

Minutes of ANC Regular Meeting
for
April 9, 2019

Commissioners Present: Kasie Clark (vice chair); Corey Holman (treasurer); Steve Holtzman Chander Jayaraman (chair); Denise Krepp, Kirsten Oldenburg, Brian Ready (parliamentarian); Jennifer Samolyk; Jerry Sroufe (secretary), and Kelly Waud.

1. Introductions and Overview

A quorum being present, the meeting was called to order by Chairman Jayaraman at 7:00 p.m. Chairman Jayaraman provided an overview of the proceedings and Commissioners were introduced.

2. Adoption of Agenda

The agenda was modified to provide for inclusion of a motion to be offered by Commissioner Krepp for consideration as part of Item #15, "other concerns of the ANC." Additionally, Commissioner Oldenburg requested that a nomination of a Resident Member be removed for the April agenda. A motion to adopt the agenda as modified was provided by Commissioner Ready, second by Commissioner Samolyk and was approved 10-0.

3. Consent Agenda

The motion to approve the consent agenda was approved 10-0 (Ready/Holtzman). The following items were included in the consent agenda motion:

- a. Approval of March Minutes
- b. Recommendations of the Alcoholic Beverage Control Committee with regard to:
 - a. ABRA-088497: Best Food International, Inc., Young Chow Asian Restaurant; 312 Pennsylvania Ave SE; Applicant: Annie Chen, annie061009@yahoo.com; Protest Deadline: 04/29/2019 [6B01]
 - b. ABRA-092791: District Taco, LLC, District Taco; 656 Pennsylvania Ave SE; Applicant: cmedhurst@districttaco.com; Protest Deadline: 05/06/2019 [6B02]
 - c. ABRA-026739: Sizzling Express III, Inc., Sizzling Express; 600 Pennsylvania Ave SE; Applicant: Gary Hang, q.hang@gmail.com; Protest Deadline: 04/29/2019 [6B02]
 - d. ABRA-104786: The Pretzel Bakery, LLC, The Pretzel Bakery; 257 15th St SE, #A; Applicant: Sean Haney, sean@thepretzelbakery.com; Protest Deadline: 05/06/2019 [6B08]
 - e. ABRA-000793: National Democratic Club Inc., National Democratic Club; 30 Ivy St SE; Class "CR" Restaurant License Renewal; Applicant: mduzak@natdemclub.org, alane@natdemclub.org; Protest Deadline: 05/13/2019 [6B01]
 - f. ABRA-080550: Chontong, LLC, Sanaphan Thai Cuisine; 653 Pennsylvania Ave SE; Class "CR" Restaurant License Renewal; Applicant: Teerarat Panitansirikul, chamni76@hotmail.com; Protest Deadline: 05/13/2019 [6B02]

- g. ABRA-085618: Nooshi Capitol Hill, Inc., Nooshi Capitol Hill; 524 8th St SE; Class “CR” Restaurant License Renewal; Applicant: van_lui@yahoo.com; Protest Deadline: 05/13/2019 [6B04]
 - h. ABRA-060779: Eurochef, LLC, Belga Café; 514 8th St SE; Class “CR” Restaurant License Renewal; Applicant: bart@belgacafe.com; Protest Deadline: 05/13/2019 [6B04]
 - i. ABRA-089616: ANB 623, LLC, Beuchert’s Saloon; 623 Pennsylvania Ave SE; Class “CR” Restaurant License Renewal; Applicant: beuchertssaloon@gmail.com; Protest Deadline: 05/13/2019 [6B02]
 - j. ABRA-107792: Danny Boy LLC, Little Pearl; 921 Pennsylvania Ave SE; Class “CR” Restaurant License Renewal; Applicant: Don Silverman, djsilverman4@gmail.com; Petition Deadline: 05/06/2019 [6B04]
 - k. ABRA-090884: Rose’s 1 LLC, Rose’s Luxury; 717 8th St SE; Class “CR” Restaurant License Renewal; Applicant: Don Silverman, djsilverman4@gmail.com; Petition Deadline: 05/06/2019 [6B03]
 - l. ABRA-098700: Elaine’s One LLC, Pineapple and Pearls; 715 8thSt SE; Applicant: Don Silverman, djsilverman4@gmail.com; Protest Deadline: 05/06/2019 [6B03]
 - m. ABRA-008946: Trattoria Alberto Inc., Trattoria Alberto; 504 8th ST SE; Applicant: Ramon Buruca, ramonburuca@gmail.com; Protest Deadline: 04/22/2019 [6B04]
 - n. ABRA-104232: Joselito, LLC, Casa de Comidas; 660 Pennsylvania Ave SE; Applicant: Protest Deadline: 05/06/2019 [6B02]
- c. Planning & Zoning Committee
- a. HPA 19-259: 811 E Street SE; Concept: 2-story rear addition with partial 3rd floor, new windows and wells on front, back and side. New siding. Owner: Dila Construction; Applicant: Jennifer Fowler, jennifer@fowler-architects.com [6B04]
 - b. BZA #20005: 1719 C St SE; Special Exception to replace the existing one story accessory building with a two-story building containing an accessory apartment; Applicant: Laura Takacs and Bob Payne, Laura@bluenoonpress.com; Architect: Eric Petersen, (202)744-7825, avedesign@me.com; Hearing Date: 05/15/2019 [6B09]
 - c. Bill B23-0139 – Capitol Hill Arts Workshop Lease Renewal Authorization Act of 2019. 20 year renewal of lease for CHAW at 545 7th St SE.
- d. Transportation Committee
- a. Letter to DDOT on NOI 19-001 (Circulator Route Change)
 - b. Letter to DDOT to Request Changes to 1300 Block of E Street SE
4. Presentation by Ward 6 Councilman, Charles Allen

CM Allen noted that the DC Council was working on the \$15.5 billion, 2020 budget and hoped to complete its work in May. He called attention to a budget discussion opportunity at the Capper Community Center on April 26 at 6:00 PM.

CM Allen called attention to the recent appointment of Lewis Ferebee as the new chancellor of education, who presents himself as “ An unapologetic champion of public schools.” CM Allen expressed concern, to be reflected in the budget, that the “vision zero” program was not sufficient with regard to either pedestrian safety or auto safety. He expressed dismay that the 10 year old who had been searched by police in the Seven-Eleven incident was later learned to have been uninvolved; he promised a review of the body camera policies of the District and of security camera policies.

CM Allen responded to a number of questions and assertions from commissioners and residents:

- a. He did not agree with the comment that 80 percent of homeless services in Ward 6 would be eliminated because of failure to fund a homeless service program (Cooperative Agreements to Benefit Homeless Individuals (CABHI)), but said he would conduct further investigation in budget hearings.
 - b. He has met several times with Ernest Chrappa, Acting Director of DCRA, and is hopeful that he will provide a renewed focus on the “consumer” part of DCRA.
 - c. He does not support an NFL stadium on the RFK site, believing there are many better uses for the site. CM Allen noted that neither Maryland nor Virginia were seeking public funds to build a new stadium for the Redskins.
 - d. He has not heard of any progress from DDOT about moving to implement plans for the Southeast Blvd. and Barney Circle projects.
 - e. Provided assurance that necessary funding would be available for the Metro Plaza Park, but first the total projected cost would have to be known; he renewed his commitment to having the plaza change from a place to walk through to a place to walk to.
 - f. Provided information about the new B and B legislation, noting that it was necessary to protect residents. However, funding required to hire inspectors to implement the proposal would not be available until October so the implementation deadline may be extended.
 - g. Agreed with a comment that the problem of poor maintenance of District owned housing was huge: DCHA has estimated that \$1 billion is required for repairs and the DC Council has been increasing the agency budget by only \$3 million per year.
 - h. The Councilman said he was aware of concerns regarding the proposed Circulator route but had not looked at the issue closely to this point.
 - i. Responding to concerns about the use of District funds to settle sexual harassment cases, CM Allen indicated every agency should disclose this information and that the information should be subject to FOIA requests from citizens.
 - j. Discussed the pros and cons of having a police substation on 8th street, worrying that it would tend to shift problems of substance abuse, mental needs, elsewhere in the Ward. CM Allen proposes to convene all parties to address the issue of the renewal of 8th street: ANC, Market Row Main Street, vendors and neighbors.
 - k. CM Allen said he would look into an offensive generator running a cell tower in the vicinity of the Boys and Girls club.
 - l. He agreed that the bidding process for Homeland Security Grants was complicated by the fact that DC is a regional hub for the federal program, and also the home of the Council of Governments and urged close collaboration with the COG.
 - m. He agreed that holding Special Police accountable was made more difficult because of shared agency responsibility. Special Police receive gun permits from DCRA but are under the authority of Homeland Security.
 - n. CM Allen indicated that progress was being made regarding residence fraud (i.e., attendance in DC schools) and observed that increased staff dedicated to this problem within the Attorney General’s office has produced more investigations and some improvement.
5. ANC Committee: District Soul Food and Cigar Lounge, 500 8th SE

The ANC has received complaints about cigar and cooking odors seeking into the adjacent restaurant, noise from entertainment, poor trash pickup and noisy patrons. Representatives of the

restaurant indicated that they had selected a new trash pickup service and that they had spent thousands of dollars on new windows to reduce external noise and new equipment to handle odors.

Neighbors and representative from the adjacent restaurant (Trattoria Alberto) attending the meeting reported that these measures had not been sufficient to date. Additionally, there was confusion over whether or not a DOH certificate permitting cigar smoking in the restaurant had been granted.

The discussion produced apparent willingness by the representatives of DSF and TA to continue talking about ways to address the cooking and cigar odor problem. However, the ANC voted to move forward with a revised “notice to cure” to be updated and distributed to all parties. In order to grant time to respond to the notice of cure in advance of the scheduled ABRA hearing the ANC will seek a delay of that meeting until May 20. The motion to proceed with the notice to cure (Oldenberg/Sroufe) passed with 7 in favor and 3 abstentions.

6. Planning and Zoning Committee: 620 C Street, SE

Scott Patterson, owner and architect, presented concept drawings modified in accord with a continued meeting of HPRB. Following discussion and comments from neighbors who remained in opposition to the third floor addition, the ANC considered three sequential motions offered by Commissioner Sroufe. A motion to recommend approval of the revised concept for the first floor of the building was passed 9-0 (one member having departed the meeting). A motion to recommend approval of the revised concept for the second floor of the building was passed 9-0.

A motion to recommend opposition to the third floor addition was defeated; a motion to recommend approval of the third floor concept as modified was passed with four votes in favor and two opposed; three Commissioners abstained.

7. Committee Reports

Written committee reports were received by the ANC from: (1) Transportation; (2) EMCAC; and (3) Barrack’s Row Working Group. An oral report on the recent work of the Livable Community Task Force was provided by Commissioner Holtzman, who reported on modifications produced by the design team following a meeting with the Commission on Fine Arts.

8. Financial

Treasurer Holman referenced the Treasurer’s Report and the Quarterly Financial Report appearing in the background materials received by Commissioners.

9. Item #15 of the agenda was about ANC 6B Input on Other Concerns and was the location assigned for discussion of a motion put forward by Commissioner Krepp. The substance of the motion, which had been discussed earlier in the meeting during the presentation with CM Allen, was to provide an official communication to the DC Chief Financial Officer requesting that his office begin tracking the amount of DC tax dollars that used to pay for sexual harassment and assault settlements, judgments and other related agreements. The motion was passed with 8 Commissioners in favor and none opposed (Only 8 Commissioners remained at this point in the meeting.)

10. Chairman Jaryaraman adjourned the meeting at 10:05 PM.

Please note . . . The next meeting . . .