

**Advisory Neighborhood Commission 6A**  
**Minutes**  
**Miner Elementary School**  
**July 12, 2012**

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

The meeting was convened at 7:07 pm

**1. Minutes**

The minutes for June 2012 were approved by unanimous consent.

The minutes for May 2012 were approved by unanimous consent.

**2. Agenda**

Mr. Holmes asked to have a motion authorizing the Chair to represent the ANC before ABRA during the August recess, to be discussed during the Chair's Report. Mr. Healy asked for a discussion of Class A stores renewal protests be added to New Business. The agenda, as amended, was approved by unanimous consent.

**3. Community Presentations**

Acting Lieutenant Daniel Godin, who is in charge of PSA 104, gave a presentation on the recent spurt in crime in the neighborhood around H Street and the murder of a storeowner at 7th and H.

He began by announcing that the PSA meets the second Tuesday of each month, his email is [daniel.godin@dc.gov](mailto:daniel.godin@dc.gov), and his cellphone number is (202) 270-6764. He said that PSA 104 currently has additional resources and he is using very aggressive patrolling, focusing on robberies. He said he has two officers who are best working together and concentrating on the area around H Street. He said that overall crime is down 1% over the same time last year. Most recently, they have arrested six females and seven males. They have also arrested three juveniles from the Trinidad community, two aged 9 and a 10 year old, who were out with a BB gun and attempted a robbery at 10th and Florida.

**4. Officers Reports**

Chair

Mr. Holmes said that because there will be no ANC meeting in August, he feels that there should be a resolution authorizing the Chair to act on behalf of the Commission if matters are placed on consent calendars at various city agencies and boards when the ANC has not acted on them.

**Motion:** Mr. Holmes moved/Mr. Healy seconded a motion that during the July 12 - September 13, 2012 recess, the Chair is:

- Authorized to object to the placement of items not considered by the ANC on the BZA, ZC, HPO or ABC Board consent calendars, and that
- The Chairs of both the Commission and the ABC Committee be authorized, separately or together, to evaluate and, if necessary, protest on behalf of the Commission any substantial change, renewal or new application filed if the full ANC would not otherwise be able to act before the petition date.

The motion passed unanimously, 6-0.

### Treasurer's Report

Mr. Alberti delivered the Treasurer's Report. He reported that the opening balance in the checking account was \$20,942.38 and the savings account balance was \$4,207.17. There was an interest payment to the savings account of \$.33. There were disbursements of \$1341 to the Capitol Hill Garden Club for a grant for landscaping the Sherwood Rec Center (Check #163); \$200 to Heather Schoell for the June 2012 agenda package (Check #1564); \$329.77 to FedEx Office for photocopying (Check #1565); and \$200 to Heather Schoell for the June 2012 minutes (Check #1566), leaving a balance of \$18,871.22 in the checking account and \$4,207.50 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.

### Quarterly Report

**Motion:** Mr. Alberti moved/Mr. Hysell seconded a motion to accept of the Quarterly Report of the ANC for the 3<sup>rd</sup> Quarter of FY12, April-June 2012. Mr. Alberti said the report had been sent to the Commissioners for comments. The motion passed unanimously, 6-0.

## 5. Single Member District Reports

**Mr. Hysell** reported that he attended a meeting with Mr. Healy and the H Street merchants about crime. He also said there is now an appeal moving forward on 1400 Maryland Avenue, and a developer across the street from the property, Mr. Ballard, has also become involved and is filing an appeal.

**Mr. Healy** reported that the bar and restaurant owners on H Street are concerned about the recent increase in crime, especially the murder of the owner of Grace Deli. He said that Officer Pitts and a Segway squad have been doing extra patrols. He also mentioned that H & Pizza and Casbah, an Indian restaurant, were opening.

**Ms. Lawler** reported that the intersection of 13<sup>th</sup> and D Streets had had its signage completed. She also said that at 1219 D Street, there is a structure in the alley and they are pouring asphalt for 12 parking spaces. She also reported that the satellite campus of the Options School is moving to ANC 6A, and she is quite excited about it.

**Dr. Ronneberg** reported that there were intermittent power outages in his SMD.

## 6. Community Outreach Committee

### Playground at Sherwood Recreation Center

Committee Chair Elizabeth Nelson reported that she had been approached several months ago by Phil Toomajian about the idea of building a playground for young children at the northeast corner of the Sherwood Rec Center, to the north of the main entrance. It is an approximately 40'x60' area that is currently underused. The idea is to have a space equipped with slides, climbing equipment and other items that would be appropriate for children younger than eight. It could also contain equipment appropriate to older children as well. Current fencing of the space is nearly adequate, and only a gate would be needed to complete the enclosure and control access.

Ms. Nelson said she didn't feel she could make a motion supporting the playground because there was not much feedback/input from the community and what was received was divided between those in favor of/opposed to the proposal. She said she felt there should be more opportunity for community comment, and in the meantime the ANC should request DPR to construct the fence and gate. Mr. Holmes said he had asked the head of the DPR about funding for a project and he said he thought there was enough money left in the budget to create something. This is a draft of the letter they would like the ANC to support and send to Jesus Aguirre, Director of the DC Department of Parks and Recreation:

*Some neighbors surrounding the Sherwood Recreation Center would like to see a children's playground established on a 40'x60' \*(approx.) plot on the northeast corner of the property, near the main entrance. Their vision is to have climbing equipment, including a slide and other items that will appeal primarily to children under the age of eight. Ideally, there could be equipment targeted to both very young children and different equipment better suited to children at the upper end of the age range. The playground should be fenced for the safety of the children. However, current fencing is nearly adequate; probably only a gate would need to be added to complete the enclosure and control access. The area is currently underused and there is a sufficient need for recreation opportunities for younger children. Advisory Neighborhood Commission 6A supports the use of the space for this purpose.*

*There is also the potential for community interest in having in callisthenic equipment (exercise stations) on the Sherwood premises.*

A neighborhood parent of young children said that there should be a place that doesn't provide programmed space, but would have free space. Ms. Nelson said there are some who would like "callisthenic" equipment. She said that at Lincoln Park the equipment for its playground was purchased by the parents who later realized (as their children matured) that there had been too much of a focus on equipment for very young children. realized later that money was available from DPR for purchase. Ms. Lawler said she doesn't know how many tot lots there are in the neighborhood, but she likes the idea of callisthenic equipment.

Mr. Toomajian, who is the Vice President of the Sherwood Neighborhood Volunteers (SNV), said that the ideas are not mutually exclusive, there is room for both, and there is a real need for Sherwood to offer something for young children. There are things for older kids, but very little for younger ones. This, he said, is also a good way to reduce the loiterers on the northeast corner of that block. He said he had talked to all his neighbors and there is great support for a tot lot.

One neighbor specifically asked that the fence be closed when the playground is not in use. Mr. Holmes said there aren't enough tot lots, but you have to protect the facility itself and have people looking after the place. The money is not fungible; it's earmarked for a specific use.

**Motion:** Dr. Ronneberg moved/Mr. Hysell seconded a motion from the Community Outreach Committee that the ANC provide a letter of support to the Department of Parks and Recreation for the concept of (but not funding for) a playground for young children at the Sherwood Recreation Center, provided the following conditions are met:

- a. Flyers (including an outline of the proposed project, contact information of the COC chair to register approval/disapproval, date/time/location of the July ANC meeting at which the Commissioners will take a position) be posted at all the street intersections around the Center (and the main entrance to the Center) by noon on June 23.
- b. And that the same information be posted on both the ANC 6A and MoTH listservs
- c. And that no significant opposition be expressed prior to or at the July 12 ANC 6A meeting

Ms. Nelson said that these conditions were met. Mr. Alberti addressed the proposed letter, saying he was confused about what the ANC is requesting. Ms. Nelson responded that the ANC would not

be requesting anything, just providing support for a request made by others, and Mr. Alberti said the motion should be amended asking that DPR comes to the community and opens a dialogue on what is wanted.

Naomi Mitchell said that given that Councilmember Wells chairs the Committee with oversight over parks and recreation, his office will be happy to help with the project. Mr. Alberti concluded that because the ANC is a government body, it should be aware of what it's voted on. The vote was 6-0.

The report of the Committee was accepted without objection.

## 7. Alcoholic Beverage Control Committee

### Rose's Déjà Vu - 1378 H Street NE

This is a request for support of a substantial change for Rose's Déjà Vu, moving three doors down from its current location to 1378 H Street NE, with a name change from Rose's Dream. It will have a small sidewalk café. Mr. Healy reported that they are willing to sign an addendum to their voluntary agreement. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC protest the substantial change for Rose's Déjà Vu unless an addendum to the voluntary agreement is approved prior to the protest date. The motion passed 5-0-1, with Mr. Alberti not voting.

### Fever - 816 H Street NE

**Motion:** The Committee moved/Mr. Healy seconded that the Commission protest the application of Fever unless a voluntary agreement is approved prior to the protest date and that the ANC support a stipulated license. Mr. Healy reported that no one came to the meeting to oppose the license, and that the owner is willing to sign a VA. The motion passed 5-0-1, with Mr. Alberti not voting.

### 7 River Market - 250 11<sup>th</sup> Street NE

The owner of this market, formerly Young's Market, at 250 11<sup>th</sup> Street NE, wants to open a grocery store and sell beer and wine, but is unable to get a Class B license because of a citywide moratorium on those licenses. He would agree to sign a voluntary agreement that would make the store like a Class B, and prohibit the sales of spirits. Mr. Healy said that most people are very excited about the store and anxious to see it succeed. Ms. Lawler agreed, saying the store is across the street from her SMD and she wants to encourage a higher quality market. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC protest the application of 7 River Market unless the voluntary agreement is approved prior to the protest date, and that the VA include a prohibition on the sales of spirits (making the license similar to a Class B) and that the establishment cannot sell alcohol in packages of less than six packs.

**Amendment:** Mr. Holmes offered an amendment to strike "six packs" and replace it with "four packs." Mr. Holmes said it would be more equitable and in keeping with the single sales moratorium. The amendment passed by a vote of 5-0-1, with Mr. Alberti not voting. The vote on the amended motion was 5-0-1, with Mr. Alberti not voting.

The report of the Committee was accepted without objection.

## 8. Transportation and Public Space Committee

There was no quorum at the prior Committee meeting, but those present recommended that the ANC send a letter of support for the 2012 National Guard Run. First Lieutenant Dina Elosiebo, (202) 685-8773 presented information on the race, which will be held on September 15, beginning at 8am, with a planned conclusion at 9am. The race will begin at the Armory, proceed down East

Capitol Street, circle around Lincoln Park and back to the Armory. Mr. Holmes thanked Lt. Elosiebo for working cooperatively with the ANC to run a well-organized event. The motion passed without objection.

## 9. Economic Development and Zoning Committee

### 1326 H Street NE - Atlas Vet

This is a request for support from Atlas Veterinarians for a special exception for parking, and the Office of Planning has determined that a variance is needed. Dr. Ronneberg said that there had been a colloquy at the committee meeting about the fact that different variances are needed for different conditions. Mr. Hysell said he had sent a letter of support for himself for the variance, and said it is a great facility that deserves support. **Motion:** The committee moved/Dr. Ronneberg seconded a motion to accept the committee's recommendation that the ANC write a letter of support for a variance for the parking lot. The motion passed 6-0, unanimously.

### 232 11<sup>th</sup> Street NE

This is a request for support for an application to the BZA for a special exception for an addition to an existing one-family dwelling, not meeting the open court requirements in the R-4 district. The applicant, represented by Fowler Architects, explained that the description of the lot occupancy has been increased because of the inclusion of the garage in the calculation, and in order to build the additional floor he wants to construct. The architect stated the massing is consistent with the adjacent neighbors. As to light and air, one neighbor's home to the north is taller, and the other adjoining property is not affected. Letters of support were provided. Mr. Holmes said the presentation of the project is a model of how to do it, including the use of brick and wood windows in the rear where they are not required. **Motion:** The committee moved/Dr. Ronneberg seconded a motion that the ANC accept the Committee's recommendation to write a letter of support to the BZA in support of the special exception. The motion passed 6-0.

## 10. New Business

### Proposed Revision of Alcohol Licensing Legislation

Mr. Holmes reported that he sent an email to Councilmember Jim Graham saying that the ANC has not had the opportunity to exert its great weight on his recently proposed legislation revising the alcohol beverage licensing legislation because a round table on the legislation had been held on very short notice, and doing it on such notice is wrong. Mr. Holmes asked whether the ANC wished to submit written comments on the bill.

Mr. Healy said that he was a member of the Task Force that had advised the Councilmember on the substance of the bill, and attended over ten meetings. He felt that there was not great compromise on many facets of the bill. He said that Councilmember Cheh was also involved in crafting the bill. Councilmember Graham's roundtable was limited to a discussion of his proposed changes in Sunday hours. Mr. Healy said there are plans to put a discussion of the legislation on his August committee meeting and it could come back to the ANC in September.

Mr. Holmes said that ANC 6C voted to support the bill; 6B has voted to support with three changes. Mr. Alberti said that this is a process that's only just begun. It will be referred to the full Council, and there will be another opportunity to lobby. He said he didn't know whether it was worth alienating Councilmember Graham. Mr. Holmes said that it's important to defend the ANCs. Alcohol regulation is important to our district. Ms. Lawler said that she supports Mr. Healy, and he has her vote. Mr. Holmes ended the discussion by saying there was no consensus at that time.

## Commercial Billboards in Residential Neighborhoods

Mr. Holmres raised the possibility of sending a letter to the Office of Historic Preservation opposing the use of Bikeshare stations for commercial advertising billboards, particularly in residential neighborhoods such as Lincoln Park. He presented a draft of a letter. Ms. Lawler said that she's not a fan of ads, and the ones on the Mall should't have ads. The billboards exist, it's just changing what they say. Mr. Alberti said that these are CaBi signs in residential areas. He said there are DDOT regulations on signs and they are just ignoring the facts.

The regulations, spelled out in the letter, are:

*Section 2306.1* in which billboards are prohibited in historic districts, and plastic-faced and cabinet signs are "not appropriate for historic buildings and districts", and

*2507.5* A sign listing services, goods, websites, phone numbers or other detailed information shall be no larger than three (3) square feet.

**HMotion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion that the ANC send a letter to the Historic Preservation Office requesting that they review the proposal of DDOT to use the map boards in all Capital Bikeshare stations as billboards in light of its policy on signage in historic districts. The motion passed unanimously.

## Class A Liquor Stores License Renewals

Mr. Healy reported that he and Mr. Holmes had attended mediation at ABRA with four Class A stores that had not signed Voluntary Agreements at the time of their license renewals. They are Jumbo Liquor, Master Liquor, Family Liquor, and New York Liquors, and they just did not want to sign VAs. **Motion:** Mr. Holmes moved/Mr. Healy seconded a motion to withdraw the protest against the four stores. He said that while the ANC showed some leverage, it is just not worth the time and effort to pursue it. Part of it was ignorance of the process on the Commission's part, and he said it was deeply regrettable that the licenses were not protestable because people didn't show up at ABL meetings to express their previous complaints. The motion passed 5-0-1, with Mr. Alberti not voting.

## **11. Community Comment**

Tony Green said he had bought a house on Wylie Street, and he has an alley behind the house that is "reminiscent of Hanoi," with rats and vermin making their homes there. He said it's really disgusting and he hasn't gotten any help from the District, although he's tried. Mr. Holmes said that the Department of Health has a rat abatement program, and should be able to help. Mr. Healy said that it's on DDOT's radar that that alley isn't draining properly. Mr. Holmes said he had taken the department director on a tour so they are aware of the situation, and he should, working with Mr. Healy, be able to get some action.

The meeting was adjourned at 8:45 pm.