

**Advisory Neighborhood Commission 6A  
Minutes  
Miner Elementary School  
February 14, 2013**

**Present:** Commissioners Alberti, Holmes, Hysell, Mahmud, Nauden, Phillips-Gilbert, Ward, Williams

The meeting was convened at 7pm

**1. Minutes**

The minutes for January 2013 were approved by unanimous consent.

**2. Agenda**

Mr. Holmes asked to add FRESHFARM Market to New Business and eliminate 1120 Park Street from the EDZ Committee agenda. He also mentioned he would raise letters to DDOE, ABRA and the ABC Board. The agenda was approved as amended.

**3. Community Comments**

Pepco Meeting on Benning Road Service Center

Kirsten Bowden of Pepco's Public Affairs Office announced a community meeting on Saturday, March 2 from 10am to Noon at River Terrace Elementary School, 420 34th Street NE, to update stakeholders on the status of the consent decree with the DC Department of the Environment (DDOE) on the Benning Road Service Center and the adjacent portion of the Anacostia River. Representatives of Pepco and DDOE will answer questions about Remedial Investigation/Feasibility Study Project work Plan and other documents Pepco has been mandated to complete. Mr. Holmes noted that this is the issue the ANC was briefed on at its December meeting by an Assistant Attorney General from DDOE.

**4. Community Presentations**

FRESHFARM Markets

Bernadine Prince of FRESHFARM Markets asked the ANC for a letter of support for locating the H Street Farmers' Market at 13<sup>th</sup> Street NE between H and Wylie Streets. They are planning a longer season this year—from April 20 through December 21<sup>st</sup>, and the hours will again be from 9am until noon. They will again have an on-site market master, a coordinator to process SNAP (food stamps), keep the site clean and tidy, and be fully insured. Mr. Holmes said there would be a vote during New Business.

National Park Service Lincoln Park Restoration Project

Dr. Joy Kinard of the National Capitol Parks East reported that on February 25 there will be a 90-day closure of the Eastern half of Lincoln Park to repair and rehabilitate the park, including repaired deteriorating walkways, installing new base mounting in the playground areas, installation of new fencing, water fountains and turf rehabilitation. This is the completion of the project that restored the west side of the park beginning in 2005. It is scheduled to be completed by Memorial Day.

Mr. Williams asked whether the project could be done with rolling closures. Dr. Kinard said it is concrete being torn up and replaced. She said there was also an issue with getting it done as soon as possible because of the financing and making sure the funds would be available. Mr. Alberti asked whether the outside sidewalks would be done and was told that they would only work on “our” property.

Mr. Alberti also asked about whether the reconstruction will resolve the drainage problems at the park. Dr. Kinard said yes and no. Yes because there will be new turf, and no because there are complex drainage problems made complicated because there’s no irrigation system in the park, and said it needs someone with more expertise than she has. She reiterated that people walking their dogs off-leash mess up the turf and that contributes to the drainage problems.

She said that progress would be noted on the Park Service Facebook page or its web page, [nps.gov](http://nps.gov), and Dr. Kinard can be reached at (202) 436-6593.

## 5. Officers’ Reports

### Chair

Mr. Holmes urged the Commissioners to attend the upcoming ABRA briefing on February 16, noting that the ANC has a large number of CR and CT renewals this year. He reported that CHRS would be having a meeting focused on building permits, with presentations by DCRA and the Historic Preservation Office. Finally, he announced an update meeting on the trolley car construction on February 26 from 6 to 8pm at Miner Elementary School.

### Secretary’s Report

**Motion:** Ms. Nauden moved/Mr. Alberti seconded a motion to authorize the expenditure of \$300 for business cards for new commissioners. The motion passed unanimously.

### Treasurer’s Report

Mr. Alberti presented the Treasurer’s Report. He reported that the opening balance in the checking account was \$10,306.76 and the savings account balance was \$13,714.85. There was an interest payment to the savings account of \$.23. There were disbursements of \$200 to Heather Schoell for the January ‘13 agenda package (Check #1585); \$180 to Roberta Weiner for transcription of the December 12 ANC minutes (Check #1586); \$213.10 to FedEx Office for the January ‘13 statement (Check # 1587), leaving a balance of \$9,689.66 in the checking account, and \$13,715.08 in the savings account.

**Motion:** Mr. Alberti moved/Mr. Williams seconded a motion to accept the disbursements. The motion passed without objection.

**Motion:** Mr. Alberti moved/Mr. Williams seconded a motion to approve the Treasurer’s Report. The motion passed without objection.

## 6. Committee Reports

### Community Outreach Committee

The report of the committee was accepted without objection. Ms. Nelson mentioned that she would like to have the ANC flyer and Capitol Hill Guide ad reviewed and edited so that they can be disseminated.

## Alcoholic Beverage Licensing Committee

The report of the committee was accepted without objection.

### New Committee Member

**Motion:** Mr. Holmes moved/Mr. Hysell seconded a motion to approve the appointment of Cay Bradley as a member of the ABL Committee. The motion passed without objection.

### Grand Liquors- 409 15<sup>th</sup> Street NE

**Motion:** The Committee moved/Mr. Williams seconded a motion that the full ANC accept the Committee's recommendation to not support an exemption to the Ward 6 ban on single serving sales for Grand Liquors, 409 15<sup>th</sup> Street NE. The motion passed 7-0-1, with Mr. Alberti not voting.

### Modifications to Settlement (Voluntary) Agreements

**Motion:** The committee moved/Mr. Hysell seconded a motion that the ANC support the committee's recommendation to accept the ABC Board changes requested for the previously adopted settlement (new ABRA terminology for *voluntary*) agreements for Avery's Bar and Lounge and Maketto, and to amend the ANC's standard settlement agreement to reflect the required changes. The motion passed 7-0-1, with Mr. Alberti not voting.

## Transportation and Public Space Committee

The committee's report was accepted without objection.

### New Committee Member

**Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to approve the appointment of Lara Levison as a member of the Transportation and Public Space Committee. The motion passed without objection.

### Cusbah- 1128 H Street NE

This is a request for support for a public space application for a canopy to cover a sidewalk patio on the 11<sup>th</sup> Street side of Cusbah, an Indian restaurant at 1128 H Street. The canopy, in keeping with DC public space regulations, would be temporary and removable. **Motion:** The Committee moved/Mr. Ward seconded a motion to accept the committee's resolution to support a public space permit for the installation of a canopy at Cusbah, 1128 H Street NE. The motion passed 8-0, without objection.

### Capitol Hill Classic - Sunday, May 19

This is the 34<sup>th</sup> year of the Capitol Hill Classic, which will be run this year on Sunday, May 19<sup>th</sup>. There will be a 10K, a 3K and a fun run. There will be rolling street closures, and be run between 8:45 and about 10am. About 4000 participants are expected. Signs will be posted in public spaces. **Motion:** The Committee moved/Mr. Alberti seconded approval of the race and sending of a letter of support to the Emergency Management Task Force. The motion passed 8-0, unanimously.

## Economic Development and Zoning Committee

Mr. Holmes began by moving the chairpersonship of Laura Gentile. Her nomination was unanimously approved. He said that few people are willing to devote the amount of time the position requires, both directly and in preparation through study of the zoning and planning laws.

Drew Ronneberg, and before him Cody Rice, devoted dozens of hours to the Committee and he plans to encourage the committee to appoint a vice chair or equivalent to assist the chair.

#### Murry's/H Street Storage Site

This is a request for support of a request to the Zoning Commission for a PUD for a very large, one full block square, mixed use office, retail and residential development on H, 6<sup>th</sup>, 7<sup>th</sup> and K Streets.

The developer, the Insight Group, has already made some changes at the behest of our Zoning Committee. The committee has asked the developer to provide a statement of how the design complies with the guidelines in the H Street Zoning Overlay and provide a written commitment to support a commercial Historic District on H Street if one is proposed. Trent Smith of Insight said they would be happy to provide both as part of their PUD statement. **Motion:** The committee moved/Mr. Alberti seconded a motion to recommend that the full ANC conditionally support the PUD application for the Murry's/Public Storage site of the H Street design guidelines and express support for a Commercial Historic District for H Street if one is proposed. The motion also authorizes Drew Ronneberg and Missy Boyette to represent the Commission in this matter. The motion passed 7-0-1.

#### 721 10<sup>th</sup> Street NE

This is a request for support for a BZA special exception to add a garage to the rear of a residence at 721 10<sup>th</sup> Street NE, increasing the lot occupancy to 70%. The applicant has letters from adjoining neighbors and shadow and light studies. **Motion:** The committee moved/Mr. Alberti seconded a motion to recommend that the ANC support the special exception for 721 10<sup>th</sup> Street NE. The motion passed 8-0, unanimously.

#### 1331 Constitution Avenue NE

This is a request for support of a Historic Preservation Concept Review for the addition of two stories to a one-story building at 1331 Constitution Avenue NE with the third story set back so it is not visible from the street. It is similar to what was approved by the ANC for a building four doors to the west at 1323 Constitution Avenue. It is a single family dwelling. **Motion:** the committee moved/Mr. Alberti seconded a motion that the full ANC support its recommendation to approve the conceptual plans for 1331 Constitution Avenue NE. The motion passed 8-0, unanimously.

#### 225 9<sup>th</sup> Street NE

This is a request for support for historic preservation approval for the addition of a railing to a second story balcony at the front of the structure and a second story and railed deck addition (2<sup>nd</sup> and 3<sup>rd</sup> floor) to the rear of the house at 225 9<sup>th</sup> Street NE. The residents of the house to the south, who will be affected by the project, support it. There are no zoning issues involved. **Motion:** The Committee moved/Mr. Alberti seconded a motion to recommend that the ANC support the plans for 225 9<sup>th</sup> Street NE. The motion passed 8-0, unanimously.

#### 1134 C Street NE

This is a request for support for historic preservation concept approval for the modification of a 3<sup>rd</sup> floor addition (a mansard roof) that was previously supported by the ANC. The building is a non-contributing structure to the historic district. The applicant wants to add a bay of windows at the top of the structure at the rear of the building. **Motion:** The committee moved/Mr. Alberti seconded a motion to recommend that the full ANC support the plans for 1134 C Street NE. The motion was approve 8-0, unanimously.

## 7. New Business

### Addendum to ANC Bylaws

Ms. Phillips-Gilbert spoke in favor of her motion to change the Bylaws. She said that meetings should not take place on dates when either the Federal or the District government celebrates a holiday. People are not able to attend when meetings are held on a holiday. Ms. Phillips-Gilbert proposed an amendment to the bylaws as follows:

Article 12, Section 3:

#### ARTICLE V: Meetings

Section 1: Pursuant to the provisions of Section 742 (a) of the District of Columbia Home Rule Act, all meetings of the Commission shall be open to the public, except those parts of meetings where personnel or legal matters are discussed.

Proposed addendum to bylaws: *All Commission meetings, regular, special and emergency shall not be held during federal and District of Columbia observed legal holidays.* Without limiting the scope, the following categories of information shall be specifically made available to the public:

AND

#### Article X: Committee Duties

Section 1.v Pursuant to the provisions of Section 742 (a) of the District of Columbia Home Rule Act, committee meetings shall be open to the public. Proposed addendum to bylaws: *All standing Committee meetings, regular, special and emergency shall not be held during federal and District of Columbia observed legal holidays.*

Pursuant to the bylaws and Robert's Rules of Order, this proposal will be discussed at the March meeting.

### Letter to ABRA

Mr. Holmes presented a letter for Commission support that requests that ABRA and the ABC Board notify the Commission whenever a 6A licensee requests a change in their license class or seeks to add endorsements, a sidewalk café, or other license extensions, including several other specifics. His rationale, as stated in the letter, is that there are special circumstances as most of 6A's CR and CT licensees are located on a narrow—10' or 12' alley backing up on residences. Additionally, the streetcar will be running just a few feet from the front doors. The notification will help assure continued peaceful interaction with 6A licensees.

Mr. Holmes reiterated that this year there would be a large number of renewals and it's the first year licensees can eschew their agreements. **Motion:** Mr. Holmes moved/Mr. Mahmud seconded a motion to send a letter to ABRA Director Fred Moosally, requesting notification of license changes. The motion passed 7-0-1, with Mr. Alberti not voting.

Mr. Holmes said there are many new ABRA mandates, including one that ANCs can supersede groups of five residents in actions against licensees. Mr. Alberti offered that many of them had not yet come up.

## Letter to DDOE

Mr. Holmes proposed sending a letter to the District Department of the Environment urging that it set particulate standards that will protect the community from the coal residue that is burned at the Capitol Power Plant. Ms. Phillips-Gilbert asked why it is being done in such a rush. As a Commission, she said, there is time to invite them to present their position. She said she didn't want to be railroaded. Mr. Holmes responded that new regulations have been written and will be presented in two weeks, and this should be supported now. Mr. Mahmud said that he generally supports Ms. Phillips-Gilbert's request for more information, but because of the short deadline will vote to support sending the letter. **Motion:** Mr. Holmes moved/Mr. Williams seconded a motion to send a letter to DDOE asking for standards for coal-burning that will protect the residents of ANC 6A. The motion passed 8-0.

## **8. Single Member District Reports**

**Sondra Phillips -Gilbert** reported she had attended the Mayor's State of the State address for FY 13, and what it could mean for the Rosedale community is an affordable housing initiative in the amount of \$100 million for building and preserving 10,000 units of affordable housing, and a One City fund in the amount of \$15 million for non-profits to compete openly for grants of up to \$100,000 that advance key goals for the city.

She also presented orally a letter from the Kingman Park Civic Association opposing the use and occupation of Spingarn High School as the potential location of the DC Streetcar and Electrical Generation Storage Facility.

**Andrew Hysell** reported that after Councilmember Mendelson appeared at ANC 6A he changed his position on funding additional police officers, listening to the community.

**Omar Mahmud** reported that he is going to work on traffic calming projects on Florida Avenue and K Street NE with DDOT to make it safer, similar to what's happening on Maryland Ave. NE.

He has also spoken with people who live in alleys that have no names. They have trouble getting services, and he is working to get them named.

**Gloria Nauden** has had complaints about XII and Smith Commons and is following up with ABRA.

She is also working on a traffic camera for 12<sup>th</sup> and H Streets NE and has been invited to a Friends of Sherwood Rec Center meeting.

**David Holmes** introduced District representatives present at the meeting: Chris Fitzgerald and Britney Wright of the Mayor's Office; Naomi Mitchell of Councilmember Wells' office; Gene Fischer of Councilmember Orange's office; and, Michael Bond of CSOSA, and said they were available to assist constituents with their problems.

**Calvin Ward** received information from Phil Panell asking the ANC to co-sponsor a candidate's forum for the at-large council seat to be moderated by Sam Ford. Mr. Holmes said he has written to Gottlieb Simon to see whether, because it is a non-partisan forum, the Commission can be a sponsor.

**Jay Williams** reported he is working on possibly sprucing up the small triangle parks in his SMD, as well as a small alley between Duncan and D Streets NE. He has looked into whether they are city parks.

The meeting was adjourned at 8:15 PM