

Advisory Neighborhood Commission 6A
Minutes
Miner Elementary School
December 9, 2010

Present: Commissioners Alberti, Beatty, Holmes, Mack, Marshall (arrived late), Robinson, and Ronneberg

Absent: Commissioner Schultheiss

The meeting was convened at 7:03 p.m.

1. Agenda

The agenda was accepted as presented without objection.

2. Minutes

The minutes of the November meeting were adopted without objection.

3. Community Presentations

National Park Service

Dr. Joy Kinnard of the National Park Service gave a presentation on the role of the Park Service in managing local parks—Folger, Lincoln, Marion and Stanton Parks. She said that Phase 2 of the restoration of the walks in Lincoln Park will be completed in the spring of 2011, and said there would be a Mary McLeod Bethune birthday celebration in the park on July 10, 2011. She also said there is a volunteer program for the four parks, as well as a Roving Ranger program. She said that her office is in charge of permits for the usage of the park and gave her phone number, 202/673-2402, and her e-mail, joy_kinnard@nps.gov.

Options School

Ms. Beatty said that the Options School was within her SMD, and she has seen some improvements within the last couple of months on the problems her community has been having with behavior by students at the school, to the point where MPD has had to intervene on several occasions. She introduced Dr. Montgomery, the school's executive director, and Robert Allen, its principal.

Dr. Montgomery began with the school's history, saying that it is the City's oldest charter school, starting with at-risk, under-achieving students as part of the Children's Museum. It moved to its current location in 2004. It now also has an honors program, with challenging programs for college-bound students. This year it held its first graduation, with the majority of its students going to college.

However, it still serves students on the other end of the spectrum, including students with brain-damage and learning disabilities. This year they accepted 30 students with conduct disorder and oppositional defiance and emotional disturbance. Most students, she said, are doing very well. The special needs students have transferred from non-public schools, some out of the City that the District has paid for in the past and this year a decision was made to serve them in DC. However, their aggression has increased and the school is not serving them

well. They have been assessed and require a more therapeutic environment with therapy, substance abuse counseling and a smaller setting.

She said the school had taken a group of positive steps:

- Hired more behavioral counselors and other personnel.
- Discussed dismissal plans to get the students all the way to H Street.
- Contracted for three buses, for pick-up and drop-off at various bus sites.
- Because of the cost of bus rental, they will not be able to continue affording them and are looking to buy a bus and hire two part-time drivers, at a cost of \$150,000.
- They plan a town hall meeting with school parents.
- They have met with MPD and gave their suggestions for increasing neighborhood safety.
- They are opening a new site on January 4th, and will have professional development courses, an open house for parents and the community. The new site is at 1501 11th Street NW.

Ms. Beatty thanked the leadership at Options for being responsive and really taking action.

4. Community Comment

AppleTree School

Liz Patton spoke, saying she represented a group of 6A residents who feel that it is not true that the neighborhood does not want the school at that location. She said she had moved from a Brooklyn brownstone to the Hill and had found a waiting list at Maury School and looked into other schools and looked into AppleTree and was told they were opening a Capitol Hill location. She said that parents want to be able to walk their children to school. She said there's a perception that there's no need for the school, but there are many parents who want to send their children to the school. She presented a group of letters written by local parents in support of the school.

PEPCO - Smart Meters

Diana Cooper, a regional vice president of PEPCO, presented preliminary information on the upcoming installation of Smart Meters, new electric meters, which, according to Cooper, will increase the reliability of information availability, fewer estimated bills, and more detailed energy use information. She said the switch of meters will begin in October, and she will return when the time draws closer. She said that more information is available at PEPCO's web site, pepco.com or at 202/872-2477.

5. Officers' Reports

Treasurer

Mr. Alberti presented the Treasurer's Report. It shows that the opening checking account balance was 22,751.05 and the savings account balance was \$4,202.84. There was an interest payment to the savings account of \$.36. There were disbursements of \$200 to Heather Schoell for the November Agenda package (Check #1486); \$391.13 to FedEx Office (Oct '10) (Check #1487), and \$180 to Roberta Weiner for taking and transcribing the October 2010 minutes (Check #1488); leaving a balance of \$20,410.89 in the checking account and \$4,203.20 in the savings account. **Motion:** Mr. Alberti moved/Ms. Beatty seconded a motion to approve the

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

6. SMD Reports

Dr. Ronneberg reported that the ANC had lost its appeal of the 7-11 case. He said the BZA held that the current operations of the establishment could not be used to show that the Zoning Administrator erred. He also said that the Atlas Room was now open and had been well-reviewed, that Smith Commons would soon open on H Street, and that the new bike station at 11th and H may be moved to 10th and H Streets.

Ms. Beatty reported that she continues to work with the Options School. She also said that she served on the Commission for six years, and she has been honored to work on the ABC issues and work with her colleagues.

Mr. Holmes said he would welcome the AppleTree School in his SMD or in any SMD in the Commission, and he has listed many alternative site the school could use, but he will not welcome it on 12th Street where it is inappropriate.

Ms. Mack said she is entering her fifth term and plans to continue listening to her constituents and serving them.

Mr. Robinson extended his congratulations to Lia Veenendaal-Selck, his successor as the representative of 6A08. He said it was a pleasure serving on the ANC, and as Chair.

7. Committee Reports

Community Outreach

The report of the Community Outreach Committee was accepted without objection.

Alcohol Beverage Licensing

No License Protest

Motion: Ms. Beatty moved/Ms. Mack seconded a motion to accept the Committee's recommendation to not protest the license renewals of SOVA, Chapter II (Fruit Bat) or Rose's Dream. The motion passed without objection.

Rose's Dream

Motion: Ms. Beatty moved/Dr. Ronneberg seconded a motion to accept the Committee's recommendation to protest the application of Rose's Dream for a substantial change to its license unless they have an amended, signed and approved voluntary agreement by December 20. Ms. Beatty said that Rose's Dream wants a substantial change in order to open a rooftop garden, seating 40 people, with no music and no dining. She said the proposed voluntary agreement is the same as that negotiated with XII, without the language on dining, and that

instead of a three-month pilot on hours, the hours will be set at 10 p.m. on weekdays, and weekends until 11 p.m. The other clauses about no amplified sound; signs about silent departure; and a fence, wall, or other barrier to mitigate sound would be the same.

Mr. Holmes asked whether Mr. Schultheiss had signed off on the hours, as it's his SMD, and Ms. Beatty responded that he had helped design the clause in the XII VA, and should have no objection. Mr. Holmes responded that he is nervous because it's on the north side of H Street where there's less space, and that he would abstain. The motion passed 3-0-3, with Ms. Mack, Mr. Holmes and Mr. Alberti not voting.

XII

Dr. Ronneberg reported that he attended a roll-call hearing at ABRA for XII, and the ANC is the only protestant in the case. The other group that planned to protest did not appear. He said he had attended a mediation committee meeting at which XII owner Bernard Gibson was present. Mr. Alberti was out of the room for the discussion of XII. **Motion:** Ms. Beatty moved/Mr. Holmes seconded a motion to authorize Adam Healy and Dr. Ronneberg to represent the ANC in this matter. The motion passed without objection.

Transportation Committee

Oasis Construction Fence

Motion: Dr. Ronneberg moved/Ms. Beatty seconded a motion that the ANC accept the Committee's recommendation to send a letter to DDOT regarding the construction fence blocking public space around Capitol Hill Oasis town homes.

Dr. Ronneberg reported that Commissioner-elect Adam Healy has been working with DDOT to remove a construction fence that surrounds a construction site at 12th Street and Florida Ave. NE, which apparently has no purpose. DDOT has apparently moved the Florida Ave. section of the fence but not the section on 12th Street, and the letter should be sent to make certain the fence is moved. The motion passed without objection.

H Street Circulator Bus Route

Motion: Mr. Holmes moved/Ms. Beatty seconded a motion to accept the Committee's recommendation to send a letter of support to DDOT regarding a proposed Circulator bus line to serve the H Street corridor.

A Circulator Planning Study has recommended a proposed Circulator bus linking the H Street corridor with U Street and Adams Morgan. The motion passed without objection.

The report of the Committee was accepted without objection.

Economic Development and Zoning Committee

Vacant Properties

Dr. Ronneberg reported that DCRA has a pilot web site showing all the vacant properties in the Mt. Vernon Triangle area on a map, and listing exemptions by property. He said that it was similar to what the ANC had done on its own, and said the Committee had voted to ask the

ANC to send a letter asking DCRA to include 6A properties in the next phase of the pilot.

Motion: Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to send a letter to DCRA requesting that vacant properties within its boundaries be included in the next phase of the pilot program to map vacant properties and list their exemptions on a DCRA website. The motion passed without objection.

Framework for Considering Zoning Cases

Dr. Ronneberg presented a draft Framework for Considering Zoning Cases that has been prepared by the EDZ Committee to be used by Committee members and applicants to help them understand how the zoning process and Committee procedures work.

Mr. Alberti commended the Committee for its efforts and suggested that it looks at the paper once a year to see whether it is adhering to the process. Dr. Ronneberg said that it can be done in January when Committee goals are submitted. Mr. Robinson said he continues to have concerns that the Committee serves as a mini-BZA, that the Committee has made certain that there is a robust discussion of cases, but the community has to be included in the discussion.

Motion: Dr. Ronneberg moved/Ms. Beatty seconded a motion to accept the Committee's recommendation that ANC 6A approve the ED&Z Framework for Considering Zoning Cases. The motion passed without objection.

The report of the Committee was accepted without objection.

8. Unfinished Business

Use of ANC Logo

Mr Robinson withdrew the discussion of the use of the ANC logo on campaign materials and suggested it should be moved forward to a later date.

9. New Business

January Meeting

Motion: Mr. Holmes moved/Mr. Alberti seconded a motion that the January meeting of the ANC convenes at Miner School at 7:00 p.m. on January 13, 2011. The motion passed without objection.

By-laws Update

Mr. Holmes notified the Commission that the motion to adopt by-laws for the next term will be presented in January but that corrections of grammatical errors, numbers out of appropriate sequence, and erroneous punctuation will be included in the bylaw motion presented to the Commission, if he is recognized to make that motion.

He said it would be his intention to present several minor changes in the by-laws to the Commission in February after all Commissioners have had a chance to peruse the proposed changes.

Thanks to Retiring ANC Members

Motion: Mr. Holmes moved/Ms. Mack seconded a motion that ANC 6A express its appreciation for the public service provided to the community by the retiring ANC 6A Commissioners, that their many hours devoted to the needs of their neighbors be acknowledged, and our thanks and best wishes go with them. The motion passed without objection.

Name of Rosedale Recreation Center

Motion: Ms. Mack moved/Ms. Beatty seconded a motion by Ms. Mack: As the re-elected ANC Commissioner of the Ward 6A07 Rosedale Community, I would like to make a motion that the current name of the Rosedale Community Center remain as it is. The current name has a rich historical and geographical significance to the neighbors of Rosedale. In addition, the name change is being advocated by people outside the Rosedale community, and without first notifying the ANC 6A07 Commissioner.

Parties who are interested in proposing a change in the name of the Rosedale Community Center must formally bring their intent before the ANC 6A07 Commissioner. The Single Member District ANC Commissioner of 6A 07 will be given sufficient time to allow the Rosedale Community to respond to the matter at hand. In answer to a question, Ms. Mack said she does not know the name they want to use. Ms. Beatty suggested that the ANC might want to send a letter of support just saying that the ANC should have input. Ms. Mack said she would accept that addition as a friendly amendment. The motion passed without objection.

AppleTree School

Ms. Beatty said that she and Ms. Mack had not been present at the meeting last month when the ANC voted to appeal the granting of construction permits to AppleTree. She said there is a large proportion of people who want the school in the ANC. She said it is hypocritical of people who talk about limiting bars and then vote to approve them, and then vote against schools. She said there's enough interest in the school by people living in the area to support it. For five years, she continued, the ANC has been told that it's wrong, and it's become mean spirited and there are attacks against her. She then said the ANC should vote to overturn last month's action, and pointed out how many constituents were at the meeting in support of the school. **Motion:** Ms. Beatty moved/Ms. Mack seconded a motion that the ANC withdraw its appeal of the BZA permits granted to AppleTree.

Dr. Ronneberg said he had voted to support the previous motion because AppleTree has had two years to develop the property and they haven't done it.

Mr. Holmes said that he would be delighted to have AppleTree in the neighborhood. He said there are empty lots and AppleTree has plenty of money to build a new school. He pointed out that there was a playground three blocks away, and that the original proposal was for 93 people to occupy this small rowhouse.

Mr. Alberti said he agrees with Mr. Holmes and Dr. Ronneberg. He said it wasn't until 2006 that the City took action, and the Zoning Commission laid out requirements for lot size areas, and that experts say the location is not good.

Ms. Mack said that while there's all this conversation about alternative locations, the ANC has been looking for an office and hasn't been able to find it.

Mr. Russell, the Executive Director of the school said that the window for construction started when BZA upheld the decision.

Margaret Holwill said that she has been involved for 5½ years and the time began running in 2007; beginning October 26, 2007, AppleTree should have received no more than three six-month extensions. She said that the previous ANC vote was just demanding that DC uphold its own laws. Ms. Beatty responded that it's all smoke and mirrors because DC is upholding its own laws by permitting the construction to move forward.

Mr. Alberti mentioned the number of cars on the street, and a resident responded that because it's a residential block it's unfair to ask AppleTree how many potential families will walk and how many will drive. Another resident commented that most schools are on residential blocks.

Ms. Nelson commented that student rolls for over-subscribed schools are filled by lottery, not by residential proximity.

Mr. Robinson said that it is time for the Commission to get out of the way and let the school proceed and be a good neighbor to the school. Mr. Holmes reiterated that it's a 36' wide rowhouse in the middle of a block of rowhouses. The motion passed 4-3, with Mr. Alberti, Dr. Ronneberg and Mr. Holmes in opposition.

The meeting was adjourned at 8:45 p.m.