said the store is in between 18<sup>th</sup> and 19<sup>th</sup> Streets NE on Benning Road.

Mr. Holmes said he will reach out to the police. Chris Fitzgerald, the Mayor's Ward 6 representative, said that he is working on the issue. The problem is, he said, that it is not listed as a narcotic and anyone can buy it. Naomi Mitchell of Councilmember Wells' office said that she would certainly look into it and see what can be done about it.

Mr. Alberti said he had heard about this last year taking place in Adams Morgan, but not here. Mr. Holmes said that it's more a Council problem at this point than a police problem.

A quorum was now present.

**2. Minutes**

The minutes were accepted as presented by unanimous consent.

**3. Agenda**

The agenda was accepted by unanimous consent.

#### 4. Officer Reports

##### Chair

Mr. Holmes reported that he would be attending an ANC Chairs meeting with the Mayor.

He said there was a meeting on Reservation 13 with the Deputy Mayor for economic Development with the Commissioners who signed the letter to the Mayor mentioned at the last meeting by Mr. Alberti. A public meeting will be held soon.

He announced that a Maryland Avenue transportation study update will be presented to the Transportation Committee on February 27. It is possible that the Transportation and Public Space Committee will have a recommendation to make about alternative choices.

He reported that a presentation on performance parking may come before the ANC in March. Funds will become available after the costs are recovered.

Mr. Holmes said that it is possible that there will be a marijuana dispensary in ANC 6A and another within 200 feet. 908 H Street (PBL Industrial Group, LLC) and 777 H Street (DC Green Shop LLC) in 6C are the proposed sites. The ANC will have very few days to respond. He reminded commissioners that the Health Department is less than knowledgeable about ANCs. They have already had to extend the time allowed for ANC comment for those already noticed about cultivation sites. The ANC's comment will be limited to a/ the potential adverse impact of the proposed location to the neighborhood; b/ an overconcentration of lack of cultivation centers or dispensaries in the affected ward; and c/ its proximity to substance abuse treatment centers, day care centers, and halfway houses. The timeline for dispensaries, as of now, is mailed to ANCs on March 5 with comments due at noon on April 5, so a special meeting will be needed.

He announced that the new ethics bill applies to ANC commissioners. The extent to which that matters is unclear, and he has asked the Office of ANCs for a briefing either in person or in writing. There are additional disclosure requirements that extend to families.

Finally, he said that 6A has been offered an office space at Miner Elementary School. It is large enough for one desk and some file cabinets or for about six people to sit in an informal circle. It may be 8'x10'. He asked the commissioners to think about it over the next month and let him know.

##### Treasurer

Mr. Alberti presented the Treasurer's Report. It showed that the opening balance in the checking account was \$17,652.64, and the savings account balance was \$4,206.29. There was a District allotment payment of \$4,836.27 and an interest payment to the savings account of \$.18. There were disbursements of \$389.92 to FedEx Office for the January 1, 2012 copying (Check #1542); \$200 to Heather Schoell for the January 2012 agenda package (Check #1543); \$4,998.53 to INT AC Inc. for a grant to Elliot Hine Middle School PTSA (Check #1544); \$180 to Roberta Weiner for December 11 minutes (Check #1545); and \$25 for the ANC Security Fund (Check #1546), leaving a balance of \$16,695.46 in the checking account, and \$4,206.47 in the savings account.

**Motion:** Mr. Alberti moved/Mr. Healy seconded a motion to approve the disbursements. It passed without objection.

**Motion:** Mr. Alberti moved/ Ms. Lawler seconded a motion to accept the Treasurer's Report. It passed without objection.

## 5. SMD Reports

Dr. Ronneberg reported that sidewalk repairs have occurred on 11<sup>th</sup> Street NE.

Mr. Alberti reported that he and Mr. Holmes would be attending the DCA hearing on the raze permit for 1310 East Capitol Street.

Mr. Healy reported that he held an SMD meeting on Feb. 6.

Mr. Hysell reported that he had heard from DDOT that the K Street changes will go into effect within 30 to 45 days. He also wanted to thank MPD for being proactive in the issuing of tickets.

## 6. Economic Development and Zoning

### 700 Constitution Avenue NE

**Motion:** The Committee moves/Dr. Ronneberg seconds a motion to recommend that the ANC support the 700 Constitution Avenue project at its February HPRB hearing with three provisos: that the developer seeks to soften the stark commercial look of the residential exterior walls surrounding the north side terrace; present an analysis of the traffic pattern in, through, and out of the Square; and present plans to maximize the use of transportation alternatives such as CaBi, bike racks and shared use vehicles, such as ZipCar.

Mr. Holmes said that ANC 6A is a party to the case because it is across 8<sup>th</sup> Street from 6A03. It will be an apartment building with 140 apartments, 86 parking spaces and very high rents. The development will share space with Specialty Hospital. Mr. Holmes said that an important thing is for the traffic to move smoothly and there should be a study to be shared with the community.

It was also mentioned that ANC 6C had objected to the north façade and the design had been modified.

An amendment was adopted to remove the first provision as the developer has already presented new drawings to meet that requirement. The amendment was adopted unanimously.

## 7. Transportation and Public Space

### SunTrust Rock 'n' Roll USA Marathon

Chris Browne, the executive director of the Greater Washington Sports Alliance, the organization sponsoring the SunTrust Rock 'n' Roll USA Marathon on Saturday, March 17, appeared before the Commission, saying he has now experienced several marathons and made several modifications. He was hopeful that the ANC would support the race. Mr. Holmes said that he didn't see how he could, and pointed out that he appreciated that the water stations were moved, and that the music will be non-amplified, but there are still no changes that will positively affect him or his constituents and it still puts an unreasonable burden on his neighbors. Dr. Ronneberg said that he had supported the race in the past, but that this year he would have to vote against it.

Mr. Alberti said that as much as he has excused, nothing has changed. He said he had supported the race the first two years on the promise of a better event. His SMD is still the most seriously affected. He asked his fellow commissioners to think about the hardships we've suffered and what they would do if they were similarly affected. Each year, he said, there have been promises, promises, promises that have not be fulfilled. If it happened every three or four years, it might be different, but, he said, they are being asked to bear a huge burden.

Mr. Browne responded that some criticisms are accurate, such as the inadequate trash pick-up and there is a need for changes after eight years. He said he would like to put together a plan for 2013 and make an overhaul before it goes to the Emergency Management Task Force. Mr. Alberti responded that making the changes is an exact science and he hoped that Mr. Browne was not groveling.

Mr. Healy asked whether there had been a quorum at the Transportation Committee meeting, and Mr. Mahmud responded that the Committee vote had been 3-0 to recommend supporting the race. He said that the race people had been there in November and came back in December.

**Motion:** The Committee moved/Ms. Lawler seconded a motion to support the Committee's recommendation to support the SunTrust Rock 'n' Roll USA Marathon on March 17. The motion was defeated 1-4, with Ms. Lawler voting in the affirmative.

#### Committee Goals

**Motion:** The Transportation and Public Space Committee goals for 2012 were accepted by unanimous consent.

### **8. Community Outreach**

Chair Elizabeth Nelson said she had no report, but wanted to raise the issue that funds for interpretive services had been eliminated from the OANC budget. Gottlieb Simon, director of the Office of ANCs said he had received a memo saying that the centralized provision of interpretive services had been a pilot program of the Office of Disability Rights, that the money has run out and they are now pressuring agencies (including ANCs) to provide funding. Ms. Nelson noted that the commission had made infrequent use of the services but that it important to be able to provide services as required and that proximity to Gallaudet increases the likelihood that such services will be requested. She added that, not only is it a substantial expense, but it is difficult to arrange outside of the centralized services. Without this service each group/agency is on its own in identifying providers and most affordable providers require the use of credit cards, which an ANC may not use. When going through the City's centralized service it was a simple matter of filling out a form which could be emailed. Mr. Alberti noted that the ANC budget includes a line for interpretive services.

### **9. Alcohol Beverage Licensing**

Mr. Healy began by announcing that he had received an email from ABRA requesting that certain things be taken out of submitted VAs, and he will discuss it at the next ABL Committee meeting and bring a recommendation back to the ANC.

#### HR 57

Mr. Healy said that HR 57 had moved across the street and requires a new license. They are requesting a stipulated license until their new CT license is approved. Mr. Healy said that they have operated in their current location without any complaints from neighbors. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to protest the license on the grounds of peace, order and quiet unless a VA is finalized before the petition date. In the interim, the ANC will send letter to ABRA supporting the issuance of a stipulated license for HR 57. The motion passed 4--0-1, with Mr. Alberti not voting.

#### Conscious Café -1413 H Street NE

This is an application for a D license for the Conscious Café, 1413 H Street NE, a world fusion cuisine restaurant, with readings and music for entertainment. The restaurant will serve beer and wine and will have entertainment until 10pm on Mondays through Thursdays and until 11pm on Fridays and Saturdays. The petition date is February 27 and, Mr. Healy hasn't heard any community concerns about the establishment. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to protest the license on the grounds of peace, order and quiet, unless a Voluntary Agreement is signed prior to the petition date. The motion passed 4-0-1, with Mr. Alberti not voting.

#### Impala Cantina y Taqueria - 1358 H Street NE

Mr. Healy said that the issue with the establishment was whether it could get a license as a restaurant rather than a tavern. The owners' concern is that they have 100 seats in two outdoor seating areas, one ground floor, and one rooftop and are concerned about meeting the financial requirements for a restaurant with so many seats that are not usable year round. Mr. Healy said he was waiting to hear from ABRA as to what is generally permitted in a VA pertaining to kitchens and food sales. The owners say they are willing to include language in a CT requiring a kitchen be open for food sales to ensure they operate as a restaurant **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to protest the license on the grounds of peace, order and quiet, unless a VA is signed prior to the petition date of March 5. The motion passed 4-0-1, with Mr. Alberti not voting,

#### Souk - 1208 H Street NE

Souk has new owner, and the previous owner terminated his license. The new owner requires a stipulated license so that he doesn't have to close until his new license has been granted. Dr. Ronneberg said that someone is dumping trash on that corner, and he would like to see whether Souk has commercial trash pick-up, or he will move to rescind the stipulated license. Mr. Healy said that he doesn't have enough room for dumpsters so he puts the trash on the street for pick-up. He said he would talk to the owner.

**Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to support a stipulated license for Souk but to submit a protest letter unless a VA is signed prior to the petition date of March 19. The motion passed 4-0-1, with Mr. Alberti not voting. A vote was also taken to support the entertainment endorsement and it passed 4-0-1, with Mr. Alberti not voting.

The meeting was adjourned at 8:50 pm.