

**Advisory Neighborhood Commission 6A  
Minutes  
Miner Elementary School  
March 8, 2012**

**Present:** Commissioners Alberti, Healy, Holmes, Hysell, Lawler, Mack, Ronneberg, Veenendaal-Selck

The meeting was convened at 7pm

**1. Community Presentations**

Commander Andy Solberg

Mr. Holmes introduced Commander Andy Solberg, 5D Commander, which encompasses the northeast part of the ANC area. He began by urging people's attendance at the monthly PSA 507 meeting on the fourth Thursday of the month at the police station at 1805 Bladensburg Rd. NE, from 7 - 8:30pm.

Commander Solberg said he was cutting down on meetings because of his time considerations. He said he would come to any meeting he was invited to, but that he would prefer having his officers whose beat was at issue handle things so they were aware of what was happening and so people in the community could get to know them. He said also that it was very difficult to reach him by phone, but that the people at the station were willing and very capable of handling things.

Somewhat later, Lt. Tim Haselden, in charge of PSA 507, joined the Commission. He reported that there had been significant arrests in February, including some juveniles with weapons. He said there has been a lack of visibility, but he has five beats out, including a full beat at the Safeway, with an officer at Hechinger Mall at all times. In the 16<sup>th</sup>-19<sup>th</sup>-C St. area, all the officers are bike trained. He said that 21% -- a lot--of calls were domestic violence.

He can be reached at [timothy.haselden@dcgov](mailto:timothy.haselden@dcgov), (202) 698-0268.

Jose Sausedo

Mr. Holmes introduced Jose Sausedo of Council Chair Kwame Brown's office. Mr. Sausedo said he lives in the neighborhood at 10<sup>th</sup> St. and Massachusetts Ave. NE. He spoke about upcoming legislation, particularly the Omnibus Education Bill, which deals with issues of concern to both Chancellor Kaya Henderson and the public charter schools. He also mentioned that oversight of the Mayor's budget would begin at the end of March. He said he can be reached on his cell at (562) 746-5880, and in his office at (202) 724-9700.

**2. Minutes**

The minutes were accepted as presented by unanimous consent.

**3. Agenda**

Mr. Alberti asked to have the rental of the ANC's post office box added to the Treasurer's report, as well as the approval of funding for the transcription of minutes and the

preparation of the agenda package. The agenda was accepted as amended by unanimous consent.

#### 4. Officer Reports

##### Chair

Mr. Holmes reported that an announcement on medical marijuana dispensaries and growing centers has been postponed until April 11, with comments due on May 11, the day after the ANC's May meeting. That means the Commission will not have to have a special meeting if a dispensary is located in the ANC.

He reported that discussions with the Homeland Security agency about the Marathon have led to the promise of future success about changing the route and not having parked cars along the route removed except in very limited areas. The only exit this year from western ANC 6A will be to 3<sup>rd</sup> Street northbound to H Street westbound. There is a proposed letter under New Business.

Mr. Holmes reported that one of the worst offenders for theft from auto—a leading cause of the piles of broken glass on the street—David Vines' sentencing was continued until April 7<sup>th</sup>, according to Asst. US Attorney Thomas A. Bednar. Vines has 59 arrests and 29 convictions. Extensive community impact statements were submitted. The CIS can be a very effective tool to keep individuals incarcerated and to ask for special keep-away measures—GPS ankle bracelets, banning from certain geographic areas.

Commissioners Veenendaal-Selck and Alberti and Holmes signed a letter requesting a forum with the Mayor about plans for Reservation 13. The Mayor has agreed, but the date and place are still in dispute. The March 26 date the Mayor picked has subsequently been rejected by him to allow Jack Evans to be present. The site is still unresolved. Originally it was to be at Eastern High School, the Ward 7 Commissioners want it in Ward 7. Holmes suggested St. Coletta's, soon to be in Ward 7.

He said that Councilmembers Wells and Alexander and 6B Commissioner Flahaven met with the 7A Commission. Brian Flahaven reports "I brought a poster board that shows the master plan of the site and showed how the training facility would grab the healthcare, residential and retail portions of the master plan...leaving only the area next to the jail for development. Attendees asked whether housing in the plan would be affordable and we noted the requirement that 30% be affordable. We also said that a [Redskins] training facility would likely bring no new affordable housing the site. Overall, none of the attendees spoke in favor of the training facility and most raised concerns about it.

"We finally emphasized the need for residents in Wards 7 and 6 to work together on Reservation 13. Ward 7 needs to clearly lead the effort but must ensure that surrounding neighbors have a voice. Overall, the presentation went well. If the debate is around the merits of a training facility versus housing, jobs and retail, we win, if it's about Ward 7 versus Ward 6, we lose."

##### Treasurer

Mr. Alberti opened his report by announcing that the Auditor's Office had requested certain documents and raised questions that could cost the ANC money.

He reported that the opening balance in the checking account was \$16,695.46, and the savings account balance was \$4,206.29. There was a District allotment payment of \$4,532.43 and an interest payment to the savings account of \$.17. There were disbursements of \$200 to Heather Schoell for the February 2012 agenda package (Check #1547); \$180 to Roberta Weiner for January 12 minutes (Check #1548); and \$257.40 to FedEx Office for the February 1, 2012 copying (Check #1549), leaving a balance of \$22,890.49 in the checking account, and \$4,206.64 in the savings account.

**Motion:** Mr. Alberti moved/Ms. Veenendaal-Selck seconded a motion to approve the disbursements. It passed without objection.

**Motion:** Mr. Alberti moved/Ms. Veenendaal-Selck seconded a motion to approve the allocation of \$320 for the annual renewal of a post office box. The motion was adopted by unanimous consent.

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

## 5. SMD Reports

**Ms. Mack** said there is discussion in her community about naming the new library and people want to rename the rec center. She said she is not aware of the names that are being considered, but wanted to know how the name can get changed. She added that the last two libraries were Christian and Langston. Mr. Holmes said that the naming power is with the City Council, but they listen to the community.

**Ms. Veenendaal-Selck** reported that there have been shootings in her area in recent days—one at 17<sup>th</sup> and Constitution, but the police are on the cases. She also reported that a snow removal route has been finalized in her SMD.

**Mr. Alberti** noted that the marathon was coming. He also said there have been two shootings in his SMD in one day, but the perpetrators have been identified and they are not Eastern students and it's not gang-related.

**Mr. Holmes** announced two meetings: Catherine Buell of the HPRB was scheduled to speak on March 27 at Maury Elementary School on how the preservation laws work, and current trends; and a CHRS Preservation Café scheduled for March 21 at Ebenezer's Coffeehouse at 2<sup>nd</sup> and F Streets NE where HPRB's Amanda Molson will discuss new window standards for historic districts.

**Ms. Lawler** pointed out that Jill Shawn, a resident of her SMD, is a recipient of the Capitol Hill Community Foundation award this year.

**Mr. Hysell** announced an SMD meeting at Sova on H Street at 7:45 am on March 16. **Mr. Healy** reported they are replacing the brick sidewalks in his SMD.

**Dr. Ronneberg** reported that there was a BZA hearing on 701 10<sup>th</sup> Street NE on removing a curb cut. He also reported that there is new management at Club XII, and he seems to be aware of the problems that have occurred and wants to work things out. It's a new

investor, not a new owner, and the same staff is still affiliated. Finally he reported that Ben's Chili Bowl will be bringing a branch to 10<sup>th</sup> and H Streets.

## 6. Community Outreach Committee

Elizabeth Nelson presented an application for Jon Wadsworth, Vice Chair of the Miner Elementary School's Parent Teachers Organization (PTO), which applied to the ANC for a grant of \$5000 to purchase 30 computers—possibly iPad 2s—for use by Miner students. According to Miner officials, this is necessary because the school's 70 computers were removed by DCPS last year and were not replaced. The tablets were chosen instead of PCs because they are much less expensive, and because of the low cost of apps the software would be less expensive as well. Because of their size, they are easy to store in a secure cart.

According to the grant proposal, the technology is needed “so that the students can learn to use it.” Specific plans include having the students create PowerPoint presentations and animation programs. The school has an information technology officer on staff who will instruct the teachers as well as the students. **Motion:** The committee moved/Mr. Hysell seconded a motion to approve a grant of \$5000 to the Miner School PTO for the purchase of tablet computers. The Commission voted unanimously to approve the full amount of the grant.

The report of the Committee was accepted without objection.

## 7. ABL Committee

### Casbah - 1128 H Street NE

Mr. Healy reported that he spoke with the owner and they are willing to work with the neighborhood. But he signed the VA, and their license does not have to be protested as the proposed resolution states. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to amend the Committee recommendation and approve the VA that includes the maximum number of occupants allowed on the outdoor patio (40). The motion passed 7-0-1 with Mr. Alberti not voting.

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

This is a request for support for a standard VA for Impala Cantina Y Taqueria at 1358 H Street NE, with a modification included on kitchen facilities and food sales requirements. This is because while the owners are willing to operate as a restaurant with a CR license, they would have to meet the annual \$2000 per seat food sales regulation even for the 40 seats on the patio when it is not being used. They have volunteered to adhere to the restaurant requirements for their interior seats despite their CT license. There is also additional language on the hours for the patio and noise limitations. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC approve the VA as modified for Impala Cantina y Taqueria. The motion posed 7-0-1, with Mr. Alberti not voting.

### Souk - 1208 H Street NE

This is a placeholder motion so that the ANC does not lose standing if a VA is not signed by the petition date. It protests the CT license for Souk, located at 1208 H Street NE unless the applicant changes its ABRA license to a restaurant license and signs a new VA by the petition date. The motion passed 7-0-1, with Mr. Alberti not voting.

### Changes in VAs

Last month, Mr. Healy reported that ABRA had returned VAs for several establishments to modify provisions of the documents that they didn't think were acceptable. The two sections they eliminated had to do with reimbursable police details and with the hours of operation of patios. The committee proposed a letter to Fred Moosally recommending modifications:

The Commission feels strongly that striking the section related to reimbursable MPD details is unwise. The Commission's Alcohol Beverage Licensing Committee spent several months carefully considering and drafting the language after much discussion. We believe the carefully crafted provisions are fair to the community and perspective ANC-licensed establishments and would be crucial to ensuring the public's safety around any potentially problem establishment. In fact, the former MPD First District commander initially recommended that we consider including these types of provisions into our standard voluntary agreement. The ABL Committee also reviewed examples of similar reimbursable police detail language in other ABC Board-approved voluntary agreements in order to craft our language."

We respectfully ask the Board to share with the ANC why it chose to strike this section and to provide the ANC suggested language that would address the Board's concerns in this regard.

Regarding the modification needed to Section 3 (d), the ANC proposes to strike the section and replace it with the following: "The hours of operation for a patio or summer garden on private property (excluding rooftops) are limited until 11pm Sunday through Thursday evenings and 12 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff. If the patios been open for business for at least three months during the months of April through September and noise levels from the patio do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this tie period, the licensee may submit a change of hours application to allow for expanded hours."

**Motion:** The Committee moved/Mr. Healy seconded a motion that the ANC reluctantly accept the Board's modifications to several submitted VAs and that the standard voluntary agreement be updated to reflect the Board's changes. Further, that the ANC send a letter to the ABC Board indicating why we believe these provisions are important to the community, asking why the Board chose to discard them and what modified language they recommend that could replace these provisions. The motion passed by a vote of 7-0-1, with Mr. Alberti not voting.

The report of the Committee was accepted without objection.

## 8. Transportation and Public Space

**Motion:** the Committee moved/Mr. Healy seconded a motion that the ANC send a letter to DDOT requesting the removal of No Parking restrictions in the 200 block of 13<sup>th</sup> St. NE. Mr. Mahmud said there is a legacy of No Parking signage on this block and the restriction is no longer needed there. The motion passed by unanimous consent.

**Motion:** The committee moved/Ms. Lawler seconded a motion to approve the Committee's 2012 Goals. The motion passed without objection.

The report of the Committee was accepted without objection.

## 9. Economic Development and Zoning Committee

### 1321-1323 Constitution Avenue NE

This is a request for support for HPRB concept review. The buildings were both originally one-story buildings; in the early 1900s, a second story was added to 1321. The current addition and renovation scheme proposes 59% lot occupancy; the applicant will have to get a variance in order to split the lots. OP has not supported proposed condo developments for the site. They are proposing a 3<sup>rd</sup> story in the back.

**Motion:** The Committee moved/Dr. Ronneberg seconded a motion that the full ANC accept the committee's recommendation and send a letter to HPRB supporting the conceptual plans and strongly recommending that the historic reading of the architectural elements of 1323 Constitution Ave. be retained.

Elizabeth Nelson said that the developers want more than people are willing to give them. Mr. Alberti added that the buildings are too small and the project is too large. The motion passed 7-1, with Mr. Alberti in opposition.

### 1100-1300 blocks of H Street Trash Audit

One of the restaurants on H Street has not been using a commercial trash collector, and the trash and garbage being put out for District pick-up has been creating a mess in the alleys and on the clean new streetscape. **Motion:** The Committee moved/Dr. Ronneberg seconded a motion that the ANC accept the Committee's recommendation to send a letter to the Department of Public Works requesting that an audit of businesses in the 1100 to 1300 blocks of H Street be undertaken to make certain all establishments have dumpsters and commercial hauling operators or have arrangements with neighboring establishments to share trash facilities.

Mr. Hysell said that he assumes the audit will cover the alleys as well as the street. Mr. Alberti suggested that DDOT ought to be notified as well. He said that while the burden is on the businesses, someone is affecting business around them and they must incur cost for the greater good. Mr. Hysell said the paper burden is *de minimus* and he is glad the committee is doing something. The motion passed by a vote of 7-0-1, with Ms. Mack abstaining.

The report or the committee was accepted without objection.

## 10. New Business

### Xclusive - 707 H Street NE

Xclusive is a club at 707 H St. NE, across the street from Mr. Healy's SMD. They are now seeking a license and have been singularly uncooperative. Their petition date is at the end of March. **Motion:** Mr. Healy moved/Mr. Holmes seconded a motion to send a letter to ABRA protesting a liquor license for Xclusive and supporting ANC 6C's efforts to obtain a VA. Dr. Ronneberg asked whether they have been offered a VA. Mr. Healy responded that

Xclusive is trying to get by without a VA, and has been unresponsive. The motion passed 6-1-0, with Ms. Mack opposed and Mr. Alberti not present.

#### DC Conscious Café - 1430 H Street NE

**Motion:** Mr. Healy moved/Mr. Hysell seconded a motion to support a VA for DC Conscious Café, 1430 H Street NE. This would remove a placeholder protest that was placed on the establishment last month, and modifications were made in the VA. Mr. Holmes offered an amendment to delete a phrase in the VA but it was withdrawn. The motion passed by a vote of 7-0-1, with Mr. Alberti not voting.

#### Moving Trolley Power Substation

Dr. Ronneberg said that it had come to his attention that DDOT is considering changing the location of their midline H Street streetcar substation from the southwest corner of 12<sup>th</sup> and H Street to the southeast corner, about which there has been no community discussion. **Motion:** Dr. Ronneberg moved/Mr. Healy seconded a motion to send a letter to DDOT requesting that the substation not be moved. Dr. Ronneberg said he worked very hard on the placement of the substation and he was disturbed by the change without any discussion. He said that Ben Miller, owner of the AutoZone lot, said that when the construction on that site begins, the substation should go underground, that it had been part of AutoZone's proffer on their project. He said that basically DDOT wanted to put it back outside. Mr. Alberti said that there's been no previous position on the issue and it should be talked about more. Dr. Ronneberg said he was concerned that nothing would get done. The motion passed 4-3.

#### Letter to Deputy Mayor and DDOT Director on Marathon

Mr. Holmes presented a letter from all four Ward 6 ANCs to the Deputy Mayor for Public Safety and the DDOT Director and copied to City Councilmembers on proposed changes for the 2013 National Marathon. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to join with the other ANC Chairs in signing this letter to District officials.

#### Funds for Transcript

**Motion:** Mr. Alberti moved/Ms. Mack seconded a motion to allocate up to \$500 for the transcript on a public space hearing on the gas station at 14<sup>th</sup> St. and Maryland Ave. NE. The motion passed without objection.

The meeting was adjourned at 9:06 pm.