



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for February 9, 2012**



2nd Thursdays at 7pm, Miner Elementary, 601 15th St., NE
Public Meeting - All Are Welcome to Attend

7:00pm **Call to order, Approve Previous Meeting's Minutes, Adopt Agenda** *pg. 3*

7:05 **Community Comments** (2 minutes each)

Community Presentations:

7:10 DDoT Representative Regarding Status of H & Benning Streetcar Line

7:20 Lt. Eddie Fowler of PSA 107 to Introduce Himself

7:30 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 37*

7:40 **Single Member District reports** (2 minutes each)

Standing Committee Reports:

7:55 **Community Outreach** *pg.39*

1. Approve committee report
2. Next meeting - 7:30pm, Feb.20, 2012 (3rd Monday)

8:00 **Alcohol Beverage Licensing** *pg. 41*

1. Approve committee report
2. **Recommendation:** ANC protest the new license for HR-57 (1007 H St. NE) unless a voluntary agreement (VA) is signed and approved before the petition date and should support a stipulated license for HR-57
3. **Recommendation:** ANC protest the new license for DC Conscious Cafe (1413 H St. NE) unless a VA is signed and approved before the petition date
4. **Recommendation:** ANC protest the new license for Impala Cantina Y Taqueria (1358 H St. NE) unless a VA is signed and approved before the petition date
5. Next meeting - 7pm, Feb. 21, 2012 (3rd Tuesday)

8:05 **Transportation and Public Space Committee** *pg. 47*

1. Approve committee report
2. **Recommendation:** ANC send letter of support for National Marathon
3. **Recommendation:** ANC approve 2012 committee goals
4. Next meeting - 7pm, Feb. 20, 2012 (3rd Monday)



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8:10 **Economic Development and Zoning** *pg. 52*

1. Approve committee report
2. **Recommendation:** ANC support the 700 Constitution project at its February 2012 hearing before the HPRB with three provisos: That the developer seeks to soften the stark commercial look of the residential exterior walls surrounding the north side terrace; Present an analysis of the traffic pattern in, through, and out of the Square; and Present plans to maximize the use of transportation alternatives such as CaBi, bike racks, and shared use vehicles like Zipcar
3. Next meeting - 7pm, Feb. 15, 2012 (3rd Wednesday)

8:15 **Unfinished Business**

8:20 **New Business**

Request from Souk (1208 H St. NE) for a stipulated alcohol license (Healy)

8:25 **Community Comments Round II**, time permitting (2 minutes each)

8:30 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes for January 12, 2012



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

Present: Commissioners Alberti, Healy, Holmes, Hysell, Mack, Ronneberg, & Veenendaal-Selck

The meeting was convened at 7pm

1. Election of Officers and Committees

Mr. Holmes asked **Ms. Veenendaal-Selck** to call the roll and announced that a quorum was present.

Motion: Mr. Holmes moved/Ronneberg seconded a motion to adopt the Commission Rules in the form they were adopted in January 2011. The motion passed by unanimous consent.

He announced that the next order of business is the consideration of the nomination and election of officers. He announced that nomination would be accepted in the following order: Chair, Vice Chair, Secretary, and Treasurer. Nominated were: Chair: David Holmes; Vice Chair: Drew Ronneberg; Secretary: Andrew Hysell; Treasurer: Nick Alberti.

Motion: Mr. Alberti moved/Dr. Ronneberg seconded a motion to vote on the officers and committee chairs as a slate. Mr. Holmes said that there must be two-thirds of the Commission present to consider a slate. He noted that there are more than six commissioners present, so that condition is met.

The proposed slate is comprised of: David Holmes, Chair; Drew Ronneberg, Vice Chair; Andrew Hysell, Secretary; Nick Alberti, Treasurer; Adam Healy, Chair, Alcohol Beverage Licensing Committee; Elizabeth Nelson, Chair, Community Outreach Committee; Drew Ronneberg, Chair, Economic Development and Zoning Committee; Omar Mahmud, Chair, Transportation and Public Space Committee. Mr. Holmes noted that there is no appointment of a chair for the Public Safety Committee, and its responsibilities will remain with the full Commission. The slate was elected unanimously.

The members of the Commission's standing committees were then elected *en bloc*: **Alcohol Beverage Licensing:** Michael Herman, Ann Marie Koshuta, Katy Ziegler Thomas, and Adam Healy; **Community Outreach:** Elizabeth Nelson, Louis Barbash, Patricia Joseph; Rosetta (Rose) Williams, Jean Kohanek; **Economic Development and Zoning:** Charmaine Joseph, Dan Golden, Jeff Fletcher, Laura Gentile, Melissa Boyette, Phil Toomajian, Drew Ronneberg; **Transportation and Public Space:** DeLania Hardy, Marlon Smoker, Sean Lovett, Shane Artim, J. Omar Mahmud. The members of the Commission's Standing Committees were elected unanimously.

Motion: Mr. Holmes moved/Mr. Healy seconded a motion to notify the various appropriate offices of the City government (OANC, Mayor, Council Chair and other Council members, Auditor) of the Commission's officers, membership and meeting times and dates for 2012. The motion was approved by unanimous consent.



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Motion: Mr. Alberti moved/Ms. Veenendaal-Selck seconded a motion that the ANC participate in the Advisory Neighborhood Commission Security Fund by paying a \$25 contribution. The Fund covers malfeasance by the officers. The motion passed by unanimous consent.

Meeting Dates and Time: The meeting time and place will be at 7pm on the second Thursday of the month, except during August, at the current location, Miner Elementary School, 601 15th Street NE.

2. Minutes

The minutes were accepted as presented by unanimous consent.

3. Agenda

Mr. Alberti asked to have the question of whom will represent the ANC at the raze permit hearing on 1310 East Capitol Street added to New Business. Mr. Holmes asked that the question of a raze permit for 1402-1406 H Street be added to New Business. The two items were approved by unanimous consent.

4. Officer Reports

Chair

Mr. Holmes announced that he and/or Mr. Alberti will speak at a Mayors Agent hearing in opposition to the proposed raze for the outbuilding at 1310 East Capitol Street. The ANC has already voted to oppose the raze; Commissioners Alberti and Holmes are authorized to act on behalf of the ANC.

He also said the following about recent revelations of corruption in city government: “Guilty pleas have been entered or are about to be entered by City officials. There is only disgrace and revulsion for those who so spit in the face of the public trust. There are no mitigating circumstances in either case. In the case of former chair Shelton, it calls all Commissioners into question and jeopardizes the funding we receive from the City.”

Mr. Holmes also asked the Commission to suggest speakers who can illuminate the ANC’s tasks and responsibilities. “I intend to ask PSA 107 Lt. Eddie Fowler to speak to us briefly next month. It will give us a chance to let him know our concerns. Excepting Mr. Healy, our SMDs are either incorporated into or border on PSA 107. At the same meeting, Carolyn Crank or someone else from the US Attorney will inform us on how to provide community and Victim Impact Statements.”

Treasurer

Mr. Alberti presented the Treasurer’s Report. It showed that the opening balance in the checking account was \$18,190.84, and the savings account balance was \$4,206.11. There was an interest payment to the savings account of \$.18. There were disbursements of \$180 to Roberta Weiner for November 11 minutes (Check #1539); \$200 to Heather Schoell for the October 11 agenda package (Check #1540); and \$158.40 to FedEx Office for the November 2011 copying (Check #1541), leaving a balance of \$17,652.84 in the checking account and \$4,206.29 in the savings account.

Motion: Mr. Alberti moved/Mr. Healy seconded a motion to approve the disbursements. It passed without objection.



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

Motion: Mr. Alberti moved/Ms. Veenendaal-Selck seconded a motion to approve the Quarterly report for the first quarter of FY 2012. The motion passed without objection.

Mr. Alberti said that the ANC's allotment for the second quarter was still missing, but the Auditor's office was tracking it down.

5. SMD Reports

Ms. Mack announced that Elisa Butler will be receiving the Korean-American Grocers Association of Greater Washington Scholarship essay award of \$1000. Elisa, who's major is communication arts, will be attending Elizabeth City State University of North Carolina.

Ms. Veenendaal-Selck reported that she is working on getting a speed camera for her SMD

Mr. Healy reported that he was having an SMD meeting on February 7th. He also said he had received an email from DDOT telling him that a drop-off at J.O. Wilson School on K Street in the morning won't work but it's possible that they could do one on 7th St. Also in DDOT news, they have installed pylons to narrow the exit on L St. NE at 10th and Florida NE.

Mr. Holmes reported that an old issue has re-emerged: Medlink—the building on the south side of the hospital—700 Constitution Ave.—has been vacant for years and has been leased by Dr. Peter Shinn, who is the worst property owner in the neighborhood, to JPG for development as apartments. He said he thinks it will work this time but there's a need to do community education. We need the developers to understand what their needs are and how badly they've been burned in the past. He also reported that the skateboard park has one again been delayed, but they have another new promise to have the agreement signed.

Dr. Ronneberg reported that the Bikeshare station at 11th and H Sts. has been installed. He also reported that he has received a letter approving the street sweeping in the alleys that he requested.

Mr. Hysell reported that he would have an SMD meeting on January 31 from 7:45 to 8:30am at SOVA.

6. Alcohol Beverage Licensing Committee

Rose's Dream-1370 H Street NE

Motion: The Committee moved/Mr. Healy seconded a motion to support the Committee's recommendation that the ANC withdraw its protest of the substantial change proposed for Rose's Dream, 1370 H St. NE. The ANC voted 6-0-1, with Mr. Alberti not voting, to support the Committee's recommendation,

Chicken Tortilla - 1324 H Street NE

Mr. Healy said that the Committee had moved to support a placeholder protest to license for Chicken Tortilla until a VA had been signed. Prior to the meeting a VA was signed and so he moved to amend the Committee's motion. The motion was approved by unanimous consent. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to approve the VA between Chicken Tortilla and the ANC and support their license application. The motion passed 6-0-1, with Mr. Alberti not voting.



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Sol Mexican Grill - 1251 H Street NE

Mr. Healy said that the Committee had moved to support a placeholder protest to the license for Sol Mexican Grill, 1251 H St. NE, until a VA had been signed. Prior to the meeting a VA was signed, so he moved to amend the Committee's motion. The motion to amend was approved by unanimous consent.

Motion: Mr. Healy moved/Dr. Ronneberg seconded a motion to approve the VA between Sol Mexican Grill and the ANC, and support their license application. The motion passed 5-0-2, with Ms. Mack and Mr. Alberti abstaining.

7. Transportation and Public Space Committee

Capitol Hill Classic Race

Committee Chair Omar Mahmud presented the following motion:

Motion: the Committee moved/Mr. Alberti seconded a motion to accept the Committee's recommendation to support the Capitol Hill Classic on Sunday, May 20, and send a letter to the Emergency Management Task Force.

Mr. Holmes said he is doing his best to get "bump cross" access for cars during the race. Mr. Alberti said he commended the organizers of the race for cleaning up after the race every year. Mr. Holmes said he always approved this race, while opposing the National Marathon.

The motion passed unanimously.

C Street NE Streetscape

Ms. Veenendaal-Selck proposed that the ANC send a letter to DDOT asking for action on the C St. streetscape that's supposed to be happening in her SMD. Mr. Holmes said that he had spoken with Councilmember Wells to start pushing forward with the project. He said that his big concern is that the project does not push traffic northward. **Motion:** Ms. Veenendaal-Selck moved/Mr. Alberti seconded a motion to send a letter to DDOT urging it to move forward with its work on the C St. streetscape. The motion passed 6-0-1 with Ms. Mack abstaining.

8. Economic Development and Zoning Committee

1337 Maryland Avenue NE

Drew Ronneberg, the Committee Chair, reported that the ED&Z committee recommended that the ANC oppose the request for a use variance for a 3-unit apartment building for the reasons outlined in the committee report. **Motion:** The committee moved/Dr. Ronneberg seconded a recommendation that the full ANC write a letter to the BZA opposing the granting of a variance. The Commission voted 7-0 to accept the Committee recommendation.

1400 Maryland Ave. NE

Drew Ronneberg, the Committee Chair, reported that the ED&Z committee recommended that the ANC oppose the applicant's request for a public space permit for the reasons outlined in the Committee report.

Motion: The Committee moved/Dr. Ronneberg seconded a motion that the full ANC accept the recommendation of the Committee that it oppose the Public Space application because:



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1. The proposed layout fails to close the median strip per the BA order.
2. The applicant has not yet provided circulation plans.
3. Circulation would be recommended as a one-way traffic pattern in which card would enter the site from Maryland Avenue and exit on 14th St.
4. The owner has a poor reputation with the community based on past behavior.

And the ANC should write a letter to the BZA/PSC opposing the application. Dr. Ronneberg asked to amend the motion to say that the plans should reflect the existing conditions at the site. The amendment was accepted by unanimous consent. Mr. Hysell said the 14th Pl. Neighborhood Association had the signatures of 40 people in opposition to the station. The requirement of the BZA Order to fill the median should be met due to the safety issue identified by DDOT.

Mr. Holmes pointed out that the current plan will not work and it presents a hazard at 14th and Maryland for those moving west and south at 14th and Maryland.

Further, the Committee recommends that an ANC representative (Ronneberg, Holmes, Hysell, former Commissioner Schultheiss, or Mahmud) represent the ANC in front of the Public Space Committee. The motion passed 7-0.

9. New Business

Contract Renewals

Motion: Mr. Alberti moved/Mr. Hysell seconded a motion to renew the contract of Roberta Weiner to take and transcribe ANC minutes and of Heather Schoell to prepare the monthly agenda package. He said the services they provide are well worth the money. He asked for an allocation of up to \$200 a month for each contract. The motion passed by unanimous consent.

Voluntary Agreement with Central, 1200 H Street NE

Mr. Healy said this VA was another one that had a placeholder protest on it, and the owner had signed a voluntary agreement that was basically the standard VA, and said the owner was more than willing to live with the ANC's patio hours. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion to approve the VA and license for Central, 1200 H Street NE. The motion passed 6-0-1, with Mr. Alberti not voting.

Nomination of Nancy Metzger

Mr. Holmes asked the ANC to support the nomination of Nancy Metzger to the Historic Preservation Review Board, saying that she is the Capitol Hill expert on historic preservation. He said the only problem with her taking the position is that the ANC won't be able to consult with her any longer. Dr. Ronneberg said she played a crucial role in the solution to the design of the H Street Connection, and it's going to be a great addition to HPRB. Ms. Nelson said that at least there'll be someone there who understands the unique problems of the Hill. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion that the ANC send a letter of support to the relevant members of the City Council supporting the nomination of Nancy Metzger to the Historic Preservation Review Board. The motion passed without objection.



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1310 East Capitol Street

Mr. Alberti reported that in June the ANC did not support a request for a raze permit for a garage at 1310 East Capitol Street. HBRB followed, the decision being based that it was pretty much a case of demolition by neglect. The applicant has appealed to the Mayor's Agent for relief. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to authorize Mr. Alberti to represent the ANC in this matter. The motion passed 7-0, unanimously.

1402-1406 H Street NE

There is a raze notice pending for 1402-1406 H St. NE. **Motion:** Mr. Holmes moved/Ms. Mack seconded a motion to authorize Mr. Holmes or Dr. Ronneberg to represent the ANC at HPRB for the hearing on the raze notice. Mr. Holmes said there is no alternative but to move forward. He said he understands the dilemma and would hate to see the buildings demolished, but there's not even an outline of a position for the ANC. What is the Commission authorizing its representatives to do?

Dr. Ronneberg said that the buildings are across from the Argonaut. The owners own other properties, and say they understand the implications of what they're doing. And while the buildings were built in 1900 or 1910, they were shoddy even for the standards of the time. He said he needed to get them to his Committee. He said he would like to engage them, but it's fairly tricky. The ANC's response is due in 30 days which, brings it to the beginning of February. Mr. Hysell suggested that the ANC ask to have the hearing postponed. Dr. Ronneberg said that it's a good idea, particularly because they're building a matter-of-right building. Mr. Holmes withdrew the original motion. **Motion:** Mr. Healy moved/Dr. Ronneberg seconded a motion that the ANC oppose the raze permit for 1402-1406 H St. NE on the grounds that it has had insufficient time to consider the application until February 9, unless it appears to be in the best interest of the community. Further, Commissioners Holmes and Ronneberg are authorized to act on behalf of the Commission in this matter. The motion passed unanimously, 7-0.

10. Community Comments

Funds for Eastern High School

Mr. Holmes brought up the fact that Eastern High School is supposed to receive funds from the developers of the project across the street from the school—there was supposed to be \$125,000 worth of work, and \$17,000 to resurface the basketball court. The average age of the books at Eastern is 1964, and they have no band instruments. He said he has been in touch with ANC 6B to do something about it. Mr. Alberti mentioned that the check for its library books had been delivered to Eliot-Hine.

Overlay Expanded

Mr. Ronneberg noted that the in response to a request from the ANC, the H Street Overlay has been expanded. Mr. Hysell added that Peter May had been a strong proponent and had been helpful.

Effort on Gas Station Will Have No Impact

Mr. Mahmud said that the ANC's efforts with Public Space will have no impact on the gas station issue because it can still proceed. Mr. Hysell added that the PSC is not considering 1400 Maryland Ave.

The meeting was adjourned at 8:10 pm.



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 19, 2012

David Maloney
State Historic Preservation Officer
1100 4th Street, SW, Suite E650
Washington, DC 20024

Nicholas Majett
Director, DCRA
1100 4th Street SW
Washington, DC 20024

Gentlemen:

Advisory Neighborhood Commission 6A opposes the raze application for 1402-1406 Maryland Avenue on the grounds that it has had insufficient time to consider the application and cannot make a decision until after its February 9th meeting. Commissioners Ronneberg and Holmes are authorized to act for the Commission with respect to this issue and to withdraw the Commission's objection if it appears to be in the best interest of the community.

The vote on this motion was taken at a regularly-scheduled and publicly-noticed meeting of the Commission on January 12, 2012. With five required for a quorum, the vote was 7-0.

As you may know, the Mayor, the Council Chair and the Ward 6 Councilmember together presented the C.A.T. Walk Boutique, at 1404 H Street, NE, with an \$80,000 grant. The award ceremony was held on January 9, 2012 at the Atlas Theater on H Street.

To quote *Dcist.com*, "Carolyn A. Thomas, the clothing shop's eponymous owner, was visibly moved as she accepted her \$80,000 award, which she said will help make her store more hospitable. She described a recent day in which two of her employees left early because the store was too drafty in the cold weather.

'This grant is going to make me be able to put in new heating and flooring and make it more welcoming,' she said."

Jose C. Sousa, the communications director for DMPED, said the grant applicants needed to "demonstrate what they'd be spending it on" and that the amounts awarded are just a fraction of any expansions or improvements the winning businesses are seeking to make.

Obviously there is a potential embarrassment here if the raze moves forward without further analysis and discussion with the property owners.



Commission Letters of January 12, 2012 Meeting



The ANC invited both of the principal owners to meet with our ANC's Zoning committee this past Wednesday, January 18, to discuss their plans. Neither attended.

Consequently I strongly urge the Historic Preservation Office and the Department of Consumer and Regulatory Affairs to accept the ANC's resolution and postpone approval of this raze for 45 business days to allow ANC 6A and your offices to fully consider and discuss the owners' plans for development and raze.

For the Commission
David Holmes

David Holmes
Chair



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 25, 2012

George Branyan, DDOT Pedestrian Traffic Coordinator
Jeff Marootian, Customer Service Officer
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Dear Mr. Branyan and Mr. Marootian,

At a regularly scheduled and properly noticed meeting on January 12, 2012, Advisory Neighborhood Commission 6A voted 6-0-1, with a quorum present, to request the Department of Transportation provide a project update and a community presentation regarding proposed street improvement and pedestrian safety alternatives for C Street, NE.

C Street, as it receives traffic from the East Capitol Street Bridge, has long been an area of concern for our community. As one of the largest sources for morning commuter traffic into the city, the volume and speed at which traffic passes through the neighborhood threaten the safety and quality of life of area residents. Of particular concern is the danger this traffic poses to the nearly 300 school children attending Eliot-Hine Middle School, who regularly cross C Street on their way to and from the building. Furthermore, the amount of traffic passing through C Street negatively impacts traffic volume on downstream feeder and residential streets throughout Capitol Hill.

In 2010, DDOT funded a traffic study that resulted in the development of three draft design options, and a series of community meetings about the study's findings. This project, unfortunately, has effectively been on hold since then. Community concerns about the safety and volume of traffic on this street continue, and it's time to move forward with solutions.

As an ANC, we request that DDoT provide a public update on where this project currently stands, and how we move ahead from here. We also hope that as this project moves forward, DDoT will update the three draft options to take into account the community input provided during the workshops in 2010, namely to slow and reduce traffic on C Street in a manner that also mitigates spillover onto other streets in the surrounding neighborhood (i.e. 21st/Oklahoma Avenue, 17th and 19th Streets NE, etc.), if changes on C Street are enacted.

We look forward to hearing from you. Should you have any questions, please contact Omar Mahmud at familymahmud@yahoo.com (202-546-1520), Chair of our Transportation committee, or David Holmes at holmes6a3@gmail.com (202-251-7079).

On behalf of the Commission,


David Holmes, Chair


Lia Veenendaal-Selek, Commissioner 6A08



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 23, 2012

Mike Soderman
Capitol Hill Classic 10K
217 10th Street, NE
Washington, DC 20003

Re: Capitol Hill Classic 10K Race

Dear Mr. Soderman,

At Advisory Neighborhood Commission 6A's regularly scheduled and publicly noticed meeting on January 12, 2012, the Commission voted unanimously (7-0, with five required for a quorum) to support the 33rd Annual Capitol Hill Classic Race scheduled for May 20, 2012.

As pointed out during the discussion of this event at the ANC 6A Transportation & Public Space Committee meeting on January 16, ANC 6A stresses the importance of the Race working with MPD to devise safe bump cross routes to be used during the race to allow vehicles to cross when runners are not approaching.

On behalf of the Commission

David Holmes, Chair

cc: Tommy Wells, DC Council



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 14, 2012

Mr. Clifford Moy
Secretary, Board of Zoning Adjustment
Office of Zoning
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

Re: BZA Case 18324 (1337 Maryland Avenue, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on January 12, 2011, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to oppose the applicant's request for a variance from §401.3 to permit the use of a three-unit apartment building on a lot less than 2700 square foot in an R-4 district.

The Commission believes that the requested variance does not meet the standard for zoning relief set forth at § 3103.2. The owner has identified no physical characteristics of the lot or structure that make it difficult for the property to be used in compliance with the zoning regulations. The property can be used as a matter-of-right flat where the basement was part of the first floor unit or share space between units for activities like a laundry or storage. In addition, while the applicant asserts that there will be a financial hardship if the relief is not granted, no evidence of financial hardship was presented. Finally, the Commission believes that there is a substantial detriment to the public good when a property owner is granted zoning relief because of his or her ignorance of the zoning regulations when a property is purchased.

Please be advised that Drew Ronneberg and David Holmes are authorized to act on behalf of ANC 6A for the purposes of this case. Commissioner Ronneberg can be reached by phone at 202-431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv and through print advertisements in the *Hill Rag*.



Commission Letters of January 12, 2012 Meeting



January 18, 2012

Mr. Chairman, Councilmembers, and staff,

Nancy Metzger has been a significant help to Advisory Neighborhood Commission 6A (ANC) as it has considered both the residential and small commercial structures of the Hill as well as the large projects that require review by the Zoning Commission.

As H Street, the core of our ANC, has changed, major new and redevelopment properties have opened or are being rebuilt along and near the corridor. 200 H, 645 H, the H Street Connection, 1350 Maryland have all been improved by her counsel. She has found ways to meet the needs of my ANC while cautioning against excessively expensive changes that would bring developer resistance. She has sought the middle ground, the happy medium that preserves the character of the community. The exterior designs of the half billion dollar H Street Connection and Valor's 1350 Maryland owe a great deal to her help.

She's helped us in other ways. The symposium she organized in 2009 on Compatible and Contemporary Architecture in historic districts was open to and attended by ANC Commissioners. Our area has also been a beneficiary of the Historic Homeowners Grants, a project into which she put so much work.

Is she committed to the preservation of the distinguishing characteristics of the Capitol Hill Historic District (CHHD)? Absolutely, she is among other things the committee chair representative of the Capitol Hill Restoration Society, the voice of preservation and renewal for the Hill community. She's fought hard to preserve CHHD's defining characteristics.

Has she worked to assist developers, shop-owners as well as homeowners? Again, absolutely. She acts with clarity, congeniality, and respect. She has shown an ability to deal respectfully and clearly with all sides and listen to all voices. Developers need have no anxiety over this choice nor should the preservation community - those who live in historic areas and wish to keep intact what attracted us to our neighborhoods in the first place.

ANC 6A spans from 24th Street near RFK Stadium to 7th Street, NE. H Street north to Florida Avenue, Lincoln Park, Rosedale are all represented on the Commission, and 6A voted unanimously (7-0-0) to endorse Nancy Metzger for the HPRB. (The vote took place at a regularly scheduled, publicly announced regular meeting with a quorum present). Of the eight Commissioners, only my Single Member District is almost entirely within the CHHD. It is a tribute to the respect she has gained that all sides of our community, in and out of the Historic District, support her.

She will bring ready expertise about the proceedings of the HPRB. She is already familiar with preservation law and regulation as well as with the interaction of zoning and transportation with preservation. She is the best choice possible for a Citizen member of the HPRB.

David Holmes, Chair, ANC 6A



Commission Letters of January 12, 2012 Meeting



★ ★ ★ District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 12, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: Sol Mexican Grill (1251 H Street, NE)

Dear Sir:

Please accept this signed, electronic copy of the Voluntary Agreement for Sol Mexican Grill (1251 H Street, NE). It was approved at our January 12, 2012 ANC 6A Commission meeting. The vote was held a publicly-announced and properly-posted regular meeting¹ with a quorum present (five required). The vote was 5-1-1 (Commissioner Alberti abstaining).

Should you have any questions or require additional information, please contact Commissioner Adam Healy, Chair of the Commission's Alcohol Beverage Licensing Committee (202-556-0215; healyanc6a01@gmail.com).

Ms. Nelson, please post to the ANC website.

Ms. Schoell, please include this in our February Agenda package.

On behalf of the Commission,

David Holmes
Chair

cc: Thea Davis, ABRA
Elizabeth Nelson, ANC 6A Webmaster
Heather Schoell, Document Preparation

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv, the ANC6A listserv (not run by the ANC), the HillEast listserv, and through print advertisements in the *Hill Rag*.



Commission Letters of January 12, 2012 Meeting



Made this 12th day of January, 2012

by and between

Sol Mexican Grill
1251 H Street, NE
Washington DC 20002
and

Advisory Neighborhood Commission 6A

Preamble

Through this agreement, both parties aim to create an environment whereby the applicant may operate as a viable contributing business in the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood.

The applicant agrees to work regularly with the ANC 6A, neighborhood associations, and residents to ensure the business operations do not adversely affect the surrounding neighborhood. All parties believe the statements and provisions contained in this agreement are reasonable and must become wholly integrated into the day-to-day operation of the business establishment.

Further, ANC 6A acknowledges that this Voluntary Agreement shall be presented to all Class CT applicants within the boundaries of ANC 6A. The community and merchants have agreed that it is in all the parties best interests to standardize the requirements for the operations of restaurant, tavern, and nightclub establishments within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Voluntary Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

The community and merchants understand and agree that the changes imposed upon the operations of all licensees within the ANC as set forth herein are important measures to protect the safety, peace, order and quiet of the neighborhood, its residents, and businesses.

Witnesseth

Whereas, Applicant's premises is within the boundaries of ANC 6A; and,

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class CT Liquor License at the subject premises; and,

The Parties Agree As Follows:

1. Public Space Cleanliness and Maintenance. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
 - b. Maintaining regular trash garbage removal service, regularly remove trash from the trash and dumpster

Voluntary Agreement between Sol Mexican Grill and ANC6A

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- area, and see that the trash and dumpster area remain clean.
- c. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed.
- d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- e. Assisting in maintenance of the curb in front of the establishment to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulation in these respects.
- f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices:

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron bring an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage. Wine shall be corked in accordance with Title 25-113(b)(5)(A)(B)(C) of the DC Municipal Code.
- d. Applicant will not provide or sell alcoholic beverages "to go." Applicant agrees not to promote or participate in bar or pub "crawls" or any other event of this nature.
- e. The licensed establishment will be managed by the applicant in person or a board licensed manager.
- f. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
- g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that ID's will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects.
 - v. Request that customers do not contribute to panhandlers.
- h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment,
 - ii. Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
 - iii. Calling the Metropolitan Police Department if illegal activity is observed,
 - iv. Keeping a written record of dates and times (a call log) when the MPD is called for assistance.
- v. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- i. Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. After receiving complaints and/or observing problems with this establishment, ANC Commissioners and/or the ABL Committee chair may ask the D.C. Metropolitan Police Department (MPD) for records and data regarding calls for service or other necessary police presence around this establishment.

Voluntary Agreement between Sol Mexican Grill and ANC6A

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Commission Letters of January 12, 2012 Meeting



i. If data from MPD indicates that this establishment has caused or is significantly contributing to additional crime or criminal activities in the neighborhood, including disorderly conduct and/or reoccurring public disturbance, the ANC 6A ABL Committee will hold a public meeting to discuss the problems and ways in which to mitigate them. The Applicant, MPD, and an ABRA representative will be invited and encouraged to participate, as well as concerned residents. MPD will be asked to recommend to the Committee the days of the week and hours when the reimbursable MPD detail should be necessary to maintain peace, order, and quiet at and around this establishment and the costs that would be associated with such reimbursable detail. If the Committee recommends the use of a reimbursable MPD detail at this establishment to mitigate these problems, the recommendation will then be considered by ANC 6A at their next scheduled meeting.

ii. If the ANC, by a majority vote, supports requiring a reimbursable MPD detail, the ANC Chair will notify in writing the First District MPD Commander or his/her designee and the Applicant that this establishment will be required to have a reimbursable MPD detail assigned to their location.

iii. The Applicant shall transmit to MPD funds sufficient to provide the next month's reimbursable MPD detail by the 1st day of each month that the reimbursable detail is required.

iv. The reimbursable detail shall be maintained by the Applicant for up to six months. Within six months, the ABL Committee will conduct another review to hear input on whether or not the reimbursable MPD detail should be continued. The ABL Committee will make a recommendation that will then be considered by the ANC at their next scheduled meeting.

k. Applicant shall not support of the installation of pay phones outside of the establishment on their property.

l. Applicant will utilize and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.

m. Applicant shall provide valet parking services only with valet parking companies as defined licensed and in compliance with Title 24 DCMR Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. Music / Dancing / Entertainment:

a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.

b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.

c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:

1) Applicant shall not offer any type of live or pre-recorded music on the patio.

2) A fence or other barrier will enclose the entire perimeter.

3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.

4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.

5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.

6) No more than 10 people may be on the patio at one time.

7) The patio must be closed and cleared of all patrons and staff when licensed alcohol sales end for the day.

d. The ANC will establish a three month trial of noise levels from the outdoor area with limited hours until 11PM on weekdays and 12AM on weekends. If noise levels do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the hours for service on the patio may be extended to be consistent with the licensee's normal business hours. The three month time period for this applicant is APRIL to JUNE.

e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m. Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.

f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may

Voluntary Agreement between Sol Mexican Grill and ANC6A

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have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.

g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.

h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

4. Cooperation with ANC 6A. Applicant agrees to work on resolving issues preventing the applicant from fulfilling its obligations under this cooperative agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMD's are adjacent to the location of the establishment.

5. Modifications. This agreement can be modified only by mutual agreement of all the parties with the approval of the ABC Board or by the ABC Board consistent with DC Code § 25-446. In the case of ANC6A, if applicant desires to modify the terms of this agreement, the applicant, prior to implementing the change(s), shall receive written agreement from ANC6A after a majority of the commissioners shall have voted in favor of the changes at a full public meeting.

6. Miscellaneous:

a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.

b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.

b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.

c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: SOL MEXICAN GRILL Date: 01-04-12

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES Date: 1-14-2012

Signature: David Holmes, Chair

Voluntary Agreement between Sol Mexican Grill and ANC6A

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District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 14, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: Rasco Corporation/Central (1200 H Street, NE)

Dear Sir:

Please accept this signed electronic copy of the Voluntary Agreement for Rasco Corporation/Central (1200 H Street, NE). It was approved at our January 12, 2012 ANC 6A Commission meeting. The vote was held a publicly-announced and properly-posted regular meeting¹ with a quorum present (five required). The vote was 6-0-1 (Commissioner Alberti abstaining).

Should you have any questions or require additional information, please contact Commissioner Adam Healy, Chair of the Commission's Alcohol Beverage Licensing Committee (202-556-0215; healyanc6a01@gmail.com).

Ms. Nelson, please post to the ANC website.

Ms. Schoell, please include this in our February Agenda package.

On behalf of the Commission,

David Holmes
Chair

cc: Thea Davis, ABRA
Elizabeth Nelson, ANC 6A Webmaster
Heather Schoell, Document Preparation

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv, the ANC6A listserv (not run by the ANC), the HillEast listserv, and through print advertisements in the *Hill Rag*.



Commission Letters of January 12, 2012 Meeting



Made this 12th day of January, 2012

by and between

Rasco Corporation/Central
1200 H Street, NE
Washington DC 20002
and
Advisory Neighborhood Commission 6A

Preamble

Through this agreement, both parties aim to create an environment whereby the applicant may operate as a viable contributing business in the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood.

The applicant agrees to work regularly with the ANC 6A, neighborhood associations, and residents to ensure the business operations do not adversely affect the surrounding neighborhood. All parties believe the statements and provisions contained in this agreement are reasonable and must become wholly integrated into the day-to-day operation of the business establishment.

Further, ANC 6A acknowledges that this Voluntary Agreement shall be presented to all Class CT applicants within the boundaries of ANC 6A. The community and merchants have agreed that it is in all the parties best interests to standardize the requirements for the operations of restaurant, tavern, and nightclub establishments within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Voluntary Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

The community and merchants understand and agree that the changes imposed upon the operations of all licensees within the ANC as set forth herein are important measures to protect the safety, peace, order and quiet of the neighborhood, its residents, and businesses.

Witnesseth

Whereas, Applicant's premises is within the boundaries of ANC 6A; and,

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class CT Liquor License at the subject premises; and,

The Parties Agree As Follows:

1. Public Space Cleanliness and Maintenance. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
 - b. Maintaining regular trash garbage removal service, regularly remove trash from the trash and dumpster

Voluntary Agreement between Rasco Corporation/Central and ANC6A

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area, and see that the trash and dumpster area remain clean.

- c. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed.
- d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- e. Assisting in maintenance of the curb in front of the establishment to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulation in these respects.
- f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices:

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron bring an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage. Wine shall be corked in accordance with Title 25-113(b)(5)(A)(B)(C) of the DC Municipal Code.
- d. Applicant will not provide or sell alcoholic beverages "to go." Applicant agrees not to promote or participate in bar or pub "crawls" or any other event of this nature.
- e. The licensed establishment will be managed by the applicant in person or a board licensed manager.
- f. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
- g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that ID's will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
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 - v. Request that customers do not contribute to panhandlers.
- h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
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 - v. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- i. Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. After receiving complaints and/or observing problems with this establishment, ANC Commissioners and/or the ABL Committee chair may ask the D.C. Metropolitan Police Department (MPD) for records and data regarding calls for service or other necessary police presence around this establishment.

Voluntary Agreement between Rasco Corporation/Central and ANC6A

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ii. If the ANC, by a majority vote, supports requiring a reimbursable MPD detail, the ANC Chair will notify in writing the First District MPD Commander or his/her designee and the Applicant that this establishment will be required to have a reimbursable MPD detail assigned to their location.

iii. The Applicant shall transmit to MPD funds sufficient to provide the next month's reimbursable MPD detail by the 1st day of each month that the reimbursable detail is required.

iv. The reimbursable detail shall be maintained by the Applicant for up to six months. Within six months, the ABL Committee will conduct another review to hear input on whether or not the reimbursable MPD detail should be continued. The ABL Committee will make a recommendation that will then be considered by the ANC at their next scheduled meeting.

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b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.

c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:

- 1) Applicant shall not offer any type of live or pre-recorded music on the patio.
- 2) A fence or other barrier will enclose the entire perimeter.
- 3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
- 4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
- 5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.
- 6) No more than 40 people may be on the patio at one time.
- 7) The patio must be closed and cleared of all patrons and staff when licensed alcohol sales end for the day.

d. The ANC will establish a three month trial of noise levels from the outdoor area with limited hours until 11PM on weekdays and 12AM on weekends. If noise levels do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the hours for service on the patio may be extended to be consistent with the licensee's normal business hours. The three month time period for this applicant is _____ to _____.

e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m. Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.

f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may

Voluntary Agreement between Rasco Corporation/Central and ANC6A



Commission Letters of January 12, 2012 Meeting



have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.

g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.

h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

4. Cooperation with ANC 6A. Applicant agrees to work on resolving issues preventing the applicant from fulfilling its obligations under this cooperative agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMD's are adjacent to the location of the establishment.

5. Modifications. This agreement can be modified only by mutual agreement of all the parties with the approval of the ABC Board or by the ABC Board consistent with DC Code § 25-446. In the case of ANC6A, if applicant desires to modify the terms of this agreement, the applicant, prior to implementing the change(s), shall receive written agreement from ANC6A after a majority of the commissioners shall have voted in favor of the changes at a full public meeting.

6. Miscellaneous:

a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.

b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.

b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.

c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: DRISS QUADPHIRI Date: 01-04-12

Signature: [Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES Date: 1-14-12

Signature: [Signature]



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 13, 2012

Ms. Catrina Felder
Secretary, Public Space Committee
District Department of Transportation
1100 Fourth Street, SW, Second Floor
Washington, DC 20024

APPROVED
NO DEVIATION ALLOWED WITHOUT
PRIOR APPROVAL FROM
PERMIT OFFICE
Catrina Harrison 1-13-12
SIGNATURE DATE

RE: DDOT Public Space Tracking #67549 (1400 Maryland Avenue, NE)

Dear Ms. Felder,

At a regularly scheduled and properly noticed meeting¹ on January 12, 2011, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to oppose the applicant's request for a public space permit (DDOT PS Tracking Number #67549). The reasons for the Commission's opposition are enumerated below:

1. The submitted plans do not reflect existing conditions at 1400 Maryland Avenue site. The plans reflect the site conditions of the original public space application (PS Tracking #40122), which was submitted approximately three years ago. However, during intervening period:
 - a) The location of the Maryland Avenue bus stop was moved from the far side of 14th Street intersection (in front of the vacant church) to the near side (in front of the proposed gas station). (Figure 1 of Attachment A)
 - b) Legal on-street parking spaces were installed on the south side of 1400 block of Maryland Avenue (adjacent to Checkers). These spaces must be eliminated in order to accommodate the turning radius of fuel tanker turning eastbound on Maryland Avenue from 14th Street. (Figures 2 and 3 of Attachment A)
 - c) Maryland Avenue and its immediate side-streets are currently undergoing a comprehensive traffic and parking planning study that may recommend establishing on-street parking spaces for 700 block of 14th Street. If on-street parking spaces are established on 14th Street, they will need to be eliminated in order to accommodate the turning radius of a fuel tanker exiting the site onto 14th Street.

We request that the PSC deny the current application on the grounds that the site plan does not reflect existing and planned conditions on adjacent roadways and require the applicant to resubmit plans that reflect the current location of the bus stop on 14th Street as well as the current and planned on-street parking spaces on Maryland Avenue and 14th Street, NE. In addition, the applicant should demonstrate how proposed fuel deliveries will impact the current and planned conditions on these adjacent roadways.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com and the ANC-6A@yahoogroups.com listservs and through print advertisements in the *Hill Rag*.



2. No circulation plans were included with the public space application. The lack of circulation plans makes it impossible to fully understand how vehicles will use the site and interact with the 14th Street bus stop. For example, the Commission is concerned that although vehicles entering the site from 14th Street are directed to the southern side of the pumping stations, cars with gas tanks on their right hand side will use the north side of the pumping stations because of the proximity of their gas tanks to the dispenser.

In addition, the applicant has failed to consider the effect their patrons and the increased traffic across the sidewalk will affect the safety of transit patrons waiting at the stop. We are concerned the bus patrons will be put at risk and transit operators may have difficulty serving the bus stop.

Without circulation plans, it is impossible to understand how on-site traffic circulation problems and interference with the 14th Street bus stop will be avoided. In addition, the Public Space Committee rejected the applicant's 2008 public space application in part to the lack of circulation plans (points 4 and 5 of Attachment B).

We request that the PSC deny the current application and require that the applicant submit circulation plans as part of a new public space application which detail all likely impacts to off-site pedestrian and bus patron safety, on-street public parking, customer queuing on public space and on-site circulation patterns within the property.

3. The applicant does not show an "unbroken, raised median in the center Maryland Avenue for the length of the property's Maryland Avenue frontage" as required in the BZA Order 17825 (Attachment C). DDOT's letter requesting the unbroken, raised median on Maryland Avenue due to traffic safety concerns is included as Attachment D. The applicant has instead only lengthened the median strip by 5 feet which, according to DDOT, will make left hand turns onto Maryland Avenue even more dangerous.

Our Commission requests that that PSC deny this application because it does not comply with Condition #11 of BZA Order 17825.

4. The proposed site plan will cause vehicles to queue on the 14th Street driveway, sidewalk and roadway, thereby creating dangerous conditions for pedestrians and other vehicles. At the December 21st meeting of ANC 6A's Economic Development and Zoning Committee, the applicant stated that only one car could queue on private land when entering the site from the 14th Street entrance. The second car would need to queue on the driveway, the third car on the sidewalk and the fourth car on 14th Street roadway, which is a heavily used single lane street.

Title 18 of the DCMR prohibits the queuing on driveways, sidewalks and roadways. Paragraph 2405.1(f) requires that "No person shall stop, stand, or park a motor vehicle or trailer in any of the following places...: In any driveway, alley entrance, or other way when stopping, standing or parking would obstruct the flow of pedestrians or other lawful traffic upon any sidewalk." In addition, §§2405.3 requires that "No person shall park a motor vehicle or trailer, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or freight in any of the following places: On the public parking between the sidewalk space and the building line."



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



Having space for queuing a single vehicle on private land is not sufficient to avoid queuing on public space. The Zoning Commission addressed vehicular queuing as part of the Zoning Regulations Rewrite Process, and approved Chapter B-15 (General Parking Regulations) on April 11, 2011 (p. 23-24 of Attachment E). Subsection 1511 addresses vehicular queuing in facilities that support drive-through operations (e.g. fast food drive-throughs, bank teller drive-throughs and gas stations) with the intent to “prevent negative visual impacts or encroachments on the use of public space” (§§1511.1). Subsubsection 1511.4 requires that “No queuing space may be located within twenty feet (20 ft.) of any street lot line.” and §§1511.3 requires that “The queuing lane shall provide a minimum of five (5) queuing spaces before the first service location and one (1) queuing space after the last service location before entering public space.”

Although there may be five queuing spaces on private land adjacent to the Maryland Avenue entrance in the proposed site plan (a detailed circulation would settle this issue), no legal queuing spaces adjacent to the 14th Street entrance exist because the one queuing space on private land is less than twenty feet from the lot line.

Because the applicant does not meet the standards contained in §1511 for queuing vehicles on private land and because queuing more than a single car from the 14th Street entrance will create dangerous conditions for pedestrians on the 14th Street sidewalk, we ask the Public Space Committee to deny the current application and require the applicant to submit revised plans where the 14th Street driveway is exit-only. This requirement should be enforced with prominent “Do Not Enter” signs and one-way traffic spikes.

5. The applicant has been an extremely poor steward of public space at this site. For example,
 - a) The property has been classified by DCRA as blighted and is subject to the Class IV 10% property tax rate. The owners have done nothing to correct the conditions that have led to the current blighted conditions.
 - b) The property has been subject to two proceeding at the Board of Condemnation and Insanitary Buildings within the last 5 years.
 - c) The applicant still has not paid a \$825 “Clean City” fee that was leveled against the property on 11/09/2009. These fees are levied against properties to reimburse the District of Columbia for expenses incurred in cleaning the site.
 - d) Despite repeated assurance by Capitol Petroleum’s representative at the December 18th ANC 6A Economic Development and Zoning Committee meeting that the public space of 1400 Maryland Avenue is regularly cleaned, residents testified that the site was a homeless encampment with accumulated trash and other debris. One resident took the photo shown of the conditions at the property on the night that Capitol Petroleum’s representative insisted that it was clean. This photo is included as Attachment F.

We request that the PSC deny the current application based on Capitol Petroleum’s poor stewardship of public space until the applicant removes the blighted conditions at the site and pays the outstanding fee for the publicly funded remediation of the site.



Commission Letters of January 12, 2012 Meeting



In summary, Capitol Petroleum's application to use public space is inaccurate because it does not reflect existing conditions at the 1400 Maryland Avenue site, and incomplete because it does not include detailed internal site circulation plans and site access plans. In addition, the current application fails to comply with the BZA's order #17825 to close the median strip on Maryland Avenue which will result in dangerous conditions for pedestrians and other vehicles. Additionally, the small queuing space provided on the 14th Street entrance and inadequate on-site circulation is likely to create dangerous conditions for pedestrians and bus patrons due to queuing on public space. Finally, Capitol Petroleum has been a poor steward of public space and has been a significant contributor to blight in the community.

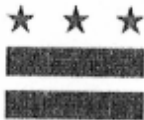
Please be advised that Commissioners David Holmes, Drew Ronneberg and Andrew Hysell, as well as ANC 6A's Transportation and Public Space Chair Omar Mahmud and former Commissioner Bill Schultheiss and are authorized to act on behalf of ANC 6A for the purposes of this case. Commissioner Ronneberg can be reached by phone at 202-431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair



Commission Letters of January 12, 2012 Meeting



District Department of Transportation

Public Space Management Branch
1100 4th Street SW / 2nd Floor
Washington, DC 20024

Tel. (202)442-4670 Fax (202)442-4867 Inspections: (202)671-7050

d.

November 30, 2011

ANC-6A06
ANC

DDOT Tracking Number 67549

Dear ANC6:

This is to notify you of an application to occupy public space for the purpose of Paving: Curb & Gutter(s), Paving: Driveway(s) New- Commercial, Paving: Leadwalk (porous/pervious), Paving: Sidewalk(s), Fixture: Fence to 42" (Open Design), Landscaping: Tree Pruning, Landscaping: Tree Planting at the premises at 1400 MARYLAND AVENUE NE, WASHINGTON, DC 20002.

Enclosed are plans showing the proposed work. Please review the application and plan and return this letter to the Public Space Management Branch (PSMB) advising it whether or not ANC6 has any objections to the application. The response must be received at the PSMB no later than thirty (30) days from the postmarked date of this letter, excluding Saturdays, Sundays, and legal holidays. If a response is not received within that period it is assumed that ANC6 has no objections to the application. If ANC6 has objections, they must be provided to the PSMB in writing and with supporting details. Please provide ANC6's response in the space below and return this letter with any correspondence pertaining to this application to:

District Department of Transportation
Public Space Management Branch
1100 4th Street S.W. / 2nd Floor,
Washington DC 20024,

Please Note: For 6's response to carry "Great Weight," this request must be voted on by the commission as a whole at a properly noticed meeting that is open to the public.

Please call (202) 442-4670 with questions. (FAX: 202-535-2221)

Attachment(s)

PLEASE COMPLETE THIS & RETURN TO THE PUBLIC SPACE MANAGEMENT BRANCH

Date of ANC Vote: 1-12-12 (please attach any resolution, if available)

ANC6 has no objection to this application.
 ANC6 has the following objections to this application:

See attached letter and files

(Please attach additional pages if necessary)

Name: DAVID HOLMES Title: CHAIR

Signature: David Holmes Date: 1/12/12

NOTE: PLEASE VISIT ANC6A.ORG FOR PHOTOS AND MAP PERTAINING TO THIS CASE



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 15, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: Rose's Dream (1370 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of January 12, 2012, Advisory Neighborhood Commission 6A (ANC) voted 6-0-1 to withdraw our protest against the substantial change for Rose's Dream (1370 H Street, NE). The quorum required is five Commissioners. Commissioner Alberti abstained, and did not participate in the discussion.

Should you have any questions or require additional information, please contact either David Holmes (202-251-7079 or holmes6a3@gmail.com) or Commissioner Adam Healy (202-556-0215 or healyanc6a01@gmail.com).

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv, the ANC6A listserv (not run by the ANC), the HillEast listserv, and through print advertisements in the *Hill Rag*.



Commission Letters of January 12, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



January 14, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: Chicken Tortilla (1324 H Street, NE)

Dear Sir:

Please accept this signed, electronic copy of the Voluntary Agreement for Chicken Tortilla (1324 H Street, NE). It was approved at our January 12, 2012 ANC 6A Commission meeting. The vote was held at a publicly-announced and properly-posted regular meeting¹ with a quorum present (five required). The vote was 6-0-1 (Commissioner Alberti abstaining).

Should you have any questions or require additional information, please contact Commissioner Adam Healy, Chair of the Commission's Alcohol Beverage Licensing Committee (202-556-0215; healyanc6a01@gmail.com).

Ms. Nelson, please post to the ANC website.

Ms. Schoell, please include this in our February Agenda package.

On behalf of the Commission,

David Holmes
Chair

cc: Thea Davis, ABRA
Elizabeth Nelson, ANC 6A Webmaster
Heather Schoell, Document Preparation

¹ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv, the ANC6A listserv (not run by the ANC), the HillEast listserv, and through print advertisements in the *Hill Rag*.



Made this 12th day of January, 2012

by and between

Chicken Tortilla
1324 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

Through this agreement, both parties aim to create an environment whereby the applicant may operate as a viable contributing business in the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood.

The applicant agrees to work regularly with the ANC 6A, neighborhood associations, and residents to ensure the business operations do not adversely affect the surrounding neighborhood. All parties believe the statements and provisions contained in this agreement are reasonable and must become wholly integrated into the day-to-day operation of the business establishment.

Further, ANC 6A acknowledges that this Voluntary Agreement shall be presented to all Class CR applicants within the boundaries of ANC 6A. The community and merchants have agreed that it is in all the parties best interests to standardize the requirements for the operations of restaurant, tavern, and nightclub establishments within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Voluntary Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

The community and merchants understand and agree that the changes imposed upon the operations of all licensees within the ANC as set forth herein are important measures to protect the safety, peace, order and quiet of the neighborhood, its residents, and businesses.

Witnesseth

Whereas, Applicant's premises is within the boundaries of ANC 6A; and,

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class CR Liquor License at the subject premises; and,

The Parties Agree As Follows:

1. **Public Space Cleanliness and Maintenance.** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).

Voluntary Agreement between Chicken Tortilla and ANC6A

Page 1 of 4



- b. Maintaining regular trash garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster area remain clean.
- c. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed.
- d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- e. Assisting in maintenance of the curb in front of the establishment to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulation in these respects.
- f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices:

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron bring an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage. Wine shall be corked in accordance with Title 25-113(b)(5)(A)(B)(C) of the DC Municipal Code.
- d. Applicant will not provide or sell alcoholic beverages "to go." Applicant agrees not to promote or participate in bar or pub "crawls" or any other event of this nature.
- e. The licensed establishment will be managed by the applicant in person or a board licensed manager.
- f. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
- g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that ID's will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects.
 - v. Request that customers do not contribute to panhandlers.
- h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment,
 - ii. Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
 - iii. Calling the Metropolitan Police Department if illegal activity is observed,
 - iv. Keeping a written record of dates and times (a call log) when the MPD is called for assistance.
 - v. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- i. Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. After receiving complaints and/or observing problems with this establishment, ANC Commissioners and/or the ABL Committee chair may ask the D.C. Metropolitan Police Department (MPD) for records and

Voluntary Agreement between Chicken Tortilla and ANC6A

Page 2 of 4



data regarding calls for service or other necessary police presence around this establishment.

i. If data from MPD indicates that this establishment has caused or is significantly contributing to additional crime or criminal activities in the neighborhood, including disorderly conduct and/or reoccurring public disturbance, the ANC 6A ABL Committee will hold a public meeting to discuss the problems and ways in which to mitigate them. The Applicant, MPD, and an ABRA representative will be invited and encouraged to participate, as well as concerned residents. MPD will be asked to recommend to the Committee the days of the week and hours when the reimbursable MPD detail should be necessary to maintain peace, order, and quiet at and around this establishment and the costs that would be associated with such reimbursable detail. If the Committee recommends the use of a reimbursable MPD detail at this establishment to mitigate these problems, the recommendation will then be considered by ANC 6A at their next scheduled meeting.

ii. If the ANC, by a majority vote, supports requiring a reimbursable MPD detail, the ANC Chair will notify in writing the First District MPD Commander or his/her designee and the Applicant that this establishment will be required to have a reimbursable MPD detail assigned to their location.

iii. The Applicant shall transmit to MPD funds sufficient to provide the next month's reimbursable MPD detail by the 1st day of each month that the reimbursable detail is required.

iv. The reimbursable detail shall be maintained by the Applicant for up to six months. Within six months, the ABL Committee will conduct another review to hear input on whether or not the reimbursable MPD detail should be continued. The ABL Committee will make a recommendation that will then be considered by the ANC at their next scheduled meeting.

k. Applicant shall not support of the installation of pay phones outside of the establishment on their property.

l. Applicant will utilize and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.

m. Applicant shall provide valet parking services only with valet parking companies as defined licensed and in compliance with Title 24 DCMR Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. Music / Dancing / Entertainment:

a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.

b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.

c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:

- 1) Applicant shall not offer any type of live or pre-recorded music on the patio.
- 2) A fence or other barrier will enclose the entire perimeter.
- 3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
- 4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
- 5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.

d. The ANC will establish a three month trial of noise levels from the outdoor area with limited hours until 11PM on weekdays and 12AM on weekends. If noise levels do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the hours for service on the patio may be extended to be consistent with the licensee's normal business hours. The three month time period for this applicant is _____ to _____.

e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m. Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.

f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows,

Voluntary Agreement between Chicken Tortilla and ANC6A



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Voluntary Agreement between Chicken Tortilla and ANC6A



Commission Letters of January 12, 2012 Meeting



poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.

g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.

h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

4. Cooperation with ANC 6A. Applicant agrees to work on resolving issues preventing the applicant from fulfilling its obligations under this cooperative agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMD's are adjacent to the location of the establishment.

5. Modifications. This agreement can be modified only by mutual agreement of all the parties with the approval of the ABC Board or by the ABC Board consistent with DC Code § 25-446. In the case of ANC6A, if applicant desires to modify the terms of this agreement, the applicant, prior to implementing the change(s), shall receive written agreement from ANC6A after a majority of the commissioners shall have voted in favor of the changes at a full public meeting.

6. Miscellaneous:

a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.

b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.

b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.

c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: EDDIE MLOZER Date: 1/4/12

Signature: [Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES, CHAIR Date: 1-14-12

Signature: [Signature]

Voluntary Agreement between Chicken Tortilla and ANC6A

Page 4 of 4



Officer Reports - Treasurer



ANC 6A Treasurer's Report January 2012

Period Covered 01/01/12 - 01/31/12

Checking Account:

Balance Forwarded \$ 17,652.64

Receipts:

District Allotments: 2nd Quarter FY11 \$ 4,836.27
Transfers from Saving Account \$ -

Total Receipts \$ 4,836.27

Total Funds Available \$ 22,488.91

Disbursements:

FedEx Office (Jan. 01, 2012 Statement) Ck #1542 \$ 389.92
Heather Schoell (Agenda Package Jan. '12) Ck #1543 \$ 200.00
INTAC, Inc. (Grant - Elliot-Hine PTSA) Ck #1544 \$ 4,998.53
Roberta Weiner (Minutes Dec. '11 Meeting) Ck #1545 \$ 180.00
ANC Security Fund Ck #1546 \$ 25.00

Total Disbursements \$ 5,793.45

Ending Balance \$ 16,695.46

Savings Account:

Balance Forwarded \$ 4,206.29

Receipts:

Interest (01/31/12) \$ 0.18
Transfers from Checking Account

Total Receipts \$ 0.18

Total Funds Available \$ 4,206.47

Disbursements \$ -

Ending Balance \$ 4,206.47

Prepared Feb. 1, 2012



Officer Reports - Treasurer



ANC 6A Treasurer's Report January 2012

PETTY CASH SUMMARY

Balance Forwarded	\$	25.00
Deposit to Petty Cash	\$	-
Total Funds Available	\$	25.00
Disbursements:		
Total Disbursements	\$	-
Ending Balance	\$	25.00

Prepared Feb. 1, 2012



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee
January 16, 2012 Minutes
Church of the Lord Jesus Christ of the Apostolic Faith Annex, 1235 C St. NE

Meeting called to order at 7:30 pm

Committee members present: Elizabeth Nelson (Chair), Rose Williams, Louis Barbash, Jean Kohanek (quorum)

Committee members absent: Pat Joseph

- I. Agenda
Adopted.
- II. Status of ANC/COC activities
The ANC approved the grant application from the Eliot-Hine Middle School PTSA but increased the amount of the award to \$5,000 from the requested \$4,000. The check has been delivered and Ms. Jackson is arranging for delivery of the books.
- III. Possibility of integrating social networking into ANC website
 1. Ms. Nelson received an offer from a resident of ANC 6A, Jon Mitchiner, to provide technical assistance in integrating social networking capability into the ANC 6A presence, including the website. The committee discussed various possibilities including blogging, Facebook, Twitter, and electronic recording of ANC meetings.
 2. Electronic recording has been considered in the past but it would present a considerable expense, technical difficulties, and the benefit is unclear. So the Committee is not interested in pursuing at this time.
 3. The Committee focused on the website's primary function, which is to serve as a "virtual office". Blogging was unappealing because it is not consistent with this purpose, would require extensive moderating and is somewhat inappropriate on what is, after all, an official government website.
 4. A Facebook presence was considered and would have the advantage of appealing to residents more accustomed to this venue than to a traditional website. But the functionality would be similar to that of the website and it is not clear what the "value added" would be, given the additional resources that would be employed.
 5. Twitter, however, seems like a good first-step in social networking, especially if automation can be introduced. For example, when documents (or certain classes of document like agendas or minutes) are posted to the website, perhaps automated messages could be generated. Likewise, tweets might be generated by events on the website calendar. This would provide timely notification and increase the visibility of ANC 6A activities. Ms. Nelson has sent a message to Mr. Mitchiner thanking him for his offer of assistance and asking if we can pursue this possibility.



Committee Reports

Community Outreach Committee (COC)



IV. Availability of Sign Language interpreters.

Subsequent to the meeting, Gottlieb Simon contacted Ms. Nelson with regard to interpretive services. Apparently, the existing program to provide interpreters for ANC (and other) District Government activities was a pilot only. Funding has been exhausted and the program has effectively ceased to exist. It is not clear what will be done about this. In the meantime, if services are requested, the ANC will have to make the arrangements on its own - both in terms of identifying and retaining interpreters and also in paying for the service.

V. The next meeting of the COC will take place Monday, February 20, at 7:30 pm at 1235 C St. NE

Meeting adjourned at 8:30 pm



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee
ANC 6A
January 24, 2012

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7:00 pm EST on January 24, 2012 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Adam Healy, Katy Thomas, and Anne Marie Koshuta

Committee Members Absent: Michael Herman

Commissioners Present: None

Community Members Present: Caralie Farlee, Melissa Steffan, Ian Holt, Troy Hickman, George Grall, Richardo Vergara, Joe Englert, Blair Zeros, Alan Page, and Tony Pusan

I. Call to Order

Chairman Healy called the meeting to order at 7:05 pm EST. The meeting having been duly convened was ready to proceed with business.

II. Community Comment

None

III. New Business

Impala Cantina Y Taqueria (Retail Class “C” Tavern)

The owners of a new license for Impala Cantina Y Taqueria located at 1358 H St. NE appeared before the committee to talk about their establishment. They plan to have a seating capacity of 150 inside, a rooftop summer garden for 49 patrons, and a ground floor summer garden for 49 patrons. They did not apply for an entertainment endorsement.

Committee members discussed the ANC’s policy adopted in December about strongly favoring restaurant licenses over taverns and asked the owners if they’d be willing to switch to a CR license. The owners were concerned about meeting the food sales requirements and the fact that a significant amount of their seating (outdoor) couldn’t be used year round. This would make it more difficult to meet the \$2,000 per seat per year food sales requirement. The owners indicated they’d be willing to include language in a CT voluntary agreement requiring a kitchen be open for food sales and other items the committee thought would be necessary to ensure they operate as a restaurant.

Mr. Healy indicated he was waiting to hear back from ABRA as to what the ABC Board generally permits in a CT voluntary agreement pertaining to kitchens and food sales. He said he would also ask ABRA how outdoor seats are counted toward the food sales requirements since those seats can’t be used in cold weather months. He hoped to have better information in time for the next ANC meeting.

Mr. Healy moved/seconded by Ms. Thomas that the ANC protest the license for Impala Cantina unless there is a signed/approved VA prior to the protest date. Motion passed 2-0-1 (Ms. Koshuta abstained).



Committee Reports

Alcohol Beverage and Licensing (ABL)



HR-57 (Retail Class “C” Tavern)

The owner of HR-57 appeared before the committee now that the ABRA placard has formally been posted. HR-57 will be relocating from the 800 block of H St NE to 1007 H St NE with a Retail Class “C” Tavern license for 150 patrons. Entertainment and operations will end by 12am Sundays through Tuesday, 1am on Wednesdays and Thursdays, and 2:30 am on Fridays and Saturdays. The owner gave a detailed presentation at the December meeting, where the committee generally agreed that HR-57 is a unique case as it relates to ANC’s policy of strongly favoring CR licenses over CTs because the establishment has been operating on H Street with no complaints from neighbors and it is unique music venue.

Mr. Healy moved/seconded by Ms. Koshuta that the ANC protest the license for HR-57 unless there is a signed/approved VA prior to the protest date and to support a stipulated license. Motion passed 3-0.

DC Conscious Cafe (Retail Class “D” Restaurant)

Despite leaving three voice mail messages inviting the owner listed on the ABRA placard for DC Conscious Cafe at 1413 H St. NE to this meeting, Mr. Healy has not heard back from the applicant. Mr. Healy did indicate that he didn’t find anything in the ABRA placard to be problematic. The establishment will be a restaurant serving beer and wine. The establishment is applying for an entertainment endorsement but the entertainment will end by 10pm on Sundays, 9pm Mondays-Wednesdays, 10pm on Thursdays, and 11pm Fridays and Saturdays. No one appeared at the meeting to oppose the application.

Mr. Healy moved/seconded by Ms. Thomas that the ANC protest the license for DC Conscious Cafe unless there is a signed/approved VA prior to the protest date. Motion passed 3-0.

Red Palace

Mr. Healy invited the owners of Red Palace and Alan Page, a resident who lives behind the establishment, to discuss ongoing noise complains he’s received. Mr. Healy indicated he appreciated both parties for working together for several months on the noise issue and for coming to the meeting to figure out how we can solve the noise issue permanently. The owners discussed the work they’ve done to mitigate sound and pledged to continue working with Mr. Page and Mr. Healy to resolve the issue. Mr. Page appreciated the responsiveness of the owners to his concerns and thanked them for the work they’ve done so far. Mr. Healy encouraged both parties to continue working on the problem and would like to see the issues resolved permanently quickly.

IV. Adjourn

The Committee adjourned at 8:43 pm. The next meeting is Tuesday, February 21, 2012 at 7pm at Sherwood Recreation Center.



Committee Reports

Alcohol Beverage and Licensing (ABL)



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION NOTICE OF PUBLIC HEARING

Posting Date: January 13, 2012
Petition Date: February 27, 2012
Hearing Date: March 12, 2012

License No.: ABRA-088623
Licensee: DC Conscious Café, LLC
Trade Name: DC Conscious Cafe
License Class: Retailer’s Class “D” Restaurant
Address: 1413 H Street, N.E.
Phone: Ahmadou B. Diop 202 550-4844

WARD 6 ANC6A SMD 6A06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard- before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Restaurant. World Fusion menu. Social gatherings, book reading and speakers from the community. Entertainment will be provided. Occupancy load is 40.

HOURS OF OPERATION

Sunday 10 am - 11 pm, Monday through Thursday 10am - 10 pm, and Friday and Saturday 10 am - 3 am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday 10 am - 11 pm, Monday through Thursday 10am - 10 pm, and Friday and Saturday 10 am - 3 am

HOURS OF OPERATION FOR ENTERTAINMENT

Sunday 7 pm - 10 pm, Monday through Wednesday 7 pm - 9 pm, Thursday 7 pm - 10 pm, Friday and Saturday 7 pm - 11 pm



Committee Reports

Alcohol Beverage and Licensing (ABL)



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION NOTICE OF PUBLIC HEARING

Posting Date: January 13, 2012
Petition Date: February 27, 2012
Hearing Date: March 12, 2012

License No.: ABRA-088592
Licensee: HR-57, Inc.
Trade Name: HR-57
License Class: Retailer’s Class “C” Tavern
Address: 1007 H Street, N.E.
Phone: Alquides A. Puesan 202 257-5700

WARD 6 ANC 6A SMD 6A02

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Tavern. Short southern menu such as red beans, rice, greens, chicken wings, fried fish, and candied yams. Entertainment with cover charge, dancing and live music. Occupancy load is 150.

HOURS OF OPERATION

Sunday through Tuesday 11am - 12 am, Wednesday and Thursday 11 am - 1 am, Friday and Saturday 11 am - 2:30 am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Tuesday 11am - 12 am, Wednesday and Thursday 11 am - 1 am, Friday and Saturday 11 am - 2:30 am

HOURS OF ENTERTAINMENT

Sunday through Tuesday 2 pm - 12 am, Wednesday and Thursday 2 pm - 1 am, Friday and Saturday 2 pm - 2:30 am



Committee Reports Alcohol Beverage and Licensing (ABL)



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION NOTICE OF PUBLIC HEARING

Posting Date: January 20, 2012
Petition Date: March 5, 2012
Hearing Date: March 19, 2012

License No.: ABRA-088603
Licensee: Impala LLC
Trade Name: Impala Cantina Y Taqueria
License Class: Retailer's Class "C" Tavern
Address: 1358 H Street NE
Contact: George Grau 202-427-6700

WARD 6

ANC 6A

SMD 6A06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Mexican style cuisine and beverages with electronic recorded music. Seating capacity is 150. A summer garden on the rooftop of 1358 H Street NE with seating for 49 patrons and another summer garden with seating for 49 patrons located at 1356 H Street NE. Total seating capacity is 248.

HOURS OF OPERATION AND SALES/SERVICE & CONSUMPTION OF ALCOHOLIC BEVERAGES FOR INSIDE PREMISES, AND SUMMER GARDENS

Sunday 10am-2am, Monday through Thursday 11am-2am and Friday & Saturday 11am-3am



Committee Reports

Alcohol Beverage and Licensing (ABL)



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION NOTICE OF PUBLIC HEARING

Posting Date: February 3, 2012
Petition Date: March 19, 2012
Hearing Date: April 2, 2012

License No.: ABRA-088675
Licensee: R-S INC
Trade Name: Souk Restaurant
License Class: Retailer’s Class “C” Tavern
Address: 1208 H Street, NE
Contact: Drissi Ouadrhiri: (703) 647-0208

WARD 6

ANC 6A

SMD 6A01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Tavern. Specialty Cheeses, American Food and Moroccan Food. Occupancy Load is 50. Number of Seats is 50.

HOURS OF OPERATION

Sunday through Thursday: 11am - 2am, Friday and Saturday: 11am - 3am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Thursday: 11am - 2am, Friday and Saturday: 11am - 3am



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes
Capitol Hill Towers (900 G Street NE)
January 16, 2012

- I. Meeting called to order at 7:05 pm.
- II. Introductions - Chris Browne, Diane Thomas and Malain McCormick with the Greater Washington Sports Alliance (GWSA)/National Marathon; ANC 6A Commission Chair David Holmes and Commissioner Lia Veenendaal-Selck; and committee members Marlon Smoker and Omar Mahmud.
- III. Community Comment - None
- IV. Old Business
 - A. Follow-up Presentation by Greater Washington Sports Alliance: National Marathon
 1. Mr. Mahmud thanked the GWSA representatives for coming and invited them to address the committee regarding the follow up items discussed at our last committee meeting in December. GWSA provided the following information to the committee:
 - a. GWSA will be going before the Mayor soon for final race approval.
 - b. Mr. Browne passed out updated maps describing the course. Mr. Mahmud asked that the materials be provided electronically as well so he can post them with the Minutes. There will be a removal of a portion of the full marathon course, which translates to an earlier “split point” in ANC 6A (at Constitution and North Carolina). This means the street closures should end earlier this year than years past. GWSA has approval from the National Park Service, Homeland Security and MPD to do this revision. There will now be less of a loop.
 - i. Mr. Mahmud asked about specific street closure times given this change. Mr. Browne expects there will now be a noon street closure ending time for the event in ANC 6A. North Carolina and Constitution should see the first runner come through around 9am then open for good around noon with the last runner.
 - c. Regarding the entertainment selections for spots along the route in ANC 6A, Mr. Browne indicated GWSA is looking to do a rock genre on H St. near 13th St. (partner with a local establishment on H) and non-amplified choir music in Lincoln Park. Ms. McCormick indicated organizers are working with a company to put on the music offering. They want to tap into the local culture for music programming. Organizers will try to build on Friday (stage, sound, etc.), but will keep everything on the sidewalk so that traffic is not disturbed. They will do a sound check when the first runner comes by and comply with sound ordinance regulations.
 - d. For Lincoln Park, Mr. Browne indicated they are looking to use non-amplified choir music in order to be considerate of the neighborhood.



Committee Reports

Transportation and Public Space (TPS)



- i. Commission Chair Holmes asked how long they will be singing. Ms. McCormick indicated the performance will stop once there are no more runners, and will only take place while there are runners going by.
 - ii. Commission Chair Holmes suggested they keep away from the northwest corner of the park so that the Seventh Day Adventist Church would not be disturbed.
 - iii. Commissioner Veenendaal-Selck asked when music would start at RFK Stadium. Ms. McCormick indicated it would likely start at 7:15 am with race announcements and music. Mr. Browne added that organizers will use “sound on a stick,” which directs the music to limited places, unlike big loudspeakers which are more likely to disturb neighbors. Commission Chair Holmes suggested aiming music towards the river.
 - e. Mr. Browne promised to email the Committee GWSA’s final entertainment plan for the race.
 - f. Regarding community outreach regarding the race, Ms. McCormick informed the committee GWSA’s outreach plan spans 60-90 days. An online interactive course map will be built based on Google maps, but it will be accessible through the event web page.
 - g. GWSA has built a priority list of contacts (dialysis centers, hospitals, churches, etc.) so that they can reach out to these contacts now to alleviate race day disruptions. Organizers are also utilizing “Save the Date” reminders, a community notice letter and door hangers (with information regarding marathon date, street closures, course map, alternative access points, etc.).
 - h. Organizers will also make phone calls to impacted community groups and identify businesses and other residents that need the information (e.g. apartments and hotels).
 - i. Mr. Mahmud asked for more specifics about outreach to residents, organizations, businesses, hospitals, churches, etc. in ANC 6A, especially considering we don’t have things like hotels here. Mr. Browne assured the committee that they are doing targeted outreach and will continue to work with groups that our ANC helped them identify in the past such as hospitals and dialysis centers in our ANC.
 - i. Ms. McCormick indicated organizers are targeting a fourth of a mile radius around the course for door hangers 30 days prior to the race.
 - i. Mr. Mahmud suggested including a phone number on the door hanger so that people without internet access could still get information about the race. Ms. McCormick indicated a phone number will be available and prominently displayed on the door hanger.



Committee Reports

Transportation and Public Space (TPS)



- ii. Mr. Smoker asked who GWSA plans to get to do door hangers. GWSA typically has volunteers do this.
- j. Mr. Browne indicated that one week before the race organizers will distribute no parking notices to residents along streets with race day no parking restrictions.
- k. Five days prior organizers put out listserv notices, press releases and other local advertising. They are working with all public agencies to ensure there is coordination and alternative routes are communicated.
 - i. Mr. Mahmud asked for more detail on coordinating bus closure notices with WMATA, particularly for the X2 and 90/92 buses. Mr. Browne responded that this isn't the easiest thing to work out given they don't receive word on bus rerouting from WMATA until a few days before the race. Mr. Mahmud asked that they try to get notices posted at bus stops regardless of the rerouting chosen, just so people know there will be no bus service for a certain time on race day. Mr. Browne indicated organizers will continue to work with WMATA on these issues and update the committee. There have been two such meetings thus far.
 - ii. Commission Chair Holmes indicated Specialty Hospital (Constitution and 8th) doctors have had trouble getting to work on race day. Mr. Browne indicated organizers have a working relationship there so the parties can meet to ensure proper planning.
- l. Regarding trash collection and clean up, Mr. Browne acknowledged that organizers will only be as good on this front as the planning and execution. Organizers have developed a four point plan for trash and discarded clothing this year, which organizers hope to address past post-race trash problems:
 - i. Point one: Large trash pick-up. A hired team of DPW street sweepers with large trash trucks will pick up trash along the race route following the last runner.
 - ii. Point two: Discarded clothing. Organizers will once again engage and hire a local non-profit that will be responsible for picking up discarded clothing. They will ensure the group will pick up all discarded clothing (including Mylar), not pick and choose as the group did last year. Given that the group they worked with last year to pick up clothing was too selective in what it picked up, there were many clothing items left along the race route. Organizers will also ensure the group of volunteers is larger this year and covers a larger portion of the course, not just from start to the half mile point. Clothing will then be donated to local community groups.



Committee Reports

Transportation and Public Space (TPS)



- iii. Point three: Water station management. Water station coordinators will be instructed to pick up all cups and refuse in their area with rakes and brooms. All refuse will be bagged for pick up by the hired clean-up crew (see point four). Organizers will have paid employees responsible for going to each cite to ensure water stations are cleared of all trash.
- iv. Point four: Hired clean-up crew. In addition to the DPW clean-up crew, there will be another hired clean-up crew to follow the end of the race. GWSA would be the manager for this process and ensure the job is done right. Mr. Browne hopes to hire a local group and from the community so there is pride in cleaning up the neighborhood. This will be a final “catch all” to get all trash not picked up by the other three phases, particularly in areas where we have experienced a great deal of trash in the past like the beginning of the race and around water stations. Mr. Browne assured the committee the event will not end until there is a final inspection confirming the course is clean. So this fourth phase will be responsible for looking in yards, under cars, etc. to ensure there is total clean up. Commission Chair Holmes recommended they clean up after water stations for a mile or so and that stations be placed strategically so that trash is thrown on streets with no parked cars given it’s harder to clean up under cars (e.g. southeast corner of Lincoln Park). Commission Chair Holmes also suggested clean-up crews utilize a motorized blower to get trash from under cars. He recommends doing this over using no parking restrictions. Ms. McCormick recommended working out arrangements with local parking lots to allow residents to park there during the race. Mr. Browne concluded the discussion of point four by stressing the importance of this phase given it hasn’t been done in the past. He also assured the committee he can be contacted by the ANC on race day to ensure clean-up goals are met.
- m. Mr. Browne concluded his presentation by asking for ANC support for the race, assuring the committee that organizers are looking for other routing options for 2013.
 - i. Commission Chair Holmes again expressed interest in the race only going through his SMD once.
 - ii. Commissioner Veenendaal-Selck asked for Mr. Browne to comment on the blower idea raised by Commission Chair Holmes. Mr. Browne indicated he likes the idea and will look to implement it in planning meetings.



Committee Reports

Transportation and Public Space (TPS)



2. ***Mr. Mahmud again thanked GWSA for attending and made a motion that the ANC send a letter of support for the National Marathon. Mr. Smoker seconded the motion which passed on a vote of three for, none against and one abstention (Holmes).***

V. New Business

- A. Proposed “Road Diet” for K Street NE (joint effort with ANC 6C) - Discussion tabled to allow for Commissioner Healy’s participation.
- B. Review and Approve 2012 Committee Goals
 1. Mr. Mahmud asked those in attendance to review the draft committee goals he prepared for discussion (attached). There were no comments or questions regarding the draft goals.
 2. ***Mr. Mahmud made a motion that the Committee recommends the ANC accept the 2012 goals as drafted. Mr. Marlon seconded the motion, which passed without objection.***

VI. Additional Community Comment - None

VII. Meeting adjourned at 8:18 pm



Committee Reports Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A January 18, 2012

The Economic Development and Zoning Committee met on January 18, 2012. In the absence of the chair, David Holmes chaired the meeting.

No reports were presented, except that Commissioner Holmes announced the filing of ANC 6A's brief regarding 1400 Maryland Ave. NE.

700 Constitution Project

One motion was adopted at the January 18 EDZ meeting. 6A is a party because it is across 8th Street from 6A03. The proposal is for an apartment building - 140 or so apartments, 80 or so parking spaces, very high rents, lot shared with the Specialty Hospital of Washington.

Motion: The EDZ Committee recommends that the ANC support the 700 Constitution project at its February 2012 hearing before the HPRB with three provisos:

1. That the developer seeks to soften the stark commercial look of the residential exterior walls surrounding the north side terrace;
2. Present an analysis of the traffic pattern in, through, and out of the Square; and
3. Present plans to maximize the use of transportation alternatives such as CaBi, bike racks, and shared use vehicles like Zipcar.

Adopted unanimously.

1402-06 H Street NE

No representative of Stevins & Axelrod, the owners, appeared.

Prepared by David Holmes, ANC 6A03

**Next Scheduled ED&Z Committee Meeting:
Wednesday, February 15, 2011
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor**