



# Advisory Neighborhood Commission 6A Meeting Minutes of September 10, 2009



Advisory Neighborhood Commission 6A  
Miner Elementary School

Minutes  
September 10, 2009

The meeting was called to order at 7:04 p.m.

Present: Commissioners Alberti, Fengler, Holmes, Marshall, and Schultheiss

Absent: Commissioners Beatty, Mack, Robinson

## 1. Approval of agenda

The agenda was approved without objection.

## 2. Minutes

The minutes for the July meeting were approved without objection.

## 3. Community Presentation - Update of Police Station and Firehouse

Gilberto Cardenas, principal in the Argos Group, the developers of the police and fire station projects, reported that the project is due to be finished by the end of 2010 or early 2011. They expect to go to Historic Preservation by the end of the year.

Troy Ehrman of Sorg Architects reported that the buildings will stay the same shape and size. The fire station will have four units, two market rate in front, two affordable in the rear. The concrete outside the building will be changed to landscaping. He said he has been speaking with Anne Brockett at HPRB, and has met with CHR. Mr. Schultheiss asked whether the curb cuts will be removed and was told by Mr. Cardenas that HPRB would like to see them stay. Mr. Schultheiss responded that the residents would like to see them go.

The police station's window openings will be made much larger, restoring them to their original dimensions. Argos is working with HPRB on the openings and on window materials. In answer to a question from Mr. Fengler, Mr. Ehrman said the alley would be turned into green space. He was also told that the curb cut could be removed because the alley will be closed. Mr. Holmes suggested that it was the consensus of the Commission that the curb cuts at both buildings should be closed. Mr. Ehrman said there will be five units in the building: the basement level will have a rear garden; the front will be two-story units, and the rear will have two one-story, two bedroom affordable units. The front façade will be restored, and utility access will be under the stairs. They expect it to take one year to complete.

Bill Hasson is working with the schools, and they have chosen Prospect for the police station and Miner for the firehouse to go through the entire construction project. They are beginning with a historic overview of the project, and going through all of the processes, going through the Mayor's Office, etc. Once the timelines are set, they will see the students once or twice a month. Drew Ronneberg said there were five Commissioners present at the presentation. Motion: Mr. Fengler moved/Mr. Alberti seconded a motion to recommend support to HPRB of both projects as presented. Mr. Holmes moved/Mr. Alberti seconded an amendment that urged strong encouragement to close both curb cuts. The amendment was accepted without objection and the original motion passed without objection.



## Advisory Neighborhood Commission 6A Meeting Minutes of September 10, 2009



### 4. Officer Reports

#### Chair

Mr. Fengler reported that he and ANC 6C Chair Karen Wirt are setting up a meeting with Councilmember Wells to talk about outstanding issues with DDOT.

#### Vice Chair

The Vice Chair had no report.

#### Secretary

The Secretary had no report.

#### Treasurer

Commissioner Alberti presented the Treasurer's Report for July and August. The report shows that the opening checking account balance was \$25,158.54 and that the savings account balance was \$4,195.28. There was an interest payment to the savings account of \$1.40, leaving a balance of \$4,196.68 in the savings account. There were disbursements of \$127.50 to Roberta Weiner for transcription of minutes; \$200 to Heather Schoell for preparation of the agenda packet; \$187.28 to FedEx Office for photocopying; \$104.96 to NLPNA for a grant to Kingsman Basketball League; \$395.29 to FedEx Office for July '09 statement; and \$650 to the Capitol Hill Garden Club for a grant, leaving a balance of \$23,493.51 in the checking account. Motion: Mr. Alberti moved/ Mr. Fengler 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 for each of July and August, 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.

### 5. SMD Reports

Mr. Alberti reported that he, Mr. Robinson and Omar Mahmud are meeting to discuss a C Street NE traffic study.

Mr. Schultheiss reported that there will be a BZA hearing on September 15<sup>th</sup> on the Shell station.

Mr. Marshall reported that the H Street mural will be ready by September 16<sup>th</sup> and will be unveiled at the H Street festival.

Mr. Holmes reported that there will be a forum on September 21<sup>st</sup> at St. Peter's Church on Ward 6 Transportation policy with Karina Ricks of DDOT and Peter May of the NCPC.



## Advisory Neighborhood Commission 6A Meeting Minutes of September 10, 2009



### 6. Committee Reports

#### ABL

##### Drew's, 1245 H Street NE

Motion: Mr. Fengler moved/Mr. Schultheiss seconded a motion to accept the Committee recommendation to withdraw its protest on Andrew Agak's CR application for Drew's, 1245 H Street, with a signed VA that adds language relating to noise mitigation from its outdoor area. The motion passed 4-0-1, with Mr. Alberti not voting.

##### Valet Parking

Motion: Mr. Fengler moved/Mr. Schultheiss seconded a motion to accept the Committee's recommendation that ANC 6A add language to its standard VA that cites DC Code Chapter 16 Valet Parking, and requires alcohol licensee establishments to comply with these regulations.

Mr. Fengler thanked Ms. Beatty for her hard work on the issue.

Mr. Alberti said that he applauds the Committee for being pro-active, and said that he understands the valet parking problem on H Street. However, he said, ABRA is not the correct agency for enforcement. ABRA inspectors are not even given training in valet parking enforcement. The correct agency for enforcement is DDOT.

Mr. Marshall said that his constituents complain about the use of the streets for valet parking, and there should be an enforcement tool. Mr. Holmes said he likes the language the way it is, that the VA is trying to be inclusive and why not it bundle all together. Mr. Schultheiss said he supports the motion because it's easier to work with one agency, and the complaints can be passed along to DDOT. He said it should be part of the VA. Mr. Fengler said he is sensitive to Nick's thought, but if it's in the VA and it should be enforced by DDOT or MPD, it's recorded and we know who are the bad actors. He said it puts the owners in double jeopardy, and they will have to care about possible violations. Mr. Alberti said that ABRA would accept the reports, but the point he was trying to make is that the starting point has to be with DDOT, and then it should come to ABRA. The ABC would look at the violations—it would be a secondary violation—with the first offense costing \$250, the second \$500. Mr. Holmes said the ABL Committee is going out of its way to be clear and comprehensive in dealing with a problem in the community. The motion passed 4-0-1, with Mr. Alberti not voting.

##### Noise Mitigation

Motion: Mr. Fengler moved/Mr. Marshall seconded a motion to accept the Committee's recommendation to add noise mitigation language for outside seating to the standard VA. The motion passed without objection.

##### Committee Resignation and Appointment

The Commission voted without objection to accept the resignation of Derrick Figures from the Committee, and to accept the appointment of Jaki Downs to the Committee.

The Committee's report was accepted without objection.



## Advisory Neighborhood Commission 6A Meeting Minutes of September 10, 2009



### Economic Development and Zoning

#### 1242 H Street NE

Motion: Mr. Fengler moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to oppose an application to BZA for a variance from the non-residential FAR to allow the construction of a new commercial (retail/office) building at 1242 H Street NE. According to the Committee report, the building would be four stories tall, would not be architecturally consonant with H Street architecture, and would require a lowering of the 14' ceiling requirement for the first floor.

Mr. Holmes said he would like to see new drawings that respect the neighborhood architecture. Mr. Marshall said that with the H Street Connection site and Mr. Rappaport the ANC approved, but with others, it rejects plans. Mr. Fengler responded that the ANC had rejected Mr. Rappaport's original plan, and it was critical of his proposals, but he came back a year later with a plan that incorporated 95% of the ANC's suggestions. The motion passed without objection.

Motion: Mr. Fengler moved/Mr. Holmes seconded a motion to accept the Committee's recommendation that ANC 6A oppose any application for a variance to 1.5 FAR for commercial space at this specific site.

Mr. Schultheiss asked whether the motion is necessary. Dr. Ronneberg responded that it was intended to serve as guidance for the applicant. Mr. Fengler said that if the ANC is not writing a letter to someone, it can let this one go. Motion: Mr. Alberti moved/Mr. Fengler seconded a motion to lay the motion upon the table. The motion to table passed 4-1, with Mr. Holmes in opposition.

Motion: Mr. Fengler moved/Mr. Alberti seconded a motion that any member of the EDZ and any Commissioner is authorized to represent the ANC in this matter. The motion passed without objection.

The Committee's report was accepted without objection.

### Community Outreach

Motion: Mr. Fengler moved/Mr. Marshall seconded a motion to accept the Committee's recommendation that ANC support the naming of Rosedale Field in honor Mamie "Peanut" Johnson.

Mr. Alberti noted that the Committee minutes show that the community is in support of the proposal. The motion passed without objection.

The resignation of Jacqueline Aamot from the Committee was accepted without objection.

The Committee's report was accepted without objection.



## Advisory Neighborhood Commission 6A Meeting Minutes of September 10, 2009



### Transportation

#### C Street NE Traffic

Omar Mahmud reported that the Committee recommended sending a letter to DDOT supporting the elimination of one lane of traffic and heavy trucks on C Street NE. Mr. Schultheiss said that because there's going to be a study of C Street, perhaps the ANC should not take a position before it is completed. Mr. Holmes asked whether they would study where the traffic is going, and was told yes. Mr. Schultheiss said he is the project manager for the contractor doing the study and that was a big consideration when they wrote the scope of work. Mr. Alberti said that if the ANC holds off and waits until the study is complete, then informed comments can be made. Ms. Nelson added that it could be difficult if it's done piecemeal. Motion: Mr. Holmes moved/Mr. Alberti seconded a motion to lay the motion upon the table. It passed without objection.

#### 921 12<sup>th</sup> Street NE

By unanimous consent , the Commission voted to request an additional 30 days from DDOT to prepare a response to the public space application with respect to 921 12<sup>th</sup> Street, NE. The date on the letter from DDOT requesting an ANC response was August 31.

The Committee's report was accepted without objection.

### Public Safety

By unanimous consent , the Commission accepted the resignations of Patrice Ford and Sharon Cochran.

## 7. New Business

### Valet Parking

Mr. Marshall said that much of his concern had been addressed in the previous discussion, and asked whether the proposed valet parking legislation had passed, and was told that the answer wasn't known. He also asked rhetorically whether people will have to go through the Transportation Committee as well as the ABL Committee for approval of valet parking requests.

The meeting was adjourned at 8:09 pm.