

**Advisory Neighborhood Commission 6A
Minutes
Miner Elementary School
May 10, 2012**

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

The meeting was convened at 7:01 PM

1. Agenda

Mr. Hysell asked to have a letter about 1400 Maryland Avenue NE added to the agenda. The agenda, as amended, was accepted without objection.

2. Minutes

Motion: Mr. Holmes moved/Mr. Alberti seconded a motion to accept the March minutes as presented. The motion passed without objection.

Motion: Mr. Holmes moved/Mr. Alberti seconded a motion to accept the April minutes as presented. The motion passed without objection

3. Community Presentations

DC Fire and EMS Chief Kenneth Ellerbee

DC Fire and EMS Chief Kenneth Ellerbee presented an update on the Fire Department, beginning his statement that his goal is to promote the health of DC citizens. He mentioned that smoke and carbon monoxide detectors are available from the department at 202/673-3331. He also said that his chief of staff, Alicia Taylor, can be reached at 202/673-3320 if there are questions, because his objective is to be open.

He reported that the department had received about 166,000 requests for service, 85% were pre-hospital care, and 486 were fires. The problem is that the fire service is not traditionally a pre-hospital care department. He said there are 33 engines and 39 ambulances. The population is living longer, and his objective is to keep the-community healthy. He said Seattle is the most heart-safe city in the country because they have the most CPR training. He said that one of his objectives is to provide three-hour CPR training courses. He said it's a skill that will help reduce the level of panic, which is the largest danger in dealing with people in that situation.

Mr. Healy asked about the status of the labor negotiations with the firefighters union, and was told that they are ongoing, and the reason they're not visible is that they're negotiating. Mr. Holmes thanked the chief for the EMS service that had gotten him to the hospital in a timely fashion when he needed it.

The Chief said that the Dorothy Brizill only took the one house, and it showed off the department, and that it is, despite what's seen in the press, the best department in the country. He said they're looking for high school seniors and giving them an opportunity to have a career. He said he had a \$400,000 grant to train in CPR. He said he gets 18-19-20 year-olds—millennials—and after three weeks of training, they're transformed—and, he said, it

makes his heart feel good. Sondra Phillips Gilbert suggested that Eastern High School is a good place to look for candidates.

Members of the department were available at the meeting to give blood pressure and diabetes tests.

Transportation Initiatives in 6A's Area

Sam Zimbabwe, DDOT Associate Director of Planning, Policy and Sustainability gave a presentation on several specific projects that he had been asked to address—C Street NE, Maryland Avenue, Florida Avenue and the status of the streetcars project—that DDOT is currently working on. He was accompanied by several colleagues: George Branyan: george.branyan@dc.gov, 671-2561; Colleen Hawkinson, colleen.hawkinson@dc.gov, 671-2228; Gabe Onyeador; and Charles E. Thomas, charles.e.thomas@dc.gov, 439-5818.

C Street NE

Mr. Zimbabwe said there are two ways of doing the work: quickly, at low cost, or do studies that help set up the long-term program. He said he's working on some short-term fixes on both C Street and Maryland Avenue, such as taking out one lane of traffic.

Rob Stevens, a resident who has lived on C Street for five years, said he has worked with Chris Delfs, and then with Jamie Henson, through frequent meetings and walk-outs, and worked on what was going to be a green renovation. Pennsylvania Avenue and Branch Avenue have been done, and C Street still waits. Mr. Zimbabwe responded that they are getting ready to “come back out” again, to do some short-term things. Pennsylvania Avenue, he said, had been in the works for a longer time than C Street. Creating a green street requires a larger investment of capital, and, he said, they can do things like reduce the lanes now, or wait and do everything at once.

Sondra Phillips Gilbert asked about 17th and 19th Streets. Mr. Zimbabwe said that it's a separate issue from C Street. It's a walkability issue that should be dealt with through Traffic Operations.

Ms. Lawler asked about what capital was available, and was told that \$4.8 million is available for FY 14 construction, but various projects are competing for the funds. In fact, there's a placeholder for the C Street project, which is “a really big deal.” He said they're ready to start in 2014 but have to be happy with the plan before they begin. Mr. Holmes said he wants it all and doesn't want to wait until 2014, instead do the short-term while planning for the long-term. Zimbabwe said he would be back out in June with his chief traffic engineer, James Peaks.

A question was asked about the plan to connect 295 and 395 through the 11th Street Bridge, and whether that would lessen the traffic on C Street. Mr. Zimbabwe responded that it will, and that they're still working on the local bridge, but people will not be coming off the East Capitol Bridge to go downtown any more.

Florida Avenue NE

The short-term solution for Florida Avenue is a reduction of lanes, originally planned from 2nd to 4th Streets, and now to West Virginia Avenue and 9th Street. Mr. Zimbabwe said the decision has to be made whether a larger planning study was necessary or they could just continue to

H Street. The funding has not yet been allocated (*N.B.* the money for the project was included in the just-passed budget).

Maryland Avenue NE

Mr. Zimbabwe said they are planning something temporary for Maryland Avenue with paint and bollards to see how it will work. He said the costs have to be looked at, and possibly they will be out in the fall, if at all. The money for design and construction is built into the federal budget. He said they have to work on a bike lane but can't start until the rest of the project is in place.

Streetcars

Mr. Zimbabwe said that the contracts for the car barn should be awarded this spring, with construction beginning this summer. The new cars should be here next summer. Once the test track is ready in Anacostia, they will move forward with that piece. He said he's trying to push it.

A resident said he is opposed to the construction of the garage on the grounds of Spingarn, and would recommend several other sites in the area, including the PEPCO plant.

Jonathan Kass from Councilmember Wells' office said that the Councilmember feels he wants to get something on the ground quickly. Mr. Zimbabwe said he's "in the process of starting multi-modal planning," and will accelerate the work starting in the fall.

Ms. Mack asked again about 17th and 19th Street, saying the neighborhood needs change. Mr. Zimbabwe said he will be there in June, and start work in the fall. He said that he was part of the problem because of the time it took him to get up to speed.

3. Community Comment

Sherwood Rec Center Father's Day Event

Mike Kuiten, a resident of the block on which Sherwood Rec Center is located, spoke in support of the Community Outreach Committee's decision to oppose the Father's Day event proposed for the Rec Center. The group is not part of any organization officially associated with Sherwood.

4. Officers Reports

Treasurer's Report

Mr. Alberti delivered the Treasurer's Report. He reported that the opening balance in the checking account was \$20,350.49 and the savings account balance was \$4,206.64. There was a payment from the District of \$4,836.27, a stop payment fee on a lost check to the US Postal Service of \$160 (Check #1551), and an interest payment to the savings account of \$.17. There were disbursements of \$320 to the US Postal Service for six month's rental of a postal box (check #1551); \$400 to FedEx Office for photocopying (Check #1554); \$200 to Heather Schoell for the April 2012 agenda package (Check #1555); \$180 to Roberta Weiner for March 2012 minutes (Check #1556), and \$705 to the Maury School PSA or a grant for Cub Scout Pack 3838 (Check #1557), leaving a balance of \$23,540.68 in the checking account, and \$4,206.99 in the savings account.

Motion: Mr. Alberti moved/Ms. Lawler 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. Single Member District Reports

Ms. Lawler reported that the No Parking signs on 13th Street NE have been removed.

Ms. Veenendaal-Selck reported that the skate park is finally open. She also said that there had been a situation at 1601 Isherwood Place where there was illegal dumping; she called 311 and it worked and the situation was remedied.

Mr. Hysell reported that he had received complaints about an illegal rave on H Street between 13th and 14th Street and the police were called. He also reported that he had a great meeting with the people on Linden Court. It was a great example of people dealing and communicating with people, speaking about 1350 H Street, which will be an 84-unit condo development, with a garage through the alley behind the Biergarten.

Ms. Mack said she wanted to thank the community for their support. She said she's tired of getting more support from her community than from the Commission.

Mr. Alberti announced that the North Lincoln Park Neighborhood Association was having a yard sale at 1300 North Carolina Ave. NE on May 19th.

Dr. Ronneberg reported that there were assaults at Maryland Avenue and 11th Street, but they have arrested someone. He also said there has been a clean-up at Sherwood Rec Center. He talked about issues with DDOT: the Saturday Farmers' Market needs additional space and requires a street closing, which is under New Business on tonight's agenda. He also said that the plans have been lost for the Oasis building on 9th Street, off of K Street, and they are reconstructing the plans and will get going again.

6. Committee Reports

Community Outreach

Committee Chair Elizabeth Nelson began by telling Sondra Phillips Gilbert that the Committee minutes included in the agenda package were, as she thought, not the correct ones, and she would correct those posted on the ANC website to reflect the correct language.

Naming Rosedale Recreation Center

Motion: The Committee moved/Mr. Hysell seconded a motion to accept the Committee's recommendation that the ANC confirm its opposition to renaming the Rosedale Recreation Center. Mr. Holmes recollected that this motion was previously adopted by the ANC in 2010 after a large meeting called by Councilmember Wells at Miner School. The motion passed without objection.

Naming the Rosedale Library

Mr. Holmes read the resolution presented by the committee and seconded by Mr. Alberti. The Committee moved that the ANC support the following: 1/ the facility be named the Rosedale Recreation Center and Library not separately named); 2/a Wall of Honor be established where community activists and other notables may be recognized; and 3/ the Department of Parks and Recreation set up and manage the process for creating the Wall of Honor, soliciting input from members of the community, Rosedale Park Partners and the ANC.

Mr. Holmes said that the discussion was sharply limited by time and people would have two minutes each to speak. He also urged that people be polite to each other and not let personalities get involved in the discussion. He said the Chair will not tolerate any personal attacks.

Sandra Phillips Gilbert began by asserting that Necothia (Nicki) Bowens had sent a letter to Ms. Nelson saying she wanted the library named for Brit Wycoff and had gotten petitions in favor of that change. She said that Ms. Mack's SMD wants the names of Robert L. Christian and John Mercer Langston co-located at the library. Ms. Bowens said that Ms. Phillips is incorrect, and said the letter is attached to the committee minutes, and it is a letter in support of a Wall of Honor, not naming the library, and it says that they were prepared to circulate petitions, but that they had not yet been done.

Ms. Gilbert said she supports naming the library because libraries have always been named, because the names inspire the children in the community. Ms. Nelson said that it is clear from the committee meeting that people in the community are not unanimous about naming the library and the committee felt that the Wall of Honor was the appropriate solution. Ms. Mack said that at the committee meeting Ms. Nelson had asked for petitions. Ms. Nelson said there may have been a misunderstanding. Brit Wycoff was not spoken in favor of at the meeting; Mr. Holmes said he had been present at the community meeting two years ago, and it's vivid in his memory. The sponsors of the proposal to name the Center of "KiYi" Ballard, a DPR employee and community activist, were shouted down. He said that he feels the Rosedale community has spoken. Libraries are named for areas of communities, and the Wall of Honor will allow many people to be honored. Ms. Gilbert responded that libraries are named for people, like Martin Luther King, for example.

The ANC voted in favor of the three-part resolution 7-1, with Ms. Mack in opposition.

Father's Day Event at Sherwood Rec Center

Ms. Nelson reported that the Community Outreach Committee was recommending that the ANC again oppose a proposed Father's Day event that has taken place outside Sherwood Rec Center for many years on the grounds of noise, public drinking, and public urination.

Ms. Mack said all the bad things are just hearsay and that Mr. Washington, the Father's Day event organizer, has proof from MPD that his event is approved. She said he should not be penalized for stuff that goes on two blocks down from Sherwood. Dr. Ronneberg said that the event had two parts, one at Sherwood, one on the street and people go back and forth. There's a long history of bad behavior and he said he has an email from former 1D commander, Dave Kamperin saying the event generated complaints. He said he's been there to see what goes on and to see the property damage and public urination.

Jordan Washington said his organization is the Sherwood Veteran's Social Club. He said he went there every day. New people don't know what's going on, and the police told us we don't have to have ANC permission. He said he had filed a complaint with the NAACP.

Ms. Gilbert said she was appalled by the behavior at the meeting. She said that in 2010 it was a beautiful event, and that they pay for a permit. She asked whether it was racism, discrimination because no-one complains about H Street.

A resident who lives across the street from Sherwood said that he lives right across the street and the issue is divisive. He said there is no planning, no community input, and he had never heard of any outreach across the street.

Rev. Wendell of Christopher AME Church said he was looking at the Commission table and saw only one person representing his community. He said that people are seeing gentrification of the community and pushing aside history without seeing what's going on. (The statement generated applause.) There has to be compromise—if the gentleman has a permit, he should be allowed to have his event.

Edna Jane Truax said she lives in the 600 block and has been in the community for 25 years. She said she understands the concerns, like there have been problems with RFK, and she hasn't said a word, and just accepted it. One needs tolerance and we need to come together. Ms. Veenendaal-Selck thanked her for her comments and said she could not vote on the issue because she has never been at the event.

Mr. Holmes said that based on his own experience, streets have been closed illegally. And there is a letter from Commander Kamperin saying there have been problems. He said he would have to oppose the event. Perhaps next year.

Motion: The committee moved/Dr. Ronneberg seconded a motion that the ANC oppose a proposed Father's Day event at Sherwood Recreation Center. The motion passed 6-1-1, with Ms. Mack in opposition and Ms. Veenendaal-Selck abstaining.

Ms. Nelson said in concluding her committee report that she would make the change in the minutes.

Motion: Ms. Mack moved that a statement from Ms. Gilbert expressing her view of the Committee actions be included in the Committee minutes. Mr. Alberti said the paragraph was out of context, and one can't know what it's responding to, one doesn't know what came before, and he said he would have to vote against it. Mr. Holmes said that it is without precedent and he would not support it. The motion failed 2-6, with Ms. Mack and Ms. Veenendaal-Selck in support.

Ms. Gilbert said she thought a tape recorder should be used to transcribe the meetings.

The report of the Committee as corrected was accepted by a vote of 6-1-1, with Ms. Mack in opposition and Ms. Veenendaal-Selck abstaining.

7. Alcoholic Beverage Licensing Committee

The Committee offered nine recommendations, the majority of which were renewals of licenses for Class A and Class B liquor stores, some of which were protests in the absence of a signed VA.

Motion: The committee moved/Mr. Healy seconded a motion to recommend that the ANC vote to withdraw its protest for Capitol Liquors, 1835 Benning Road NE and support an extension of their exemption from the Ward 6 singles ban for half pints.

Ms. Mack said that the singles ban is running Mr. Wu out of business and he's had to let another person go. Mr. Healy said there had been a one-year trial period and this would

affirm an extension of the exemption. Ms. Lawler asked whether this was across the street from Ward 5, was told that it was, and she said there is no reason to penalize the store because of its location. Mr. Holmes said that he opposes all exemptions after going out of our way to put the restrictions in place. He said he had never voted for any exceptions and the Florida Avenue, 8th Street and Benning Road borders that give the ANC problems will just have to be lived with.

Motion: Dr. Ronneberg moved/Mr. Hysell seconded a motion to divide the question into two parts, one supporting the exemption, the other withdrawing the protest. The motion failed 2-3-2, with Mr. Holmes and Mr. Alberti not voting. The vote on the original motion was 4-3-1, with Mr. Alberti not voting.

Motion: The committee moved/Mr. Healy seconded a motion that the ANC protest the renewal application for Jumbo Liquors (1122 H Street NE) unless the applicant signs a standard VA by the protest date. The motion passed 6-0-2, with Mr. Alberti and Ms. Mack not voting.

Motion: The committee moved/Mr. Healy seconded a motion that the ANC protest the renewal application for Family Liquors (710 H Street NE) unless the applicant signs the standard VA by the protest date. The motion passed 6-1-1, with Ms. Mack in opposition and Mr. Alberti not voting.

Motion: The committee moved/Mr. Healy seconded a motion that the ANC protest the renewal application for Master Liquors (1806 D Street NE) unless the applicant signs a standard VA by the protest date, The motion passed 6-1-1, with Ms. Mack in opposition and Mr. Alberti not voting.

Motion: The committee moved/Mr. Healy seconded a motion that the ANC protest the renewal application for New York Liquors (1447 Maryland Avenue NE) unless the applicant signs a standard VA by the protest date. A stipulation that the applicant support closing a curb cut in front of the store was withdrawn. The motion passed 6-1-1, with Ms. Mack in opposition and Mr. Alberti not voting.

Motion: The committee moved/Mr. Hysell seconded a motion that the ANC protest the renewal application for Viggys Liquors (409 15th Street NE) unless the applicant signs a standard VA by the protest date. Ms. Lawler asked whether people from Viggys were present at the committee meeting and was told they were. The motion passed 7-0-1, with Mr. Alberti not voting.

Motion: The committee moved/ Mr. Healy seconded a motion to support a stipulated license to the transfer of the license for Rose's Dream from 1370 H Street NE to 1378 H Street NE. The name is being changed to Rose's Déjà Vu. Mr. Healy said he's been told that it's just a transfer, and will be valid unless the ANC learns that a new license is needed because the license won't transfer. Mr. Holmes asked whether there were any police reports and Mr. Healy said he hadn't heard about anything. The motion passed 7-0-1, with Mr. Alberti not voting.

The report of the Committee was accepted 7-0-1, with Mr. Alberti not voting.

8. Economic Development and Zoning Committee

1028 D Street NE

This is a request for support for a concept design to be presented at the HPRB of two separate units to be built on an empty lot at 1028 D Street NE. **Motion:** The Committee moved/Dr. Ronneberg seconded a motion to support the conceptual plan for 1028 D Street. The vote was 8-0, unanimous.

H Street Midline Substation

This is a power substation for the streetcar line, and the ANC has been asked by DDOT to review the design, at Dr. Ronneberg's suggestion. The equipment will be quiet with only a slight hum, and a suggested design was approved by the committee. **Motion:** The committee moved/ Dr. Ronneberg seconded a motion that the Commission accept the Committee's request at the midline substation provide 1/ space for adjacent business on its northern face; 2/ a map of the surrounding streets in the brickwork of the eastern face; 3/ shrubs on the southern face; and 4/explore the possibility of implementing a green roof on the building. The motion passed 6-0-2, with Ms. Mack and Ms. Veenendaal-Selck not voting.

Expedited Review of Zoning Cases

Currently, it is possible for BZA cases on its consent calendar to be heard before the ANC receives any communication about it. Mostly, they are non-controversial in nature. However, the committee determined that the ANC Chair should have a mechanism whereby if a case is of interest to the ANC, s/he could request that it be removed from the consent calendar on behalf of the ANC.

Motion: The committee moved/Dr. Ronneberg seconded a motion that the ANC set a policy that for expedited review zoning cases, the Chair will pull a case from the BZA consent calendar on behalf of the ANC when the majority of the ED&Z committee members recommend objection. The motion passed 7-0-1 with Ms. Mack not voting.

The report of the committee was accepted without objection.

9. New Business

Street Closing for Farmer's Market

Motion: Mr. Holmes moved/Mr. Hysell seconded a motion that the ANC support the closure of 13th Street between H and Wylie Streets NE on Saturdays from 8am to 1pm for the FreshFarm Market.

Mr. Holmes said that the closing does not impact traffic, and is overwhelmingly supported by the community. He said the Market doesn't have enough space, and the RL Christian parking lot is not available because the property is going out for bids within 30 days. They cannot accommodate last year's vendors in current public space. Access to Wylie will remain, and there will continue to be traffic from K to Wylie. There were seven and nine cars during an hour on two weekends when he was counting. Currently there is no room to accommodate everyone from last year and they want to offer more produce and prepared goods. The motion passed unanimously, 8-0.

H & Pizza - 1118 H Street NE

This is a request for support for a standard VA, with a few modifications, for H & Pizza, 1118 H Street NE: 1/ language requiring the calling of MPD to remove loiterers is removed and 2/ language is added that says that if the applicant seeks and secures an entertainment endorsement then that section (3) will apply.

Motion: Mr. Healy moved/Ms. Veenendaal-Selck seconded a motion to approve the VA for H & Pizza, 1118 H Street NE. The motion passed 7-0-1, with Mr. Alberti not voting.

1400 Maryland Avenue NE

Motion: Mr. Hysell moved/Dr. Ronneberg seconded a motion to send a letter to DDOT, DCRA and the Office of the Attorney General expressing the ANC's vigorous opposition to the gas station at that location and asking why the plans were approved and formally requesting a response. The motion was approved unanimously, 8-0.

Motion: Mr. Hysell moved/Dr. Ronneberg seconded a motion to send a letter to Capitol Petroleum saying that under their current actions, they will not be eligible for a Certificate of Occupancy, to give them fair notice that the ANC is serious about pursuing this. The motion passed 7-0-1, with Ms. Mack not voting.

Bill 19-716

Mr. Holmes said he would offer a motion that would authorize him to testify in favor of removing the ban on ANC litigation, at a hearing that was to be held on Saturday, May 12. He said that currently ANCs are prohibited from seeking legal remedies for the non-performance of those who have made commitments with the ANC or for the non-performance or erroneous action-in-law of a city agency, board or commission. Amending the current law as follows will allow ANCs to seek legal remedies using its City funds:

Current law: 1-309.10(g) The Commission shall not have the power to initiate a legal action in the courts of the District of Columbia or in the federal courts, provided that this limitation does not apply to or prohibit any Commissioner from bringing suit as a citizen.

Proposed change: Strike 1-309.10(g) and strike the indicated from 1-309.13 (1)(2):

Funds allocated to the Commissions may not be used for a purpose that involves partisan political activity, personal subsistence expenses, Commissioner compensation, meals, ~~legal expenses other than for Commission representation before an agency, board or commission of the District government~~ or travel outside of the Washington metropolitan area.

Mr. Holmes said that it's worth trying to give the ANC options and improving the listening ability of those the ANC deals with on the occasionally adversarial matter. The legislation was introduced by Councilmember Barry, and gives teeth to the ANCs. It removes restrictions—the ANCs can sue anyone.

Motion: Mr. Holmes moved/Mr. Healy seconded a motion to authorize Mr. Holmes to testify in favor of Bill 19-716 that will enable the Commission to bring legal actions. The motion passed unanimously, 8-0.

The meeting was adjourned at 9:15pm.