

**Advisory Neighborhood Commission 6A
Minutes
Miner Elementary School
May 13, 2010**

Present: Commissioners Alberti, Beatty, Holmes, Mack, Holmes, Marshall, Robinson, and Ronneberg

Absent: Commissioner Schultheiss

1. Approval of Agenda

The agenda as presented was adopted without objection.

2. Approval of Minutes

The April 2010 minutes as presented were approved without objection.

3. Community Comment

Mr. Marshall commented on the success of the basketball awards banquet at the Sherwood Rec Center, and thanked Mr. Robinson and Councilmember Wells for being there. Mr. Robinson said that it was a terrific event.

4. Community Presentations

Pawnbroker Legislation

Commissioner Sarah Greene, ANC 4B01, presented information on temporary legislation, introduced by Councilmember Bowser, that for eight months would provide regulations for pawnbroking establishments. Pawnshops are currently not regulated by the Department of Insurance or any other agency, and they should be. The bill would require the notification of any ANC at least 30 days prior to the issuance of a license for a pawnbroker establishment; would give ANCs great weight during deliberations on the application; and set maximum rates of interest—24% annually, the same as payday lenders—that can be charged.

Ms. Beatty asked whether there is opposition and was told that the pawnbrokers, which now charge 60% to 240% interest, are opposing it. They claim they are offering one-month loans. Ms. Green said the reason that her ANC is involved is that a pawnshop wanted to open at Fern Street and Georgia Ave., right across from Walter Reed, in her ANC area, at a time when they are trying to upgrade that neighborhood.

Mr. Robinson said that ANC action on the issue would be taken up under New Business.

Jobs with Justice

Stephen Courtien, of the DC Jobs with Justice Coalition, presented information on the DC Resident Employment Stimulus Bill now pending before the City Council. A hearing will be held on June 30. The bill provides that construction projects receiving more than \$200,000 in District funds meet certain hiring, training, and apprenticeship requirements. The bill also requires that a Project Labor Agreement and a Labor Peace Agreement be signed by the developer.

Mr. Robinson suggested that Mr. Courtien return in June for ANC action to allow time for Commissioners to be better informed about the issue. Mr. Holmes asked about the reaction of ANC 6C Commissioner Keith Silver, and was told that he had not been at the 6C meeting the previous evening. He did mention that 6C, which passed a supporting resolution, included language asking for language mandating strict enforcement of the bill's provisions be included in the legislation.

Domestic Violence Mural

Joel Bergner spoke about tentative plans for a mural on H Street on the topic of domestic violence. He is working with DASH, a support organization for victims of domestic violence, to get women together to share their experiences and then get the community support the concept of the mural. Ms. Beatty said that if it's on private property there's no need for ANC support. Mr. Bergner said it could be done on private property but he wants the ANC and community to be involved. He said they were looking at walls at the Locker Room or the parking lot at Murray's as potential sites. Mr. Alberti asked what their process is for moving forward. Mr. Bergner said they will go to the community and get input and then move forward. Mr. Holmes asked what kind of mural will they come up with. Mr. Bergner said they will focus on the inspirational aspect, that the women are moving forward. He said it would be an uplifting presentation. Mr. Marshall suggested that there would be two murals within only a few blocks, and the women's shelter in their neighborhood might be a more appropriate location. Ms. Beatty added that it's a very positive theme to deal with, a very important topic to spotlight. An audience member asked why there was objection to having two murals in two blocks, and Mr. Marshall responded that any additional mural should be in the arts and entertainment district (12th to 14th Street). He used the example of the H's spread out along H Street as an example of spreading the distribution. Mr. Bergner said he was working on getting the funding, and would come back to the ANC when he was further along.

5. Officer Reports

Chair

Mr. Robinson reported that there was a meeting on the plans for the R.L. Christian Library. There was little conversation on involving the community in the plans, and it will have to be monitored. There will be a Mayor's hearing announced by May 28 to discuss the long term strategy for the space and to provide an opportunity for the community to express its

views. He said he is concerned about the planned incubator space being planned because of the status of the current incubator on H Street.

Treasurer's Report

Motion: Mr. Alberti moved/Ms. Beatty seconded a motion to accept the Quarterly Report for the second quarter of FY10. The motion passed without objection.

Mr. Alberti presented the Treasurer's Report. The report shows that the opening checking account balance was \$17,624.68 the savings account balance was \$4,200.35. There was an interest payment to the savings account of \$.36, There were disbursements of \$200 to Heather Schoell for preparation of the agenda package (Check #1459); \$135 to Roberta Weiner for transcription of February 2010 minutes (Check #1460); \$135 to Roberta Weiner for transcription of March 2010 minutes (Check #1461); and a \$30 bank charge for a cancelled check, leaving a balance of \$17,124.68 in the checking account, and \$4,200.71 in the savings account. **Motion:** Mr. Alberti moved/ Ms. Beatty seconded a motion to approve the expenditures. The motion passed without objection. **Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to approve the Treasurer's Report. It was approved without objection.

Motion: Mr. Alberti moved/Mr. Holmes seconded a motion that \$600 be approved for copying for ANC materials, and that up to \$60 be approved for copying for each Committee's materials and each SMD's materials for the next month. The motion was accepted without objection.

The Vice Chair and Secretary had no reports.

6. Single Member District Reports

Ms. Mack reported that on April 30 she had attended the "homegoing" celebration for Charles Clifton Kelly, Jr. Charles opened his family floral shop on H Street NE, called Executive Flowers. His signature design was placing white flowers in his arrangements. If you stopped by his shop to say hello, she said, he always had some good old fashioned advice for you.

Dr. Ronneberg reported that there are concerns about the proposed 7-11 being open 24 hours, and about the loitering and trash. He said he is working with Mr. Rappaport. He also said that he has written a letter disapproving the Sherwood Rec Center Father's Day event.

Mr. Alberti reported that a vacant house at 16th St. and Constitution Ave. has been completely renovated, and will be finished within 3 to 4 months. It will be either rentals or condos.

Mr. Holmes reported that the stop signs at 10th and 12th Streets, which have been on his list since 2005, have been installed. He also reported that an alley on 10th Street NE has been repaired.

Mr. Marshall reported Damien Harvey has told him that they are making the parking on Wylie Street residential on one side, and two hours up to midnight on the other, but are holding up until after the construction is complete. He also reported that DDOT is putting in a transformer for the trolley at 1215 Wylie Street. He spoke with Derek Woody and asked why the transformer is there rather than at the R.L. Christian site. He said that as appeasement, the alley behind Wylie Street will be repaired, and he will work with the people on Wylie.

Mr. Robinson reported that the dark smoke from Eastern High School was a tar fire on the roof, which didn't affect the building schedule and looked a lot worse than what it was. He also reported that he is working on Visitors' Parking passes, and that Councilmember Wells has to work on getting expansion of the program.

7. Committees

ABL Committee

Nick Sarris - 1220 H Street NE

This is a request for support of a CT license for an establishment that will serve mezze. The committee unanimously recommended that the ANC protest the application unless there is a signed voluntary agreement prior to the petition date. Mr. Sarris has been presented with the ANC6A standard voluntary agreement, but has not returned a signed copy. There is not yet a petition date. **Motion:** Ms. Beatty moved/Dr. Ronneberg seconded a motion to approve the voluntary agreement. The motion passed 6-0-1, with Mr. Alberti not voting.

Public Hearing on CT Licenses

Ms. Beatty reported that the ANC had approved the idea of holding a hearing to consider whether the ANC should recommend a moratorium on CT licenses, two years after the last hearing at which it was decided that such a decision was too soon in the evolution of H Street. **Motion:** Ms. Beatty moved/Ms. Mack seconded a motion to allocate up to \$2000 to publicize a hearing on CT licenses. Ms. Beatty said about \$500 would be used for ads, and \$1200 for flyers and distribution. Mr. Marshall suggested that CSOSA participants could be used for flyer distribution. Ms. Beatty said she found CSOSA unreliable.

Dr. Ronneberg suggested that the word "cap" be used instead of "moratorium". Ms. Beatty explained that "moratorium" is the word used in ABRA regulation, but the flyer could further explain the concept. Mr. Alberti said that the public hearing was a great idea. He also suggested putting into the motion specific language that the money was "for publicizing through distribution of flyers and a Hill Rag ad." The motion passed without objection.

The report of the committee was accepted without objection.

Economic Development and Zoning Committee

1310 East Capitol Street

This is a request for support of a historic preservation application to raze an alley structure belonging to House of God Church whose roof collapsed in the heavy February snows. The structure had been constructed between 1904 and 1925, and the church has used it for storage and parking. The church claims it does not have the funds to repair and restore the building. The structure currently presents a safety hazard. They would like to use the space for parking, and want to build a ramp for elderly and physically-challenged members of the congregation.

Mr. Holmes said that the church had shown very poor stewardship, and they could have rented it and paid for the maintenance from the rent. Mr. Alberti said that he had been told by several people that the structure is repairable. Elizabeth Nelson said that if they did repair it, they could get a boatload of money from parking and storage. **Motion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion to accept the Committee's recommendation to take no position before the HPRB for the raze permit for the alley structure at 1310 East Capitol Street. The motion passed without objection.

America's Best Wings - H Street Connection

America's Best Wings is an establishment that will occupy an empty store at the H Street Connection. Because it seems to be a fast food establishment, it will as part of the H Street Zoning Overlay, because of ANC 6A's efforts, require special exception zoning relief. Dr. Ronneberg said that the committee thought the Zoning Administrator should be alerted to the fact that the establishment should be flagged during zoning review for this issue. **Motion:** Dr. Ronneberg moved/Ms. Beatty seconded a motion to accept the Committee's recommendation that the ANC send a letter to the Zoning Administrator, alerting DCRA that America's Best Wings, a future tenant of 941 H Street NE appears to meet the definition of a fast-food establishment, which requires a special exception within the boundaries of the H Street Zoning Overlay.

Mr. Alberti mentioned that the ANC had spent countless hours to redefine a restaurant and a fast food restaurant, and the ANC is benefiting now from all that work. The motion passed without objection.

Vacant Property Legislative Definition of "Blighted"

Dr. Ronneberg reported that the Committee discussed "blighted" property, and suggested that a property which has been deemed "uninhabitable" should also qualify as "blighted". In addition, the committee felt that the statute's use of the word "may" was problematic and should be replaced with "shall" in order to require such properties to be deemed blighted. In addition, it also recommended adding an additional catch-all provision to provide DCRA with some discretion to recognize a property that was otherwise "blighted" to be so categorized even if it did not fall precisely within the letter of the other specified categories. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the

Committee's recommendation to update the ANC's vacant property legislative proposal and notify the Council of the modification, which would specify that the definition of "blighted" should be improved to include "uninhabitable" as an element, to use mandatory rather than permissive language and to correspondingly provide a catch-all provision to allow for other otherwise blighted properties to be so categorized. The motion passed without objection.

Transparency in DCRA Treatment of Vacant Property

Dr. Ronneberg reported that the Committee discussed problems that citizens have encountered in trying to engage with DCRA regarding vacant property, particularly tracking within DCRA when a property is identified as vacant, and when it has been removed from the vacant property list. The Committee determined that DCRA keep their vacant property lists available online with real time updates and that it identify what, if any, exemptions have been granted to vacant properties. It also suggested that DCRA provide notification to the ANC or the SMD Commissioner when a property's status as vacant, vacant with exemption, blighted or removed from the vacant list is changed because the ANC can provide the community opportunity to address any concerns about inaccurate changes that have been made. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the committee's recommendation that the ANC send a letter to DCRA and the Chief Information/Technology Officer for the District to recommend new procedures to enhance the transparency of the administrative system for identifying and managing DC's vacant properties, so as to make real time updates to the lists available online, to identify what, if any, exemptions have been granted to vacant properties, to identify which vacant properties have been deemed "blighted" and to encourage DCRA to provide notification to the local ANCs when a property within its bounds has its vacant/blighted status changed. Ms. Mack mentioned that there are properties in her SMD that are on the list by mistake. The motion passed without objection.

Historic Nomination of Two Banks at 8th and H Streets NE

Dr. Ronneberg reported that the committee discussed the proposed nomination of the two banks at the corner of 8th and H Streets NE for historic designation. They are 720-722 H Street NE, a 1912 neoclassical building designed by notable architect Appleton P. Clark, Jr., which currently houses the Bank of America, and 800 H Street NE, a 1921 Beaux Arts style building by prominent architect Stanley Simmons. Commissioner Holmes has volunteered to do the research on the project, and Dr. Ronneberg will write the application. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the Committee's recommendation that the ANC support the nomination of the Bank of America and PNC Bank buildings at 8th and H Streets NE for designation as historic. The motion passed without objection.

Community Outreach Committee

The Community Outreach had no report.

Public Safety Committee

The Public Safety Committees had no report.

Transportation and Public Space Committee

The report of the Transportation and Public Space Committee was accepted without objection.

8. New Business

Letter from DDOT re Conversion of 17th/19th Streets and ANC Response

Mr. Robinson stepped down from the Chair for this discussion and was replaced by Ms. Beatty.

Mr. Robinson reported that there are new items relating to the Capitol Hill Transportation study that need to be explored, and he has written a letter asking to re-engage the community because of conflicting information and new projects that have emerged since the study was approved. **Motion:** Mr. Robinson moved/Ms. Beatty seconded a motion to send a letter to DDOT Director Gabe Klein rescinding ANC support of the Capitol Hill Traffic Study and requesting that DDOT re-engage the community on the issue. **Substitute Motion:** Mr. Alberti moved/Mr. Holmes seconded a substitute motion that the matter of the Capitol Hill Transportation Study be referred to the Transportation and Public Space Committee.

Mr. Robinson pointed out that the Transportation Committee has already looked at it and discussed it at length. He said there is new information and new issues that need to be looked at. Mr. Alberti said that while the Transportation Committee discussed it in a long, detailed meeting, and much of what is in DDOT's letter is not what he remembers being discussed at the meeting—specifically DDOT's concerns and doubts. The Committee should see what's there and make a recommendation. Mr. Holmes added that he had supported Ms. Mack's original motion, but that the Transportation Committee members are our experts, and he wants to know how they evaluate the new information. He said he was not prepared to rescind support until the Committee had acted.

Ms. Mack said that on April 29, the Rosedale Grassroots Organization and she held a meeting at which Councilmembers Tommy Wells, Phil Mendelson, and Yvette Alexander were invited, along with the Deputy Director of Operations of DDOT, Mr. Jerry Bellamy, and Mayor Fenty's Ward 6 Outreach Specialist, Shaeda Ahmadi. Mr. Bellamy informed the community that the Capitol Hill Transportation Study of 2006 had been completed over four years ago and did not include in its study development on Benning Road, the H Street Corridor, the street car development and the new construction of the Rosedale Community Rec Center and Library. Based on the fact that the new development was not addressed in the CHTS, and a letter written by Ms. Mack, Mr. Bellamy has recommended that a new traffic study should be conducted, and DDOT was to undertake three meetings as part of an updated planning and design process. She said there are other recommendations that

they suggest. Mr. Alberti said that that's why it should be returned to the Committee for consideration. He said he would love to engage with DDOT but they're not at the meeting.

Mr. Robinson said that it's important to rescind because there's been a breakdown in communication with DDOT, and the support should be rescinded until a considered judgment can be made. Ms. Gilbert asked why are people on the ANC blocking the will of the community when they don't live in the community. She said is that they are not allowing the less affluent people to be engaged and it's very sad that they are trying to keep community members who have something to say from doing so. Dr. Ronneberg said that Omar Mahmud runs a very fair committee and everyone has an opportunity to participate. Mr. Holmes added that he spends a lot of time on transportation issues and tries never to be exclusionary. The vote on the substitute motion to refer the matter back to the Transportation Committee failed 3-4, with Ms. Beatty, Ms. Mack, Mr. Marshall and Mr. Robinson in opposition. The original motion passed 4-3, with Mr. Alberti, Mr. Holmes and Dr. Ronneberg in opposition.

Pawnshop Legislation

Motion: Mr. Robinson moved/Dr. Ronneberg seconded a motion to send a letter to Councilmember Wells and members of the City Council supporting emergency legislation regulating the licensing of pawnshops, and instituting notification requirements to ANCs. The motion passed without objection.

The meeting was adjourned at 8:55.