



District of Columbia Government  
Advisory Neighborhood Commission 6A  
**Agenda for April 8, 2010**



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

- 7:00 pm **Call to order, Adopt Agenda and Approve previous meeting's minutes. pg. 3**
- 7:02 **Community Comments** (2 minutes each)
- 7:05 **Community Presentations:** Suzanne Wells, Capitol Hill Public School Parents Organization, regarding middle schools on Capitol Hill (pg. 36);
- 7:15 CJ Gross, Mentor Coordinator or the U.S. Dream Academy Learning Center (pg. 38);
- 7:25 Molly Gascoigne, Logistics Coordinator for the Avon Walk for Breast Cancer
- 7:35 **Officer Reports:**
- Chair (2 minutes)
  - Vice-Chair (2 minutes)
  - Secretary (2 minutes)
  - Treasurer (2 minutes) *pg. 39*
    1. Mid-Year Budget Review
    2. Approve treasurer's report and previous month's disbursements.
    3. Approve monthly photocopying expenses.
- 7:40 **Single Member District reports** (2 minutes each, with the exception of SMD01, with 10 minutes)
- Standing Committee Reports:**
- 8:05 **Alcohol Beverage Licensing** *pg. 42*
1. **Recommendation:** ANC 6A protest CT license for The Queen Vic (1206 H Street) unless there's an ANC approved VA prior to the petition date.
  2. **Recommendation:** ANC 6A not accept VA as presented by Chow (1110 H Street).
  3. **Recommendation:** ANC 6A ABL committee hold a public hearing regarding the number of CT licenses along H Street.
  4. Approve committee report.
  5. Next meeting - 7:00 pm, April 20, 2010 (3<sup>rd</sup> Tuesday)
- 8:10 **Economic Development and Zoning** *pg. 49*
1. **Recommendation:** ANC 6A oppose the application for variance at 1019 Florida Ave. NE.
  2. **Recommendation:** ANC 6A authorize up to \$1K for a limited education regarding commercial historic district outreach campaign for the H Street Historic District.



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3. **Recommendation:** ANC 6A send a letter to OP Director, Harriet Tregoning re: Updating Zoning Map for Area surrounding Eastern H Street NE to be Consistent with the 2006 Comprehensive Plan.
4. **Recommendation:** ANC 6A send a letter to Linda Argo re: Public Space Training for Permitting and Inspection Staff.
5. **Recommendation:** ANC 6A send a letter to Mayor Fenty re: Request for Response to ANC 6A Letter Regarding Ordering of Public Space, Zoning and Historic Preservation Approvals.
6. Approve committee report.
7. Next meeting - 7:00 pm, April 21, 2010 (3<sup>rd</sup> Wednesday)

8:15 **Community Outreach** pg. 63

1. **Recommendation:** ANC 6A fund the CHGC request for \$650 to buy bulbs for planting within ANC 6A.
2. Approve committee report.
3. Next meeting - 7:30 pm, April 19, 2010 (3<sup>rd</sup> Monday)

8:20 **Transportation and Public Space Committee** pg. 66

1. **Recommendation:** ANC 6A send a letter of support to DDOT regarding the installation of stop signs at the intersections of 10th and 12th at Constitution Ave NE.
2. **Recommendation:** ANC 6A send a letter to DDOT regarding public space appeal for 701 10th Street NE.
3. **Membership:** Recommend ANC 6A approve Andrew Hysell as a new member to the committee.
4. Approve committee report.
5. Next meeting - 7:00 pm, April 19, 2010 (3<sup>rd</sup> Monday)

8:25 **Public Safety Committee** pg. 75

1. Next meeting - 7:00 pm, April 15, 2010 (3<sup>rd</sup> Thursday)

8:30 **Unfinished Business**

8:35 **New Business** pg. 76

1. ANC 6A letter of support for Rail-Volution (Mahmud)
2. ANC 6A letter to MPD Chief Lanier re: Request for Additional Police Patrol for PSA 102 and 103 (Sibilia)

8:40 **Community Comments Round II, time permitting** (2 minutes each)



# Advisory Neighborhood Commission 6A Meeting Minutes of March 11, 2010



## Advisory Neighborhood Commission 6A Miner Elementary School

Minutes  
March 11, 2010

The meeting was called to order at 7:00 p.m.

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

### 1. Approval of agenda

Mr. Alberti asked that an allocation for the Post Office box be considered under the Treasurer's Report. Ms. Beatty asked that voluntary agreements be considered under New Business. Mr. Robinson asked that an H Street streetcar resolution be added to New Business, and that a letter regarding the 90/92 buses be added to Unfinished Business. The agenda, as amended, was approved without objection.

### 2. Minutes

The minutes for the February meeting were approved without objection.

### 3. Community Comment

Mr. Holmes announced a CHRS Preservation Café of Spring Cleaning and Closet Organization.

### 4. Community Presentations -

Shaeda Ahmadi, Mayor's Office of Community Relations. Shaeda Ahmadi, the new Ward 6 Outreach and Service coordinator for Ward 6, introduced herself.

Regan Ford, Levine School of Music. Regan Ford, director of the Levine School of Music at THEARC, presented information on the school's programs and invited members of the community to be part of them, either by taking classes or attending programs at the school, including Master classes. She mentioned an Open House on March 20, and a concert by a soprano of spirituals and art songs.

### 5. Officer Reports

#### Chair

Mr. Robinson announced an education series by the Department of Housing and Community Development, with a meeting on March 23 at their MLK Avenue headquarters.

He also reported that there would be another meeting with other Ward 6 ANC Chairs and Councilmember Wells to discuss ward-wide issues.

The Vice Chair and Secretary had no reports



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### Treasurer

Commissioner Alberti presented the Treasurer's Report. He announced that the quarterly allotment for the ANC had been released. The report shows that the opening checking account balance was \$23,108.78 and that the savings account balance was \$4,199.67. There was an interest payment to the savings account of \$.36, leaving a balance of \$4,200.03 in the savings account. There were disbursements of \$25 to the ANC Security Fund (Check #1449); \$135 to Roberta Weiner for transcription of minutes (Check #1450); \$200 to Heather Schoell for preparation of the January agenda packet (Check #1451); \$158.14 to FedEx Office for January copies (Check #1452), \$1,983.14 to Weissan Designs for Dance (for an Eastern HS PTSA grant (Check #1453); and \$2,253.38 to Art Stone Theatrical (Eastern HS PTSA grant) (Check #1454), leaving a balance of \$18,354.12 in the checking account. **Motion:** Mr. Alberti moved/Ms. Beatty seconded a motion to approve the expenditures. The motion passed without objection. **Motion:** Mr. Alberti moved /Dr. Ronneberg seconded a motion to approve the Treasurer's Report. It was approved without objection.

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

**Motion:** Mr. Alberti moved/Ms. Beatty seconded a motion to allocate \$250 to fund rental of the ANC's Post Office box. The motion passed without objection.

### 6. SMD Reports

**Mr. Marshall** reported on the status of the rerouting of the 90/92 buses because of the H Street construction. He said he had met with Alfonso Martin from WMATA, and they changed the route to go down K Street, right on 10<sup>th</sup> Street, and back to 8<sup>th</sup> Street on F Street rather than G. He said the problem is that the bus drivers are not reading the new directions.

He also reported that he met with Derek Hardy from DDOT, and the RPP signs are a go on the 800 and 900 blocks of 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> Streets. However, because of the construction the signs will not be put up until the work is completed.

He also said that he has met with the merchants on the north side of H Street and Wylie Place, an area covering 10<sup>th</sup> to 13<sup>th</sup> Streets, north to I, and they agreed to take joint responsibility for the alley. He said there is a deserted building that has to be addressed, and that parking is still an issue.

**Dr. Ronneberg** reported that he is dealing with residents' complaints on the 90/92 buses. He also mentioned the construction and the street being torn up between 2<sup>nd</sup> and 14<sup>th</sup> Streets and the impact on businesses. He said that Councilmember Wells has met with DDOT Director Gabe Klein to talk about parking and the possibility of setting up temporary parking lots. He said they have abandoned the idea of doing the construction in thirds, and are doing it all at once. He also reported that there is a vicious dog in his SMD.

**Ms. Mack** reported that a community meeting was scheduled for March 16 at Pilgrim AME Church, 512 17<sup>th</sup> Street NE, to discuss the impact of the proposed change of 17<sup>th</sup> and 19<sup>th</sup> Streets NE to two-way traffic.



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Mr. Holmes reported that he has received complaints about people not receiving permits for rooftop solar panel credits. He said the logjam seems to be cleared up.

Ms. Beatty reported that there were no longer any carjackings in her SMD.

### 7. Committee Reports

#### ABL

##### Capitol Liquors

This is a request for an exception to the single sales ban only for half pints (not beer or malt liquor). Ms. Beatty reported that the ABL Committee has approved a voluntary agreement for Capitol Liquor incorporating the exception to the single sales ban. She said that the ANC had led the other ANCs on the ward-wide ban, and that the ABL Committee had considered five or six requests for waivers to the ban that they had rejected. The reason that they looked at this one and wrote a new VA is that the ANC can't say it wants a partial ban under the standard VA. This VA is only in effect for one year and it has to come back to the ANC to be extended beyond the year. Capitol Liquor abuts three wards, 5, 6, and 7, and only 6 has a ban on half-pints. The owner, Young Woo, who was present, she said, is a responsible community member according to Ms. Mack, in whose SMD the establishment is located.

**Motion:** Ms. Beatty moved/Ms. Mack seconded a motion to accept the new VA for Capitol Liquors and to approve the exception to the single sales ban for the sales of half pints.

Dr. Ronneberg asked whether the VA and the exception go together and was told that they do. Mr. Holmes asked whether this was the exception the ANC had already voted against, and asked how this resolution differs. Ms. Beatty responded that the differences are that there is a different price point in the VA, and the VA is only in effect for one year. Mr. Holmes responded that he has a problem with a government body setting a price point, and it is not valid to limit sales to people who can afford it. Ms. Beatty responded that the argument that it keeps the poor from buying has been rejected by this ANC when we pursued the first H Street moratorium, and said that the reason for the price point was to protect the neighborhood from "street drinking" which often creates loitering and public urination and other problems. She said he owner can sell whatever he wants, and if he doesn't want to sell below \$3.99, he doesn't have to, but he wanted this price in the agreement in order to show the ANC that he's responsible. Mr. Holmes responded that the ANC should call on Ward 5 to institute a ban. Empty bottles drift into 6A's area. He said it's the only thing on which he has voted against the committee. Ms. Beatty said that 6A is not the ANC that's permitting most exceptions. Mr. Marshall said he lives north of H Street and he doesn't see the necessity of doing it. Mr. Robinson said that standards should be set for a price point, and there is a problem doing that without a study. However, In this case, the owner is coming forward to say he wants to do it.

**Motion:** Mr. Holmes moved an amendment to the original motion. It was seconded by Ms. Mack. The amendment is that section 1 (C) of the Voluntary Agreement with Capitol Liquors will be amended to read "The licensee may sell spirits in containers of a half pint." The amendment passed 6-0-1, with Mr. Alberti not voting.



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Dr. Ronneberg expressed concern about setting future precedents. He said he believes that the exception should be granted, or urge Ward 5 to institute a ban. Ms. Beatty said that no precedent is being set, as this is a very limited exception, that the committee will consider each request for an exception individually, and allowing this one differentiates someone who is doing the right thing vs those that are not responsible owners. She added that she has no power to make Ward 5 do anything. The amended motion passed 3-2-2. Commissioners Alberti and Marshall voted present; Commissioners Holmes and Ronneberg voted against; and Commissioners Beatty, Mack and Robinson voted in favor.

The report of the committee was accepted without objection.

### Economic Development and Zoning

#### Union Station Air Rights Text and Map Amendment Project

The Office of Planning has proposed a rulemaking for a text and map amendment to create a special zone for the air rights over the tracks behind Union Station. Among other issues, the zone proposes to make the measuring point for the development at the top of the H Street Bridge rather than from the grade at 1<sup>st</sup> or 2<sup>nd</sup> Street NE. The EDZ Committee is considering the case because of its impact on the H Street Strategic Development Plan and Zoning Overlay that was meant to create a “Western Gateway.” According to Dr. Ronneberg, the proposed measuring point is in direct contradiction of the 2006 Comprehensive Plan, the 2002 Zoning Case (ZC 02-35, which changed the definition of building height to exclude bridges and viaducts, and recommendations made by the Office of Planning (OP) through the Zoning Regulations rewrite process to measure height from grade rather than from man-made structures like bridges. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to send a letter to the Zoning Commission opposing the proposed rulemaking on the Union Station Air Rights project. In response to a statement that the issue is not in ANC 6A and has no relevance, Mr. Holmes responded that the Office of Planning is doing this around the city to break down the zoning overlays block by block.

ANC 6C Commissioner Ryan Velasco said that it is misleading to say that it is the Office of Planning doing this on its own. He said there has been an extremely iterative process between ANC 6C and OP. He pointed out that it will be a mixed use development with 500 residential units, including affordable housing, and he said that it was elitist to oppose the development. Mr. Robinson suggested that 6C should have further discussion with 6A on the issue. Ms. Beatty said she was troubled that 6A was accused of having an elitist attitude, and asked why action had to be taken at his time. Dr. Ronneberg said that the hearing is scheduled for May and it is coming up. Mr. Robinson said he takes exception to the statement that 6A has been elitist in our dealings with our neighbors in ANC 6C and believes that we can have disagreements without being disagreeable. He acknowledged that it was OP that had stopped the process by asking for a postponement of the hearing. Mr. Robinson then asked whether there was a problem with putting off action on the issue for a month so the ANC can work with ANC 6C. **Motion:** Ms. Beatty moved/Mr. Marshall second a motion to table action on the Union Station Air Rights project. The motion passed 4-3, with Dr. Ronneberg, Mr. Alberti and Mr. Holmes in opposition.

### Vacant Properties

Ronneberg reported that two pieces of legislation dealing with vacant properties are pending before the City Council, both of which are inadequate. The EDZ Committee has developed a set of principles:



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1. The current vacant property system is untenable and doesn't create sufficient financial incentives for owners of vacant properties to occupy or sell these properties. The complexity of the system and exemption allowances leads to many vacant properties to occupy or sell these properties. The complexity of the system and exemption allowances leads to many vacant properties not being taxed at the vacant property rate. This is a problem—we have a serious vacant property problem in our ANC.
2. A system of penalties should be designed that is easy enough to administer but that is sufficiently strict that it encourages reoccupation of vacant properties.
3. Overall goal of the vacant property and blighted property penalties is to encourage occupation of vacant properties and renovation of blighted properties for eventual occupation.
4. There should be a distinction between vacant and blighted properties.
5. The definition of blighted properties should be examined; the current narrow definition of “blighted” may not be strong enough.
6. Only a strictly limited number of exemptions should be allowed—military service being one specific exemption.

**Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to send a letter to Councilmember Wells identifying principles for an effective vacant property tax system and asking him to oppose vacant properties bills (B18-546 and B18-448) or any other bill not tying vacant properties fees to the value of the building. The motion passed without objection.

The report of the Committee was accepted without objection.

### Community Outreach

The Community Outreach Committee had no report.

### Transportation

#### Capitol Hill Classic

**Motion:** Me. Holmes moved/Mr. Alberti seconded a motion to accept the Committee's recommendation to support the Capitol Hill Classic 10K race on Sunday, May 16. The motion passed without objection.

### Resignation

**Motion:** Mr. Robinson moved to accept the resignation of Diane Hoover from the Transportation Committee. The motion passed without objection.

The Committee's report was accepted without objection.

### Public Safety

The Public Safety Committee had no report.



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### 8. Unfinished Business

#### Bylaws Amendments

**Motion:** Mr. Holmes moved/Dr. Ronneberg seconded a motion to amend the ANC 6A bylaws as follows: Article X, Section 2 be amended to include “(e) Transportation and Public Space.” And renumber the following line as (f). The motion passed without objection.

**Motion:** Mr. Robinson moved/Dr. Ronneberg seconded a substitute motion for Mr. Holmes motion on Officer Duties: Article IX, section 2 (b) be amended to read: “The Vice Chairperson shall, during any vacancy in the office of Secretary, fulfill the duties of Secretary, unless he/she is also functioning as the Treasurer, in which case the Chairperson shall fulfill the duties of the Secretary until the vacancy for Secretary or Treasurer is filled.” Subsequent subsections shall be renumbered as appropriate.

Ms. Beatty questioned the need for the amendment, saying the Commission had existed for many years without it. She said it was not coincidental that it was being offered now. She noted that she had nominated Mr. Holmes to be ANC 6A Secretary in January, but he declined the office. Mr. Alberti said it was being moved because there is a hole in the bylaws and there’s no one to act in the Secretary’s place if it’s necessary to have someone to sign a quarterly report which can’t be filed without the Secretary’s signature. He expressed his disappointment that something is being read into it. Mr. Holmes said that he offered the amendment because he saw a hole in the bylaws. The motion passed 5-2, with Ms. Beatty and Ms. Mack in opposition.

(Ms. Mack left the meeting at 8 p.m.)

#### H Street Connection

**Motion:** Dr. Ronneberg moved/Ms. Beatty seconded a motion that the ANC support the recommendations of the EDZ Committee to support the massing and design of the proposed building at 900 H Street NE (H Street Connection Redevelopment), as well as the following proposed community amenities:

- a. Developer support for the H Street Historic District.
- b. Participation in a Business Improvement District (BID) or Clean and Safe Program.
- c. Erect bollard to protect the nearest house on 8<sup>th</sup> Street.
- d. Re-engineer the drainage system in the alley to prevent flooding during heavy rains
- e. Security cameras to monitor alley traffic
- f. Development meets LEED Silver Certification requirements
- g. Transportation Demand Management measures recommended by TPS Committee
- h. Landscaping of Phase II area before Phase II building is erected<sup>1</sup>

<sup>1</sup>*The following applies to the open areas of the site not improved with buildings, hardscape or structures and their access with grass, shrubs, flowers and any other attractive plants or foliage to maintain such area in attractive condition:*

1. *If the bank pad and existing structures are removed from the east end of the site, developer agrees to landscape that area other than the private alley and any structure that may be needed*





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*for the project such as the 10<sup>th</sup> Street curb cut and garage access in the event they are constructed as a part of phase one construction; and*

*2. If the bank pad and other existing structures are not removed, the developer agrees to landscape the areas other than the retained improvements and the private alley.*

Randy Brandt, the closest resident to the developer said that there is a fundamental flaw in the project: its size. He said that the traffic flow will be terrible and the ANC and the City have done nothing to ameliorate the situation.

The recommendations passed without objection.

**Motion:** Mr. Robinson moved/Dr. Ronneberg seconded a motion to accept the recommendations of the Transportation and Public Space Committees on the redevelopment of the H Street Connection:

### Amenity Proposals agreed to by the developer:

- a. Withdraw from consideration for residential parking permits for residents of the building. Assist, and not object to, any City and ANC efforts to accomplish the same.
- b. Unbundle the sale of parking spots in the garage from the sale or lease of residential units in the building.
- c. Limit the number of retail parking spaces to no more than 65 spaces.
- d. Locate ticketing kiosks for the parking garage at the base of the entry ramp.
- e. Develop a written plan for distribution to building residents, visitors and employees informing them of the various transportation options available with the goal of reducing automobile ownership by building residents and motor vehicle trip generation to and from the building by residents, visitors and employees.
- f. Make one car share parking spot in the retail portion of the garage available to a care share provider such as Zipcar or another similar company at any time needed by such car sharing provider.
- g. Support adding up to three care share parking spots in adjacent public space.
- h. Develop a plan and parking price/valuation policies which will:
  - I. Encourage retail patrons and other visitors to the building to use the building's garage should they drive.
  - II. Encourage the use of public transit and car sharing; and
  - III. Encourage visitors to the building and residents to bicycle to/from the building.
- i. Provide 25 bike parking spaces for retail visitors and 50 bike parking spaces for use by residents in the parking garage, as reflected in the building plans provided to the ANC.
- j. Fund the development of a bike sharing station on or adjacent to the property on public space at a cost not to exceed \$45,000.
- k. Build and maintain conveniently located showers and changing areas in the building for employees who wish to bike to work, as reflected in the building plan provided to the ANC.
- l. Allow for bicycle access through garage ramps, which will include the use of shortened gate control arms.



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- m. Use of aesthetically pleasing brick façade materials at and around garage entrance areas (i.e. no plain cinderblock walls).
- n. Use auguring construction techniques instead of drilling into the ground, which will minimize ground vibrations that disturb or even damage nearby buildings. The developer will also undergo an existing conditions study of the nearby buildings where access is permitted prior to construction/demolition.
- o. Undertake effective rodent control measures during demolition to ensure any disrupted rodent populations on the property do not invade nearby homes and other buildings.
- p. Designate and enforce garbage collection and storage in areas inside of the building (as shown on the building plans provided to the ANC) where garbage collection can take place by way of loading docks, and not in the back alley as is the current practice.
- q. Provide a reversible middle retail parking entrance lane that can be used to implement a second ticket kiosk entrance as needed (i.e. when the other kiosk is inoperable).
- r. Maintain a residential parking ratio of no more than .9 parking spaces per unit given other transportation demand management initiatives outlined above, DDOT's significant investment in public transportation targeting the H Street corridor and existing DDOT policies which encourage minimizing parking in areas targeted for transportation infrastructure investments, such as H Street.
- s. The developer will provide at least five designated guest parking spots in the retail portion of the garage during evening hours, for which the developer may charge a fee.
- t. Provide a \$20 Metro SmartTrip card to all initial and future building residents upon move-in and a one-time \$30 SmartTrip card for each employee of the retail businesses. This total commitment will be capped at \$15,000.
- u. Provide a one-time, one year car share membership (which shall include the cost for any application fees) for the initial occupant(s) of each residential unit, capped at a total commitment of \$19,000.

The recommendations were accepted without objection.

**Motion:** Mr. Robinson moved/Ms. Beatty seconded a motion to accept the following additional recommendations from the Transportation Committee regarding the H Street Connection Development project to DDOT, following the developer's submission of its PUD application.

- a. Adjust signal timing at 8<sup>th</sup> and H Street to reduce congestion due to the garage entrance and to accommodate traffic flow to the maximum extent feasible along 8<sup>th</sup> Street.
- b. Consider moving bus stops along 8<sup>th</sup> Street so that traffic flow will not be impeded by buses stopping to pick up and drop off passengers, including moving the northbound 8<sup>th</sup> Street bus stop to a location north of H Street.
- c. Provide the ANC its final analysis regarding the feasibility of locating garage entrances along 8<sup>th</sup> and 10<sup>th</sup> Streets.
- d. Consider widening 8<sup>th</sup> Street adjacent to the development site as necessary to create a left turn lane in the middle of the street. This can be accomplished by removing two feet of sidewalk from each side of the street. This change would improve traffic flow and provide a feasible left turn lane in the middle of the street.

Mr. Alberti asked whether these were part of the amenity package. Mr. Robinson responded that these recommendations were in addition to the amenity package and would be forwarded to DDOT rather than the Zoning Commission. Mr. Velasco said that ANC 6C is excited by the project.



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The motion passed 6-1, with Mr. Marshall in opposition.

**Motion:** Dr. Ronneberg moved/Ms. Beatty seconded a motion to support a recommendation for the inclusion of 100 additional city-funded parking spaces as part of the H Street Connection project and that the city allow for up to 10 of these spaces to be dedicated to car sharing use as demand warrants; and that the city fund all costs associated with traffic mitigation or other costs associated with the 100 city-owned parking spaces.

Omar Mahmud said that he is opposed to the motion because there are already 65 spaces and the additional 100 will create the need for a massive garage. He said the city is already making a tremendous investment in H Street. The H Street Overlay calls for diffuse sites along the corridor, not one massive garage in one location. Dr. Ronneberg said the recommendation is in the Strategic Plan, not the Overlay. He said there is a question for the ANC. A lot of people come to H Street, and where are they going to park. There are not really any other sites. What happens with out-of-area parkers? Mr. Alberti said it's a tough one for him. He said that while he understands the need for additional parking that the 65 spots will be there for someone to make money. He said he had enough doubt that he was going to vote against the motion. Mr. Mahmud said there are other places along the corridor, and the plan doesn't encourage parking in one place. Mr. Marshall said he doesn't support the resolution, and the money can be better spent. He also said that people are moving more toward public transportation. Mr. Robinson said he supports the additional spaces. He said that absent the additional spaces, it is likely that visitors will be inclined to will use the residential spaces. The motion failed 3-3, with Mr. Alberti, Mr. Marshall and Ms. Beatty opposed.

### Letter on the 90/92 bus

**Motion:** Mr. Marshall moved/Mr. Ronneberg seconded a motion to send a letter to DDOT outlining the problems with the rerouting of the 90/92 buses on 10<sup>th</sup> Street NE and asking if there is any alternative route. The motion passed without objection.

## 9. New Business

### Vacant Property Tax Proposal

Dr. Ronneberg presented a proposal he has developed for a vacant property tax structure that will eliminate all exemptions except for military personnel who are on temporary reassignment. The system is fair and effective and would reduce the bureaucratic burden of the current system. **Motion:** Mr. Ronneberg moved/Mr. Alberti seconded a motion to send a letter to Councilmembers Bowser and Evans (cc's to the complete City Council) outlining the proposal for a new vacant property tax structure.

Mr. Alberti said he applauded Dr. Ronneberg for putting the proposal together. It addresses the old law and new, and it's a great proposal. The motion passed without objection.

### Residential Parking Pass for the 700-800 blocks between 8<sup>th</sup> and 14<sup>th</sup> Street

**Motion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion to work on Residential Parking Pass Only (RPP) parking restrictions for the 700 and 800 blocks between 8<sup>th</sup> and 14<sup>th</sup> Street NE. The motion passed without objection.

### Historic Designation for 1381 H Street NE



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Dr. Ronneberg said that there is a vacant two-story frame building at 1381 H Street NE that is in danger of being torn down to escape having to pay vacant property taxes. He said that the ANC had lost the battle on 1309 H Street and there's not a good chance of getting the designation, but it's a good opportunity to engage the applicant to see if the building can be saved. The motion passed without objection.

### Voluntary Agreements

Ms. Beatty said that ABRA had kicked back the voluntary agreement for Souk with changes that dictate specific language. If ABRA dictates language it is no longer a voluntary agreement between the parties. She said she had talked with Fred Moosally at ABRA and after she and Chair Robinson requested a public hearing on this matter that the ABC Board voted to allow it so that ANC's can comment. She said the ANC's should get involved in the conversation with ABRA. The VA for Chow [NOTE FROM BEATTY: I said Drew's, but I was confused, it is Chow. MB] tracks the ABC Board almost exactly which seems to indicate that the ABC Board is on the side of private attorneys who appear before the Board. The attorney representing Chow wanted us to omit all existing law in the VA, but instead we agreed to attach an appendix with the existing law, so that the owner understands the DC law that we expect him to comply with.

Mr. Alberti said that the Board has decided to take a look at VAs, because a lot of what has been approved in the past is unenforceable. The Board wants to take a look at the VA process, and it's moving quickly. There should be something out in about a month. **Motion:** Mr. Holmes moved/Mr. Ronneberg seconded a motion to appoint the Chair of the ABL Committee and the ANC Chair represent the ANC in this matter at ABC.

Mr. Alberti said that the full ANC should have the opportunity to review the ABC proposal before the hearings. Ms. Beatty agreed to do this. Ms. Beatty suggested that Mr. Alberti recuse himself because he has a conflict of interest. Mr. Alberti responded that he is talking process, not policy. He said he would vote against the motion because it's very important that the full ANC have a chance to look at the proposals. The motion passed 5-1, with Mr. Alberti in opposition.

### Trolley Resolution

Mr. Holmes presented a resolution written by Mr. Robinson and himself to not hold the trolley until wireless cars are available. **Motion:** Mr. Holmes moved/Ms. Beatty seconded a motion to support the following resolution and send a letter to the City Council urging it to support the ANC's position.

WHEREAS, the District Department of Transportation (DDOT) is nearing completion of a new 1.7 mile street car line on H Street and Benning Road; and

WHEREAS, the goals of the streetcar are to link neighborhoods with a modern, convenient and attractive transportation alternative; provide quality a service to attract and reach new transit ridership; offer a broader range of transit options for District residents; reduce short inner city auto trips; parking demand traffic congestion and air pollution; and encourage economic development and affordable housing options along the H Street/Benning Road streetcar corridor; and

WHEREAS, an available overhead streetcar power solution has been identified that will allow such streetcars to come online quickly. The District should not want for power systems that have not yet



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proved themselves in actual use as this will take years to become fully developed and be brought to market; and

WHEREAS, an overhead power solution is consistent with the old streetcar system which used overhead wires outside the Old City (the L'Enfant plan), raising and lowering power poles mounted atop the streetcars, as they moved across the boundary of the Old City (L'Enfant); and

WHEREAS, concerns have been raised that the District should not move forward with service for streetcars until a non-overhead power source is identified; and

WHEREAS, there will be no damage to views of the monumental core of the city from the current route,

BE IT RESOLVED THAT:

1. ANC 6A calls on the City Council, the Mayor and the Department of Transportation to proceed immediately with the installation of overhead wires along the H Street/Benning Road line, and
2. The District continue its research and vigorous pursuit of non-overhead-line technology, which could be implemented on the H Street line should such technologies become available

BE IT FURTHER RESOLVED THAT copies of this resolution be forwarded to the Mayor, the Council of the District of Columbia and the District Department of Transportation.

Dr. Ronneberg said that he was torn—he knows people opposed to overhead lines and advocates who say it's ready to go. He said he was ready to wait six or eight months, but not five years. Mr. Alberti said that the technology is rapidly developing—there is a test in Texas, in North Carolina and in France. The L'Enfant Plan says no overhead wires. He said the ANC should heed its own advice and wait a little bit longer. He said he would hate to rush because there would be overhead wires for 15 or 20 years. Mr. Marshall said he agreed with Mr. Alberti. Mr. Mahmud said his personal preference is for no overhead wires. Elizabeth Nelson pointed out that while the letter is only for H Street, it will be used all over for all the trolley lines. Mr. Holmes said that his preference is also no wires, but it would mean waiting until 2015-2016 for wireless. They are testing a system in Bordeaux which has a mild climate and conditions are different. The motion passed 4-2, with Mr. Alberti and Mr. Marshall in opposition.

**Motion:** Mr. Robinson moved that Dr. Ronneberg and he represent the ANC before the Zoning Commission for the H Street Connection redevelopment case. The motion passed without objection.

The meeting was adjourned at 9:05 p.m.



## Commission Letters from March 11, 2010 Meeting



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



April 2, 2010

Mr. Charles Brodsky  
Chairman, ABC Board  
1250 U Street NW, Third Floor  
Washington, DC 20009

Dear Chairman Brodsky,

I am submitting a replacement Voluntary Agreement (VA) for Class A Licensee, 1101 Convenience Mart, located at 1101 H Street, NE. The attached VA was approved 7-0 by the ANC Commission at its regularly scheduled meeting in January, 2010.

The ANC submitted a Voluntary Agreement for this establishment in March of 2002. At the time, Bobby Pittman and several others had also executed a Voluntary Agreement with the licensee. The two VA's were combined by the ABC Board. The store has recently changed ownership and their attorney requested that the ANC execute the ANC's "standard" VA with the new owner. It is our understanding that Bobby Pittman has withdrawn his prior VA, so we request that this VA be used to replace the former VA on file.

If you have any questions, please contact me or Commissioner Mary Beatty, Chair, ANC Alcohol Beverage Licensing Committee.

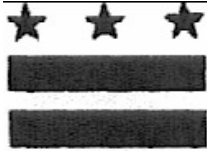
On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Fred Moosally, Executive Director  
Commissioner Mary Beatty



# Commission Letters from March 11, 2010 Meeting



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



## Class A and Class B Liquor License Cooperative Agreement

Made this 21 day of January, 2010, by and between

1101 Convenience Mart

1101 H Street NE  
Washington, DC 20002  
("Applicant")

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 to the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit retail sale of beer, wine, and spirits for off premises consumption and Class B liquor licenses that permit retail sale of beer and wine for off premises consumption.

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 Cooperative Agreement shall be presented to all Class "A" and Class "B" applicants within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Cooperative 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 have agreed that it is in all the parties' best interests to standardize the requirements for the operation of Class A and Class B establishments within the boundaries of ANC 6A. 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. It is the intent, therefore, of ANC 6A, to level the playing field through the implementation of this standardized Cooperative Agreement.

### Witnessed

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 "B" Liquor License at the subject premises; and,

Whereas, the parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."



## Commission Letters from March 11, 2010 Meeting



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



### Class A and Class B Liquor License Cooperative Agreement

#### The Parties Agree As Follows:

1. Requirements for sale / provision of single containers of alcohol beverages along H Street corridor, in accordance with Section 310 of Title 23 DCMR
  - A. Applicant shall not sell, give, offer, expose for sale, or deliver a single or individual container of beer, malt liquor, or ale.
  - B. Applicant shall only sell, give, offer, expose for sale, or deliver beer, malt liquor, or ale containers with multiple-container packaging supplied by the manufactures of four or more individual containers (example: 4-packs, 6-packs, 12-pack cases, etc.).
  - C. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of wine or fortified wine in a single container with a capacity of less than 300ml.
  - D. Class B applicants will not sell fortified wine. Fortified wine is defined as wine that exceeds 14% alcohol content.
2. Ban on Sale/Provision of Other Items:
  - A. Single Cigarettes:
    - 1) Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
  - B. "Go-cups":
    - 1) Applicant shall not sell, give, offer, expose for sale, or deliver "go-cups" or servings of plain ice in a cup.
    - 2) Per the Alcoholic Beverage regulations, a "go-cup" is defined as: "a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment."
  - C. Products associated with illegal drug activity:
    - 1) Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
    - 2) These items are defined as: "cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia."
3. Hours of Operation for Sales of Alcohol:
  - A. For Class B applicants, the sale of alcohol shall be restricted to the following hours:
    - 1) 9:00 a.m. – 10:00 p.m. Monday – Friday
    - 2) 9:00 a.m. – 10:00 p.m. Saturday
    - 3) 9:00 a.m. – 9:00 p.m. Sunday
4. Public Space Cleanliness and Maintenance:
  - A. 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:
    - 1) Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
    - 2) 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.
    - 3) Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
    - 4) Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean.
    - 5) Remove snow and/or ice from sidewalks fronting (includes sidewalks on the sides of corner buildings) within time limits set by the District of Columbia for such snow and/or ice removal.
    - 6) Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti's appearance.
5. Signage / Loitering / Illegal Activity:





# Commission Letters from March 11, 2010 Meeting



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



## Class A and Class B Liquor License Cooperative Agreement

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: GAB Soo Kim

Date: 01/21/2010

Signature: [Handwritten Signature]

#### ABC Board-Licensed Manager:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

#### Advisory Neighborhood Commission 6A:

By: Kevin J. Robinson

Date: 4/1/2010

Signature: [Handwritten Signature]

The parties have agreed to enter into this Voluntary Agreement conditioned upon the Alcoholic Beverage Control Board's approval of the replacement of pre-existing voluntary agreement with ANC 6A dated March 2002.

G.K.



## Commission Letters from March 11, 2010 Meeting



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



### Class A and Class B Liquor License Cooperative Agreement

- A. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offenses by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
  - B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
    - 1) The minimum age requirement for purchase of alcohol,
    - 2) The obligation of the patron to produce a valid identification document in order to purchase alcohol.
  - C. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
    - 1) Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers,
    - 2) Asking loiterers to move on whenever they are observed outside the establishment,
    - 3) Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
    - 4) Calling the Metropolitan Police Department if illegal activity is observed,
    - 5) Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant's log shall be provided to the Board and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant's license.
  - D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
    - 1) Prohibition against selling alcohol to minors.
    - 2) No panhandling.
    - 3) No loitering.
  - E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
  - F. Applicant shall receive, at their request, and at no cost, a sign to post within their establishment (provided by the ANC6A ABL Committee) that outlines the primary points of this agreement.
  - G. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
6. Reporting to ANC 6A:
- A. Applicant shall make best efforts to appear before the ANC 6A Alcohol Beverage Licensing Committee two (2) months prior to their Class A or Class B license expiration date to discuss issues and concerns related to the prior two years operations, and the impending renewal of their license.
  - B. Written testimony can be provided to the ANC 6A Alcohol Beverage Licensing Committee instead of appearing in-person if mutually agreed upon by the merchant and ANC 6A.
7. Regulations:
- A. In addition to the requirements of this agreement, applicant will operate in compliance with all applicable laws and regulations.
8. Miscellaneous:
- A. Applicant shall deny support of the installation of pay phones around the establishment (externally). The applicant shall have existing pay phones (if any) removed from the exterior of the establishment at the end of the current contract.
  - B. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
9. Enforcement:
- A. If any 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



## Commission Letters from March 11, 2010 Meeting



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



April 2, 2010

Mr. Charles Brodsky  
Chairman, ABC Board  
1250 U Street NW, Third Floor  
Washington, DC 20009

Dear Chairman Brodsky,

On March 11, at a regularly scheduled meeting of the ANC6A Commission, the Commission voted to support a limited exception for Capitol Liquors, located at 1835 Benning Road, NE, based upon the attached Voluntary Agreement.

The Voluntary Agreement states that the exception will apply to half-pints only, and will be limited to a one year period. The sale of single beers, ales, or wines is not allowed under this VA. The ANC recognizes that the ABC Board cannot approve a partial exception, so we have utilized the VA to stipulate the conditions of the exception which we are supporting.

Capitol Liquors voluntarily stopped selling single beer and malt liquor even before the Ward 6 ban. The owner, Mr. Woo is a responsible business owner who has the full support for this exemption from his SMD ANC Commissioner, Gladys Mack. He is diligent about keeping loitering, street drinking and litter under control in front of his store. As Ward 6 is the only area in the city that included a ban on half-pints, and he is at the intersection of Wards 5, 6 and 7, Mr. Woo is placed at a disadvantage to compete with Wards that do not have the half-pint restriction. We therefore believe that this exception, limited by the VA, will not create negative impacts upon the community.

Should you have any questions, please contact me or Commissioner Mary Beatty, Chair, ANC Alcohol Beverage Licensing Committee.

On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Fred Moosally, Executive Director  
Commissioner Mary Beatty



# Commission Letters from March 11, 2010 Meeting



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



## Class A and Class B Liquor License Cooperative Agreement

Made this 2 day of April, 2010, by and between

Capitol Liquors, (Class "A" Licensee)

1835 Benning Road  
Washington, DC 20002  
("Licensee")

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 to the ANC 6A community, while concurrently curtailing any adverse effects a business such as the licensee's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit retail sale of beer, wine, and spirits for off premises consumption.

The licensee 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 Cooperative Agreement shall be presented to all Class "A" licensees within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Cooperative 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 have agreed that it is in all the parties' best interests to standardize the requirements for the operation of Class A establishments within the boundaries of ANC 6A. 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. It is the intent, therefore, of ANC 6A, to level the playing field through the implementation of this standardized Cooperative Agreement.

### Witnessed

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 "A" Liquor License at the subject premises; and,

Whereas, the parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

### ANC6A supports an exemption to the "Consolidated Mt. Pleasant, Ward 2, and Ward 6 Single Sales Moratorium Act of 2008 for a period of one year upon the following terms and conditions:

- I. Requirements for sale / provision of single containers of alcohol beverages
  - A. Licensee shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale in single containers of alcohol of 70 ounces or less.
  - B. Once all Class A licensees within 1,200 foot radius of the applicant's premises are not allowed to sale, or agree by VA to not sale spirits in containers of half-pints or less, the licensee will not be allowed to sell spirits in containers of half pints or less.



## Commission Letters from March 11, 2010 Meeting



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

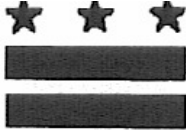


### Class A and Class B Liquor License Cooperative Agreement

- C. The licensee will not sell spirits in containers of half pints or less for a retail price less than \$3.99.
  - D. ANC6A reserves the right to reconsider this exemption one year after its approval by ABRA. If ANC6A takes a position that the exemption has created a negative impact on the "peace, order, and quiet" of the neighborhood, it will petition ABRA to revoke the exemption.
2. Ban on Sale/Provision of Other Items:
    - A. Single Cigarettes:
      - 1) Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
    - B. "Go-cups":
      - 1) Applicant shall not sell, give, offer, expose for sale, or deliver "go-cups" or servings of plain ice in a cup.
      - 2) Per the Alcoholic Beverage regulations, a "go-cup" is defined as: "a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment."
    - C. Products associated with illegal drug activity:
      - 1) Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
      - 2) These items are defined as: "cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia."
  3. Hours of Operation for Sales of Alcohol:
    - A. Applicant shall not sell alcohol before or after ABC regulated hours.
  4. Public Space Cleanliness and Maintenance:
    - A. 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:
      - 1) Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
      - 2) 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.
      - 3) Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
      - 4) Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean.
      - 5) Remove snow and/or ice from sidewalks fronting (includes sidewalks on the sides of corner buildings) within time limits set by the District of Columbia for such snow and/or ice removal.
      - 6) Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti's appearance.
  5. Signage / Loitering / Illegal Activity:
    - A. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offenses by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
    - B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
      - 1) The minimum age requirement for purchase of alcohol,
      - 2) The obligation of the patron to produce a valid identification document in order to purchase alcohol.
    - C. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
      - 1) Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers,



# Commission Letters from March 11, 2010 Meeting



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



## Class A and Class B Liquor License Cooperative Agreement

- 2) Asking loiterers to move on whenever they are observed outside the establishment,
  - 3) Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
  - 4) Calling the Metropolitan Police Department if illegal activity is observed,
  - 5) Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant's log shall be provided to the Board and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant's license.
- D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
- 1) Prohibition against selling alcohol to minors.
  - 2) No panhandling.
  - 3) No loitering.
- E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
- F. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
6. Reporting to ANC 6A:
- A. Applicant shall make best efforts to appear before the ANC 6A Alcohol Beverage Licensing Committee two (2) months prior to their Class A license expiration date to discuss issues and concerns related to the prior two years operations, and the impending renewal of their license.
  - B. Written testimony can be provided to the ANC 6A Alcohol Beverage Licensing Committee instead of appearing in-person if mutually agreed upon by the merchant and ANC 6A.
7. Miscellaneous:
- A. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
8. Enforcement:
- A. If any 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: Young S. Woo

Date: 2-23-2010

Signature: [Handwritten Signature]



# Commission Letters from March 11, 2010 Meeting



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



## Class A and Class B Liquor License Cooperative Agreement

**ABC Board-Licensed Manager:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Advisory Neighborhood Commission 6A:**

By: Kelvin J. Robinson

Date: 2/2/2010

Signature: Kelvin J. Robinson



## Commission Letters from March 11, 2010 Meeting



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



March 16, 2010

Ms. Linda Argo  
Director  
Department of Consumer and Regulatory Affairs  
941 North Capitol St. NE, Room 9500  
Washington, DC 20002

Mr. David Maloney  
State Historic Preservation Office  
Historic Preservation Office  
2000 14<sup>th</sup> St NE, 4<sup>th</sup> Floor  
Washington, DC 20009

RE: Nomination of 1381 H St NE for Landmarking as a Historic Site

Dear Ms. Argo and Mr. Maloney,

I would like to inform you that ANC 6A has voted to nominate 1381 St NE to the DC Inventory of Historic Sites and to the National Register of Historic Places. This letter is the result of a unanimous motion adopted by the Commission at our properly noticed meeting on March 11, 2010.

The wood frame structure at 1381 H St NE is one of the oldest buildings on the Corridor. If renovated, this building could make a valuable contribution to the Street's historic architectural fabric and economic renaissance. If razed, another gaping hole in the street wall of the 1300 block will be created.

We are pursuing the nomination for landmark status in accordance with the goals outlined in the H Street Strategic Development Plan and the 2006 Comprehensive Plan, which expresses a commitment to preserve and enhance the exiting building stock:

***Policy CH-2.1.6: Historic Preservation***

Encourage the preservation of historic buildings along H Street, and promote educational and cultural tourism activities to raise awareness of the corridor's history and unique historic character. Consistent with the H Street Small Area Plan, this should include expanded surveys, tax credits, and a determination of the H Street Corridor's eligibility for designation as a National Historic District.





## Commission Letters from March 11, 2010 Meeting



Ms. Argo and Mr. Maloney  
Page 2

In addition, ANC 6A will be reaching out to the owner to explore alternatives to razing the property which include various tax credits, density bonuses and other incentives if the property is rehabilitated.

On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6  
Nicholas Majett, DCRA  
Clifford Utley, Property Owner  
Jennifer Carter, Owner's Agent



## Commission Letters from March 11, 2010 Meeting



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



March 16, 2010

Mr. Clifford Utley  
1008 Florida Ave NE  
Washington DC, 20002

Re: 1381 H St NE

Dear Mr. Utley,

I am the Chair of Advisory Neighborhood Commission 6A, which is an advisory body to City Council and District agencies for issues which affect residents in the Northeastern part of Ward 6, which includes the portion of H Street NE that includes your building. I am writing on behalf of the Commission to ask that you not to raze the structure at 1381 H Street NE.

Our Commission believes that the preservation of H Street's historic buildings offers the Corridor a competitive advantage as the area continues to revitalize – the most successful urban commercial districts across the country consist primarily of historic (or eligible for designation) buildings constructed from the 1870s to the 1920s. Your property at 1381 H Street is one of the oldest structures on H Street, and its preservation will help maintain the architectural context of the area.

Although 1381 H St. NE is currently in bad physical condition, we would like to work with you to help you take advantage of a number of tax and zoning incentives that would allow the current building to be rehabilitated in a manner that is will protect your financial interests and allow H Street to be restored to its former charm and economic health.

Some of the zoning and tax incentives available to you are:

1. If you preserve the building's façade, the zoning code permits you to construct a building that is 600 sq. ft. (0.5 FAR) greater than what would be allowed if the current structure were razed. (Source: DC Zoning Code, Section 1322.3)
2. If the building is designated as a historic landmark, you will be eligible to receive a federal tax credit for 20% of the costs of renovation. (Source: H Street Strategic Plan).
3. If it is not designated as a historic landmark, you will still be eligible to receive a federal tax credit for 10% of the costs of renovation. (Source: H Street Strategic Plan).
4. If you preserve the building's façade, then you can receive tax benefits for donating a façade easement to the L'Enfant Trust. In most cases, a donor can receive up to a 30% deduction in their adjusted Gross Income. More information about donating the façade easement can be found at: <http://www.lenfant.org/questions.html>. (Source: H Street Strategic Plan).



## Commission Letters from March 11, 2010 Meeting



Mr. Utley  
Page 2

5. DHCD has a Storefront Improvement Grant program to small business owners for enhancement of retail or commercial properties and will grant 80% of the total costs of improvement projects. (Source: H Street Strategic Plan).
6. H Street Main Street has a façade improvement grant program for which your property may qualify. (Source: H Street Main Street)
7. The City Council plans to spend \$27 million in Tax Increment Financing (TIF) on H Street NE. The law authorizing TIFs allows a portion of this money to be used for the “preservation, rehabilitation, or repair” of existing private buildings. More information can be found at: <http://cfo.dc.gov/cfo/cwp/view,a.1325,q.590509,cfoNav.33208,asp> .

Please contact the chair of our Economic Development and Zoning Committee, Drew Ronneberg at 202 431-4305 or [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) to follow up on how our ANC can help you finance the rehabilitation of your historic structure at 1381 H St NE.

On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Jennifer Carter, Owner's Agent



## Commission Letters from March 11, 2010 Meeting



Government of the District of Columbia  
Advisory Neighborhood Commission  
Box 75115  
Washington DC 20013



March 15, 2010

The Honorable Tommy Wells  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 408  
Washington, DC 20004

Dear Councilmember Wells:

As you know, vacant properties threaten the public safety and well-being of the communities that surround them, often becoming havens for criminal activity, rodent infestation, and unkempt yards that are littered with debris. According to DCRA Director Linda Argo, Ward Six and ANC6A have been acutely affected by vacant properties with 340 such properties in Ward Six alone.

Unfortunately, the Council recently amended the vacant property law to dramatically limit its reach. As a result, only 7 of the 340 properties that had been classified as vacant are currently subject to the Class 3 tax rate, which had been an effective incentive to encourage occupancy and appropriate maintenance of properties in recent years. ANC6A believes strongly that the legislative status quo, which provides no incentive to occupy vacant properties, is unacceptable. Furthermore, the vacant property tax was our only tool to discourage land speculation on H Street NE and encourage the sale or productive use of vacant properties on the Corridor.

The Economic Development and Zoning Committee of ANC6A has reviewed the pending vacant property legislation – Bills 18-448 and 18-546 -- and believes that neither bill adequately addresses the problems posed by vacant properties. The Committee proposed, and the Commission approved, a detailed solution to this problem that will be provided under separate cover. Accordingly, we hereby request that you withhold support from either measure or any bill that does not address the following principles:

1. Vacant properties pose significant problems for their surrounding communities regardless of whether or not they reach the current overly restrictive definition of “blighted.”
2. The current vacant property system is untenable because it does not create financial incentives for owners of vacant properties to lease, rent, occupy or sell these properties. Any legislative correction should include occupation incentives for vacant properties regardless of whether they qualify under the “blighted” definition and should require registration of vacant properties to ease the administrative burden.
3. The complexity of the prior vacant property system with its numerous and permissive exemptions led to too many vacant properties not being taxed at the vacant property rate. This problem should be resolved by eliminating or significantly restricting exemptions.



## Commission Letters from March 11, 2010 Meeting



Councilmember Wells  
Page 2

4. Occupation of vacant properties should be encouraged through use of the property tax code with the strength of the incentives tied to the assessed value of the property and to the length of the period that the property has been vacant. Incentives that are not tied to the assessed values of the properties are unlikely to prove adequate in many instances.
5. The definition of “blighted” should be reexamined as the current definition is too narrow as evidenced by the paucity of properties that are currently classified as such.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Linda Argo, Director, DCRA  
Kwame Brown, Councilmember, At-Large  
Michael Brown, Councilmember, At-Large  
David Catania, Councilmember, At-Large  
Phil Mendelson, Councilmember, At-Large  
Reuben Pemberton, Director, Vacant Property, DCRA



## Commission Letters from March 11, 2010 Meeting



Government of the District of Columbia  
Advisory Neighborhood Commission  
Box 75115  
Washington DC 20013



March 11, 2010

The Honorable Muriel Bowser  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 110  
Washington, DC 20004

The Honorable Jack Evans  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 106  
Washington, DC 20004

Dear Councilmember Bowser and Councilmember Evans:

ANC 6A has worked hard over the past 3 years to identify and mitigate vacant property in our neighborhood. Even when vacant properties are not “blighted,” they are a burden our community, because when homes are unoccupied and poorly maintained, they tend to become eyesores that attract vermin, litter, and criminal activity.

Our ANC commends your recent proposal to restore a distinct tax class for vacant properties that provides owners a strong financial incentive to reoccupy or sell their property. Furthermore, we agree that vacant and blighted properties should be treated differently and that vacant properties should be taxed at an intermediate rate between occupied and blighted properties.

Unfortunately, the proposed vacant property tax structure suffers from a key flaw found in the structure abandoned by the City Council in 2009. We believe that a fundamental problem with the prior system was that vacant properties faced a high tax rate as soon as they were deemed vacant. This system imposed serious hardships for people whose property was misidentified as vacant and also necessitated an elaborate and bureaucratically cumbersome exemption system that similarly undermined the effectiveness of the incentive regime.

We urge you and the full Council to consider a vacant property tax system that eliminates all exemptions except for military personnel who are on temporary reassignment and instead features an escalating tax rate based on the number of years a property is vacant. In our proposal, the escalating vacant property tax rate would be identical to the occupied property tax rate for the first year of vacancy and escalate at 1% per year thereafter until it reaches a maximum of 5%. The following table shows how this escalating tax rate would be applied to residential and commercial properties.



## Commission Letters from March 11, 2010 Meeting



Councilmember Bowser and Councilmember Evans

Page 2

Time vacant (past 5 years)	Residential	Commercial
0 to 1 year	0.85	1.65
1 to 2 year	1.85	2.65
2 to 3 year	2.85	3.65
3 to 4 year	3.85	4.65
4 to 5 year	4.85	5.00

The advantage of proposed escalating vacant property tax and with a single exemption is that:

1. Owners of properties misidentified as vacant have a full year to correct this mistake before they are subject to a higher tax rate. We are sure you have heard horror stories about innocent individuals who suffered from ruined credit rating and other problems under the old system because they were immediately assessed at the higher rate. The proposed system would give these individuals ample time to correct misidentifications.
2. Owners of vacant properties are not immediately subject to the full effect of the vacant property tax. This allows them ample time to rent, lease, sell or refurbish their property without having to apply for and receive an exemption from DCRA. During the first year of vacancy, the property would be taxed at the occupied rate. In the second year, the rate would increase 1%, which would provide reasonable financial incentive to occupy or sell the property. In subsequent years, the financial incentive would gradually increase in a way that would most heavily tax properties with the longest vacancy. Because the impact of the incentives in our proposal is not immediate for newly vacated properties and increase gradually, it eliminates the need for the varied permissive exemptions that plagued the prior system.
3. If the proposed system is implemented, properties that have a history of vacancy would not receive the lowest tax rate, but instead would be taxed according to the number of years of vacancy in the past 5 years, thus maintaining the strong incentives you propose on the most problematic and long neglected properties.
4. Our proposed system is likely to encourage reoccupation or sale of vacant property more quickly than a fixed rate tax system with extensive exemptions. In the latter system, a higher property tax rate is often not paid until the 3 years of exemptions have been exhausted. In essence, the latter system often means that the financial incentive is delayed by 3 years. By eliminating the exemptions in favor of a grace period, we believe that the system's efficiency would improve greatly.
5. The proposed system would greatly simplify the administration of vacant properties, because DCRA would no longer manage the cumbersome exemption system that requires tracking a property's vacancy and exemption history. Tracking a property's exemption history is required under the prior system because exemptions are capped to 3 years of eligibility over a 5 year period. Under the proposed system, DCRA would only keep track of vacancy history and report to OTR the number of years a property is vacant during the previous five years. By eliminating the need to track exemptions, DCRA will have more time to identify and inspect vacant properties.
6. Our proposed system is unlikely to produce the political backlash that the immediate jump to a higher rate encourages. It should be no surprise that there was a significant backlash to the 10% vacant property tax rate when owner's 3 years of exemptions ran out. A similar backlash could occur with the 5% rate unless ample exemptions remain. A gradually escalating vacant tax rate



## Commission Letters from March 11, 2010 Meeting



Councilmember Bowser and Councilmember Evans

Page 3

does not have this problem and allows for the elimination of the extensive exemption scheme that slowed and confused enforcement under the prior system.

In summary, we believe that an escalating vacant property tax rate system with only one exemption for military service is a fairer, more effective system that will reduce the bureaucratic burden of the old exemption system, while providing adequate incentive to eliminate the backlog of problematic vacant properties. The system that we are proposing should also help avoid the political backlash that caused the demise of the prior system and ultimately lead to the untenable situation we currently face without strong financial incentives to occupy vacant properties.

We hope you agree and will consider our proposal as you continue to reform the Vacant Property Tax System.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6  
Members, District of Columbia Council  
Linda Argo, Director, DCRA  
Reuben Pemberton, Director Vacant Property, DCRA





## Commission Letters from March 11, 2010 Meeting



Government of the District of Columbia  
Advisory Neighborhood Commission  
Box 75115  
Washington DC 20013



March 15, 2010

Mr. Gabe Klein  
Director  
District Department of Transportation  
2000 14<sup>th</sup> Street NW, 6<sup>th</sup> Floor  
Washington, DC 20009

Re: *Dangerous Conditions Caused by Rerouting of Southbound 90/92 Bus Line down 10<sup>th</sup> St. NE*

Dear Mr. Klein:

At ANC 6A's regularly scheduled meeting on March 11, 2010, the Commission voted [unanimously] to request that DDOT reevaluate the decision to temporarily route the Southbound 90/92 bus line down 10<sup>th</sup> Street NE during streetscape construction at the corner of H Street NE and 8<sup>th</sup> Street NE. 10<sup>th</sup> Street NE is a narrow street, which has caused WMATA buses traveling down it to narrowly miss other motorists traveling in the opposing lane of traffic, to run over curbs at intersections causing damage to storm drains and sidewalks [we can attach Raphael's pictures if that would be helpful], and in one known instance, actually scrape the side of a parked car causing extensive damage to the car.

In the event you are able to develop an alternative rerouting plan, we ask that you submit that plan to ANC 6A for review prior to implementation. It is not the intention of the Commission to shift the problems being experienced along 10<sup>th</sup> Street to another street which will experience the same problems due to street width or other factors.

In addition, we request that you explore ways to accelerate the construction work at the intersection of H Street and 8<sup>th</sup> Street which has caused the rerouting. We believe that the danger to safety and property caused by the current bus rerouting requires us to explore all possible solutions, including the implementation of construction shifts that will allow for 24 hour construction at this intersection.

Finally, we would like to point out that ANC 6A was not directly notified prior to this rerouting of the 90/92 bus line. It is our hope that major decisions like this will be shared with our ANC in the future prior to their implementation. Should you have any questions regarding this matter, please contact Omar Mahmud of our ANC's Transportation and Public Space Committee at (202) 546-1520 or familymahmud@yahoo.com.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

Cc: Tommy Wells, Ward 6 Councilmember  
A. Walton, WMATA  
Margaret Gentry, MACTEC Consulting & Engineering



## Commission Letters from March 11, 2010 Meeting



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



April 2, 2010

Gabe Kein  
Director  
Department of Transportation  
2000 14<sup>th</sup> Street, NW, 6<sup>th</sup> Floor  
Washington, DC 20009

Re: *Redevelopment of H Street Connection Site (south side of 800 and 900 blocks of H Street NE)*

Dear Mr. Klein:

At ANC 6A's regularly-scheduled meeting on March 11, 2010, the Commission voted unanimously to forward the following recommendations for DDOT to consider as the above-referenced redevelopment proposal is evaluated:

1. Adjust signal timing at intersection of 8<sup>th</sup> Street NE and H Street NE in order to a) reduce congestion that may be caused by the building's proposed garage entrance at 8<sup>th</sup> Street NE, and b) accommodate traffic flow to the maximum extent feasible along 8<sup>th</sup> Street NE.
2. Consider moving bus stops near the intersection of 8<sup>th</sup> Street NE and H Street NE, including moving the northbound 8<sup>th</sup> Street bus stop to a location north of H Street, so that traffic flow will not be impeded by buses stopping to pick up and drop off passengers at this intersection.
3. Provide ANC 6A with DDOT's final analysis regarding the feasibility of locating garage entrances for this building along 8<sup>th</sup> and 10<sup>th</sup> Streets.
4. Consider widening 8<sup>th</sup> Street NE adjacent to the building as necessary to create a left turn lane in the middle of the street, thus improving traffic flow along this portion of the street. This aim can be accomplished by removing two feet of sidewalk from each side of the street.

Thank you for considering these recommendations from our ANC. We look forward to working with DDOT as your team evaluates the developer's redevelopment plan. Should you have any questions regarding this matter, please contact Omar Mahmud, Chair, ANC Transportation and Public Space Committee at (202) 546-1520 or [familymahmud@yahoo.com](mailto:familymahmud@yahoo.com).

On behalf of the Commission,

Kelvin J. Robinson, Chair  
Advisory Neighborhood Commission 6A

Cc: Tommy Wells, Ward 6 Councilmember ([twells@dccouncil.us](mailto:twells@dccouncil.us))



## Commission Letters from March 11, 2010 Meeting



Government of the District of Columbia  
Advisory Neighborhood Commission  
Box 75115  
Washington DC 20013



March 15, 2010

Mr. Joshua Raymond  
Race Director  
Capitol Hill Classic  
231 8th Street NE  
Washington, DC 20002

Re: 31st Annual Capitol Hill Classic Race

Dear Mr. Raymond:

Please be advised that at its regularly scheduled meeting on March 11, 2010, the Commission voted [unanimously] to support the 31st Annual Capitol Hill Classic Race, scheduled for May 16, 2010.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6




# Community Presentation Materials



Suzanne Wells, Capitol Hill Public School Parents Organization, regarding middle schools on Capitol Hill

**Capitol Hill Middle School Initiative**  
A Proposal To Chancellor Rhee  
March 2010



CAPITOL HILL PUBLIC SCHOOL PARENT ORGANIZATION  
(CHPSPO)

### Objectives for Today's Meeting

- Share with Chancellor Rhee the Capitol Hill Middle School Proposal developed by the Capitol Hill Public School Parent Organization (CHPSPO)
- Understand where Chancellor Rhee is in developing a middle school proposal for DCPS, and specifically for Capitol Hill
- Commit to work together to implement a comprehensive plan to improve middle school opportunities for all students on Capitol Hill, and develop a clear timeline for moving forward

### Background

- Capitol Hill Public School Parent Organization (CHPSPO) began a Middle School Initiative in January 2009
- PTA representatives and interested parents from Brent, Capitol Hill Cluster School, Ludlow-Taylor, Maury, Miner, Payne, and Tyler, and Eliot-Hine are members of CHPSPO
- Conducted survey during Summer of 2009 to learn parent attitudes towards public middle school opportunities
- Requested by Council member Tommy Wells to accelerate efforts in December 2009
  - Meetings on December 15, January 11 and 19, February 8 and 23
  - PTA representatives held discussions about middle schools with their individual schools, and brought back recommendations

### Middle School Survey

- Captured attitudes from 125 respondents
- If parents had to choose today about middle school
  - almost one-in-three would choose charter (17%) or private/parochial schools (16%)
  - 23% would go out-of-boundary to a public middle school
  - 16% would remain in-boundary
- Parents are looking for
  - Strong academic program (90%)
  - Safe environment (69%)
  - Teachers with a reputation for excellence (56%)
- Relatively few credit their in-boundary local middle school with
  - Strong academic program (11%)
  - Safe environment (16%)
  - Teachers with a reputation for excellence (10%)

### Middle School Initiative Goals

- We want families to have confidence in the public middle schools on Capitol Hill
- A continuation of special subject matter focus and teaching methods that are successfully implemented in elementary schools, e.g., museum magnet, Montessori, Spanish immersion, arts integration, world cultures, responsive classroom, special education
- A comprehensive plan to lift up the educational experience for all middle school students
- Encourage continuity in school leadership. The current Capitol Hill elementary and middle schools principals are taking our schools in the right direction

### Middle School Proposal for Capitol Hill

Three-tiered middle school model that includes **one large, one mid-sized and a couple small middle school** options



# Community Presentation Materials



## Eliot-Hine Middle School

- Eliot-Hine (grows to be a **large DCPS** middle school)
- Begin an **International Baccalaureate Middle Years Program (IB-MYP)** program for all students at Eliot-Hine
- Ensure appropriate **high-level Spanish content/immersion classes** for students transitioning from Tyler's Spanish Immersion program
- Vertically integrate **city-wide Special Education** programs from Tyler and other schools currently feeding to Eliot-Hine
- **Phase-out co-located programs** at Eliot-Hine to accommodate expected increased student population, and allow school to grow to its 850 student capacity

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## Stuart Hobson Middle School

- Continues as a **medium-sized middle** school that is part of the Capitol Hill Cluster School
- **Formalize the school's Museum Magnet program** (a formal partnership with the Smithsonian ended about ten years ago); strengthen professional development for teachers in museum-based studies
- Renovate building (currently scheduled for 2011). In addition to the classroom renovations, **renovate the gymnasium (currently two small adjacent gyms into one multi-purpose gymnasium), and build a 2nd story on top of renovated gymnasium** that would allow expanded programming, e.g., art and music opportunities
- **Move 5<sup>th</sup> grade classes to Watkins**

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## Create Additional Pre-K through 8th Schools (small-sized middle schools)

### Brent

- Expand through 8<sup>th</sup> grade to create a vertically integrated PK-8 curriculum
- Expand Brent's successful museum magnet program with the Smithsonian through the 8<sup>th</sup> grade, and begin an International Baccalaureate Middle Years Program (IB-MYP)
- Initial space may be found through "school without walls" approach and partnership with Smithsonian

### Miner

- Expand through 8<sup>th</sup> grade to create a vertically integrated PK-8 Reggio Emilia program
- Space may be located at the adjacent former Miner property which would need to be renovated

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## Expand Capitol Hill Cluster School's Montessori program

- **Expand Montessori through 8<sup>th</sup> grade**, and add additional classes at 3-year old through 4<sup>th</sup>
- High demand for Montessori education (389 applications for 26 openings this year warrants expansion of program)
- **Identify new location** for Capitol Hill Cluster School (Watkins campus) Montessori program

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## Cross-cutting Proposals

- **DC Youth Orchestra Program (DCYOP)**
  - Recent agreement to locate DCYOP at Eastern Senior High School creates opportunities for instrumental music instruction, marching bands and orchestras at the middle schools on Capitol Hill
  - Recommend DCYOP be co-located at Eliot-Hine
- **Schoolyard Greening**
  - Schoolyard greening efforts at the middle schools lag far behind efforts at elementary schools on Capitol Hill. Greening efforts should be supported by DCPS, and make excellent opportunities for parents to be involved
- **Feeder Patterns**
  - High school feeder patterns for Brent and Stuart Hobson should be changed to Eastern Senior High School
  - Changing the Ludlow-Taylor feeder pattern back to Stuart Hobson should be considered

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## Next Steps

- Immediate reaction from Chancellor Rhee to the plan presented today
- Establish a DCPS liaison for the middle school improvements on Capitol Hill
- Aggressive timeline to implement agreed upon changes to the middle schools on Capitol Hill

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## Community Presentation Materials



CJ Gross, Mentor Coordinator or the U.S. Dream Academy Learning Center

### About the US Dream Academy

The U.S. Dream Academy is a nonprofit organization that is dedicated to making America a better place to live by focusing on the most significant members of society—our children. DALC works with children in grades 3 through 6 who have parents who are incarcerated as well as children who are failing or falling behind in school. We assist children in their greatest areas of need through the program pillars: Skill Building , Dream Building and Character Building . DALC’s mentor program provides children with positive role models with whom they can be themselves in spite of their family history. The strength of the DALC model is replicated across the country in 11 DALC centers (Baltimore, MD East Orange NJ, Philadelphia, PA, Houston, TX, Indianapolis, IN, Orlando, FL, Memphis TN, Los Angeles, CA, Salt Lake City, UT . and two centers in Washington, DC.)

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Christopher J. Gross | Mentor Coordinator | U.S. Dream Academy  
Learning Center at Ferebee Hope Elementary School | 3999 8th Street SE | Washington, DC 20032  
cgross@usdreamacademy.org | 202-562-9001 office | 202-562-9002 fax  
www.usdreamacademy.org | A child with a dream is a child with a future



# Officer Reports - Treasurer



## ANC 6A Treasurer's Report March 2010

**Period Covered:** 03/01/10 - 03/31/10

### Checking Account:

Balance Forwarded \$ 18,354.12

#### Receipts:

District Allotments \$ -  
Transfers from Saving Account \$ -

Total Receipts \$ -

Total Funds Available \$ 18,354.12

#### Disbursements:

Fed Ex Office (Feb. '10 Statement) Ck #1455 \$ 279.44  
US Postal Service (PO Box Rental) Ck #1456 \$ 250.00  
Heather Schoell (Mar. '10 Agenda Package) Ck #1457 \$ 200.00

Total Disbursements \$ 729.44

Ending Balance \$ 17,624.68

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### Savings Account:

Balance Forwarded \$ 4,200.03

#### Receipts:

Interest (02/26/10) \$ 0.32  
Transfers from Checking Account \$ -

Total Receipts \$ 0.32

Total Funds Available \$ 4,200.35

Disbursements \$ -

Ending Balance \$ 4,200.35

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## Officer Reports - Treasurer



### ANC 6A Treasurer's Report March 2010

#### PETTY CASH SUMMARY

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





## Officer Reports - Treasurer



### ANC 6A FY10 Mid -Year Budget Review

#### EXPENTITURES SUMMARY

<b>Expenditures</b>	<b>Fiscal Year Budgeted</b>	<b>Total Expenditures Oct. 2009 – Mar. 2010</b>	<b>Projected Spending Apr. – Sept. 2010</b>
Photocopies	\$ 3,500.00	\$ 830.98	\$ 1,750.00
Advertising	\$ 7,000.00	\$ 5,855.00	\$ 1,000.00
Minutes & Agenda Services	\$ 4,800.00	\$ 1,813.5	\$ 2,400.00
Other Contracted Services	\$ 2,000.00	\$ 0.00	\$ 2,000.00
Post Office Box & Postage	\$ 350.00	\$ 250.00	\$ 50.00
Grants	\$ 12,500.00	\$ 7727.52	\$ 7,000.00 <sup>1</sup>
Office Supplies	\$ 100.00	\$ 0.00	\$ 50.00
ANC Security Fund	\$ 25.00	\$ 25.00	\$ 0.00
Amer. Sign Language Interpreter	\$ 1,200.00	\$ 0.00	\$ 600.00
ANC Flyer	\$ 300.00	\$ 0.00	\$ 300.00
Petty Cash	\$ 100.00	\$ 0.00	\$ 50.00
<b>Total</b>	<b>\$ 29,375.00</b>	<b>\$ 16,502.00</b>	<b>\$ 15,200.00</b>

1/ Includes funding for the \$5,000 grant to RYI approved in Dec. 2009

#### FUNDING SUMMARY

<b>Total Funds Available as of March 31, 2010</b>	\$ 21,825.03
Checking Balance as of 03/31/10	\$ 17,624.68
Savings Balance as of 03/31/10	\$ 4,200.35
<b>Projected District Allotments for Remainder of Fiscal Year</b>	\$ 22,221.60
<b>Projected Funds Available for Remainder of Fiscal Year</b>	\$ 44,046.63
<b>Projected Spending Apr.–Sept. 2010</b>	\$ 15,200.00
<b>Projected Fiscal Year Ending Balance</b>	\$ 28,846.63



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



ANC 6A ABL Committee  
March 16, 2010  
Minutes

Meeting called to order at 7:00 pm

Committee members present: Commissioner Mary Beatty (6A05) Michael Herman; Jaki Downs; Tish Olshefski; Anne Marie Koshuta

Committee members absent: none

Commissioners: Raphael Marshall (6A01)

Community: Woo Young (Capitol Liquors); Kevin Bombardier (Queen Vic); Ryan Gordon (Queen Vic); Saundra Seran; Candace Hill; Jeff Angello; Coralie Farlee (ANC6D); Margaret Holoway (HSMS); Mark Thorpe (Little Miss Whiskey's); Stefan Rosu; Jay Brody; Ben Cerrard; Susan Pieslak.

#### I. HOUSEKEEPING

- a. **Agenda** - Motion to accept agenda. No objections.
- b. **Minutes** - Motion to accept minutes presented at last ANC meeting. No objections.

Committee members introduced themselves:

#### II. COMMUNITY COMMENT

- a. None

#### III. DISCUSSION/UPDATES

##### 1. Capitol Liquors-Exception to Singles Ban

- a. Was accepted by the commission. Mr. Woo has already signed the agreement and we need to have Commissioner Robinson sign it. Mr. Woo needs to apply to ABRA for the exception before the ANC recommendation is submitted to ABRA.

#### IV. NEW BUSINESS

##### 1. The Queen Vic (1206 H Street NE/Ryan Gordon/Kevin Bombardier)

- a. In the build-out process right now. British gastro pub. Beer selection. (Welsh, English, Scottish, Irish). British-style food and local seasonal produce/meats.
- b. Q: Type of license? Applied for a Class CT about 2 weeks ago/February 19. ABRA got back to them on Monday evening with a question for a missing piece of information.
- c. Q: Entertainment endorsement? No.
- d. Q: Outdoor space? Have an area but have not submitted for it yet. Summer garden. 25 seats in the back, upstairs.
- e. Q: Sound mitigation? 6 foot barrier. Plants around the edge. Behind the building is an open lot.
- f. Q: Music on the outdoor area? No.
- g. Q: Will outdoor be used for dining? Yes.
- h. Q: How many bars can H Street hold between 10<sup>th</sup> & 15<sup>th</sup>? Committee looked at the issue about a year ago. Not just the capacity for how many bars but also how many the community was willing to endorse. That's why we have these meetings. Had one meeting dedicated to anyone who thought we had too many. Do we need a



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



moratorium on the number of CT licenses? Had mixed comments from people. Consensus was that it was too soon. Would be open to having another one if it is time to address the issue again. Committee agreed to discuss as new agenda item.

- i. They will have their placards by next Tuesday. Want to move forward if they have this to us. The clock starts ticking when they get the plaquard. Petition date is 45 days after that.

**Mary Beatty moves that the ANC protest unless we have an ANC approved voluntary agreement prior to the petition date. Seconded by Anne Marie. Unanimous.**

2. **Little Miss Whiskey (1104 H Street NE/Mark Thorpe)**
  - a. Sound coming out of establishment is not acceptable to the owner. Realized never assessed the roof so in the process of getting equipment that will mitigate sound on the roof. Sound block needs to be dense and therefore heavy. He's having some engineering problems but he is working on it.
  - b. Neighbor reports that Mr. Thorpe came to them and reported his next steps to minimize the sound problems. Jeffrey Augello thanked Mr. Thorpe and the ABL Committee for helping on this issue.
3. **Red & Black Palace (1210 & 1212 H Street NE/Joe Englert/Greg Nicklas)**
  - a. Interested in combining the two businesses - Red & the Black and The Palace of Wonders. Taking down the wall upstairs and adding a kitchen on the bottom floor. Would have one license instead of two. Does not increase occupancy. Four to five nights a week would have events.
  - b. Entertainment? (Both have an entertainment endorsement for 7 days a week). Current Palace of Wonder (theatrical) acts would be less frequently. R&B would be several nights a week (bands).
  - c. Total capacity? 150
  - d. Do we address the patios in the VAs? Yes on both (we believe). Need to add to a VA if we were to make a recommendation in favor of it.
  - e. There are 7 events going on in each; could be up to 7 events? Yes.
  - f. Mary's questions might be more appropriate to ABRA but what happens to the licenses? Palace of Wonder license goes into safekeeping is what Joe expects and with it its VA would follow it. Will do a new VA if necessary.
  - g. Q: What is driving this? Economics - people want food and neither place can do it now.
  - h. Q: Are you trying to increase stage area? No. the capacity won't change for that. Will just be in one establishment, not two.
  - i. Q: What type of license? CT for both and will continue.
  - j. Q: In description use the word "concert" - is the 159 standing or seated? Seats for 99 people. They have a seated license. They do not have a standing license.
  - k. Q: Live bands for the concerts? Yes. That's what we have now.
  - l. Q: So will staging size increase? More people? More equipment? May need to ask for a loading zone. DC9 (similar venue) can book national acts and more popular acts instead of local acts.
  - m. Q: Will it require variances or special exceptions? No, don't think so.

No action required at this time. Needs to come back when they file for license.

#### 4. **Chow VA**

- a. VA - The restaurant's attorney, Andrew Kline is saying they want to take out things of our standard VA that he believes can't be enforced by ABRA or are already in DC code.
- b. We believe keeping these items in the VA gives it added emphasis on these major community issues.



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### Alcohol Beverage and Licensing (ABL)



- c. Q: Regarding similar changes recommended by ABRA on Souk VA: why is ABRA doing this now after we've had this language for 5 years? Fred Moosally indicates that the new ABC Board Chairman may be trying to standardize the ANC agreements across the city. Chair Beatty feels that if we approve the changes suggested by Andrew Kline that it sets a bad precedent for the upcoming public hearing on the topic.

**Tish Olshefski moves that we recommend to the ANC that we not accept this Voluntary Agreement as presented to us by Chow. Seconded by Michael Herman. Unanimous.**

#### 5. ANC6A Standard Voluntary-ABRA Public Hearing

Chair Beatty distributed a letter from ABRA legal staff to ANC6A Chair Kelvin Robinson which had a long list of recommended changes to a VA submitted (our standard VA) for SOUK. The recommendations state that they are removing or rewriting language in the VA which is either 1) unenforceable by ABRA or 2) a repetition of existing law.

- a. Q: Where did the letter come from? Came from ABRA legal staff.
  - b. After receipt of letter, ABL Chair Beatty went back to the ANC Chair Robinson and asked for backup asking for a public hearing on this. We have asked for a public hearing on the rewriting of ANC voluntary agreements and the Executive Director say that will happen.
  - c. What approach do we want to take on this? Chair Beatty has already been given ANC authority to write testimony on behalf of the ANC, but wants to know what the committee believes we should say.
  - d. We don't want to take the language out which refers to existing law - our position, a lot of the owners are not familiar with all of the terms of DC law (i.e., valet parking) and it helps us to have them in there.
  - e. Can we feel out what brought this on at this time? Discussion of ANC role and ABRA role in crafting voluntary agreements ensued.
  - f. Do we know how onerous the businesses feel these VAs are? Every license holder along H has signed a VA, (many after review by their attorney), so they must not feel that they are onerous. Owner in the audience says the only concern that he has is that there are items in the agreement that don't really apply to them (i.e., use of valet parking). Never had any negative feedback from the attorneys we have dealt with. Committee member Michael Herman commented that since the VA follows the license, that we should keep these items in, just in case the clause might apply to the next owner.
  - g. Point out law that is important to this specific neighborhood.
  - h. There was a suggestion to organize it in a different way so the DC Code items are together.
  - i. Q: When is the hearing? Notice in next couple of weeks. At least 30 days in advance of the hearing.
6. Audience member ask for a public hearing regarding the status of pursuing a moratorium. Discussion with the community about a moratorium on the number of CT licenses.

**Mary Beatty moves that the committee hold a public hearing regarding the number of CT licenses along H Street. Seconded by Tish Olshefski. Unanimous.**

Adjourn 8:55 pm. Next meeting is April 20, 2010.



# Committee Reports Alcohol Beverage and Licensing (ABL)



Made this \_\_\_\_\_ day of April, 2010  
by and between  
The Queen Vic  
1206 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 Cooperative 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 Cooperative 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.).



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- 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.
- e. Promptly removing or painting over any graffiti written on the exterior walls of the property.

#### 2. Business Operations and Practices:

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as:
  - i. Any person convicted of alcohol offences or alcohol-related crimes three times or more in any one year; and
  - ii. Who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
- 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 alcohol into the establishment from outside sources, and at no time exits the establishment with alcoholic beverages.
- 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 (i.e. log) when the MPD was called for assistance.
- i. Applicant’s log shall be provided to the Board and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant’s license.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- j. Applicant shall not support of the installation of pay phones outside of the establishment on their property.
- k. 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.
- l. Applicant shall provide valet parking services only with valet parking services as defined licensed and in compliance with Title 24 DCMR Chapter 16.

#### 3. Music / Dancing / Entertainment:

- 1. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.
- 2. 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 a patio or summer garden the following steps will be taken:
  - 1) The hours for the patio will be until 11PM on weekdays and 12PM on weekends.
  - 2) Applicant shall not offer any type of live or pre-recorded music on the patio.
  - 3) A fence or other barrier will enclose the entire perimeter.
  - 4) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
  - 5) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
  - 6) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the summer garden decor.
- d. If residents have no noise complaints for a three month period following opening of the establishment 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.
- e. Applicant shall obtain an entertainment endorsement to have a cover charge. For purposes of this clause, a cover charge is a fee required by an establishment to be paid by patrons for admission that is not directly applied to the purchase of food or drink.
- 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, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.

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. 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 certifies that it does not owe more than \$100 to the District of Columbia government as the result of any fine, fee or penalty interest or past due tax.
- b. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.



# Committee Reports

## Alcohol Beverage and Licensing (ABL)



c. Applicant will operate in compliance with all applicable 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: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Advisory Neighborhood Council 6A Representative:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**ABC Board-Licensed Manager:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_





## Committee Reports

### Economic Development and Zoning (ED&Z)



#### MINUTES

ANC 6A Economic Development & Zoning Committee  
Wednesday November 18, 2009 7-9:00 p.m.  
Sherwood Recreation Center (640 10<sup>th</sup> St. NE)  
2<sup>nd</sup> floor Community Room

**Commissioners:** Raphael Marshall (6A01), Drew Ronneberg (6A02)—Committee Chairperson; David Holmes (6A03), Kelvin Robinson (6A08).

**Committee Members:** Barbara Halleck, Jeff Fletcher, Phil Toomajian, Cody Rice  
Call to order: 7:00pm by Chairperson, Drew Ronneberg

#### Ongoing Status Reports

H Street Redevelopment (Drew Ronneberg): In the March meeting of ANC 6A, the ANC took action on committee recommendations regarding the H Street Connection development. The full ANC supported the development (design, massing, amenities, traffic management) but took no position on the extra one-hundred extra parking spaces to be paid for by the city. The project will likely go to “set down” (preliminary hearing with the zoning commission) in April with the hearing in July.

Zoning code re-write (Cody Rice): The PUD portion of the DCOZ’s zoning code re-write project is going to kick-off on March 24, 2010. Interested members of the community are encouraged to attend: <http://dczoningupdate.org/>

Wednesday, March 24, 2010

6:30 to 8:30pm

441 4th Street NW

Washington DC

11th floor, Room 1107

Vacant properties (Phil Toomajian): ANC6A adopted the letter we prepared to Councilmember Wells articulating the principles we would like to see in vacant property reform legislation. Jack Evans and Muriel Bowser had both submitted separate legislation and are now working on a compromise of the two bills. Based on an article about the proposed compromise in the Washington Business Journal, ANC 6A wrote a second letter to commend the compromise and highlight two remaining areas of concern--permissive exemptions and failure to provide a grace period then gradual increase in the rate.

See the following articles for a summary:

<http://washington.bizjournals.com/washington/stories/2009/09/21/daily39.html> and

[http://washington.bizjournals.com/washington/blog/breaking\\_ground/2010/02/more\\_on\\_dcs\\_vacant\\_property\\_tax\\_debate.html](http://washington.bizjournals.com/washington/blog/breaking_ground/2010/02/more_on_dcs_vacant_property_tax_debate.html)

We have also starting to look at the ANC’s vacant property map; we believe that many of the properties formerly listed as vacant are now occupied. Phil is looking for assistance in surveying SMDs to confirm the content of the map. The list we started with last winter was over 400 properties; the list is now down to around 150 properties. We want to ensure we have an accurate, current map in place to assist DCRA/OTR when the new legislation is enacted.

Raphael Marshall: what’s the definition of vacant?

Phil Toomajian: Neither bill appears to alter the definition of vacant. There may be a modification of blighted, which is vacant plus other issues. DCRA conduct site visits and does a four point inspection prior to labeling a property vacant.



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Vacant and blighted property information:

<http://dcra.dc.gov/dcra/cwp/view,a,1343,q,625194.asp>

[http://dcra.dc.gov/dcra/frames.asp?doc=/dcra/lib/dcra/four\\_point\\_survey\\_10\\_1\\_08.pdf](http://dcra.dc.gov/dcra/frames.asp?doc=/dcra/lib/dcra/four_point_survey_10_1_08.pdf)

#### New Business

1. **1019 Florida Ave. NE - BZA #XXXXX.** The owner is proposing to build an attached deck on the rear of her house that will increase the lot occupancy to 100%, and hence, requires a variance to lot occupancy, rear yard setback, and the expansion of a non-conforming structure.

The owners bought the house at 1019 Florida Ave. in November 2009 with the plan to have a larger deck or garage. They found out that they would need a variance to build the deck that they want (a car-port with a deck on top) and are completing the due diligence prior to going before the BZA. They want to expand the existing deck, adding a 10'x15' extension. The deck would be elevated and would allow the owner to park their car beneath it, within the fenced in area of their back yard. The owners reported that the alley is currently in disrepair and full of trash. The owners expressed concern that having more eyes and ears from the residents on the alley would be beneficial to the neighborhood. The deck would be high enough for them to be able to view into the alley. The owners presented drawing and a table showing that they were asking for a lot occupancy of 85% (15% more than the matter-of-right 60%). They also showed pictures of a number of homes with high lot occupancy from around the Capitol Hill area. The owners also provided signed letters showing support for this project from immediate neighbors and expressed that if needed, they could gather more approvals.

The ED&Z Committee Chair, Drew Ronneberg, made some estimates of the lot occupancy and asked the home owners where the 15% open area (after 85% occupancy) resided on the lot. The front yard is most likely public space (as are the other front yards around the entire area). There is also a “dog leg” area—which appears to be 4’; if it’s less than 5’, it counts as occupied space. The dimensions on the drawing were inconsistent, but it appears that the dog leg was only 4’ and the total lot occupancy of the project approached 100%.

Commissioner Holmes stated that the BZA normally allows 70% lot occupancy through special exception. If the occupancy exceeds 70%, BZA will have a problem. The owner responded that their house already occupies 70% of the lot.

Commissioner Marshall expressed a desire to try to find a way to make this request work for his constituent.

Chairman Ronneberg: Since this case involves variance, it is a much higher burden of proof.

Section 3103.1 of Chapter 11 of the DCMR reads “With respect to variances, the Board has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3)(2001) (formerly codified at D.C. Code § 5-424 (g)(3) (1994 Repl.)), “[ w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or



## Committee Reports

### Economic Development and Zoning (ED&Z)



exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.”

**Does the homeowner have an argument for substantial hardship:** The homeowner believes that if they are not able to construct the deck/carport they are requesting, they would suffer substantial hardship in that they would not have outdoor family space and a secure space for their automobile. As it is now, they park their car in the back of their house as there is no residential parking on Florida Avenue. With this arrangement there is no outdoor family space. With their planned deck/carport, they would have both.

**Is there anything exceptional about the lot?** The rest of the lots on the block are the same. Cody Rice: there is a set of zoning regulations that go along with the property; in the R-4 district (most of Capitol Hill); you get 60% occupancy of your lot, you have to maintain 20' of rear yard. There are some special exceptions--you can go to 65% or 70%; after that you are getting into something special or exceptional.

The neighborhood typically expects that the houses generally conform to a similar footprint providing light and air to everyone equitably. We understand the desire to have everything—house, play area, parking. I don't know whether this is enough to throw aside the expectations of the neighborhood and support a variance. We also must look at the precedent-setting possibility, not only in your area, but across the ANC.

Commissioner Marshall expressed his support for the project. He also expressed that the ED&Z committee may not have a full appreciation of the needs and desires of the community in his single member district.

Commissioner Holmes noted that our recommendations are considered very carefully and we are treated with great respect by BZA, so we need to be careful of the variances we allow.

Commissioner Ronneberg expressed concern about the precedential nature of this request; allowing one family to have 100% occupancy, where we would not allow it in any other locations.

Cody Rice expressed that we should discuss and document our policy regarding special exceptions and variances and our role in reviewing requests. Commissioner Ronneberg stated that this will be put on the agenda for April or May.

Commissioner Robinson stated, regarding 1019 Florida Avenue case, that he's been hearing that there is a real need for development on that side of the community and that the area is struggling to get people there. He wonders if whether by being more flexible when it comes to the variances if that's a reasonable price to pay for the neighborhood, if that's what the residents want. Phil Toomajian said that he is sympathetic to public safety benefit rationale in support of the deck.



## Committee Reports

### Economic Development and Zoning (ED&Z)



**Recommendation** (Cody Rice/Drew Ronneberg): Moved that the committee make a recommendation to oppose this application for variance. The motion put forth by Cody Rice passed with the following results: 4 in favor; 1 opposed; and 3 abstentions. (Commissioners Marshall, Holmes, and Robinson were counted in the tally.)

2. **213 8<sup>th</sup> St. NE—Historic Preservation Case.** The homeowner would like to construct a small addition to the rear of the property and would like to get a “sense of the committee” before submitting their plans to HPO.

Marian Wiseman, the homeowner, wants to remove an existing addition to her house that started as a porch but were enclosed some time ago and replace it with a new, small addition that extends 3 feet from the current rear of the house. The lot itself is large and lot occupancy will actually be slightly smaller after the renovation. In actuality, they will be altering a non-conforming building and bringing it more closely into conformance. The side court is less than 6'. The homeowner has one signed letter from an immediate neighbor and expects to receive letter from the other neighbor. Her neighbors are in support of “replacing the tacky balcony.”

Commissioner Ronneberg: If the project is increasing conformance then it may not need a BZA hearing.

Cody Rice stated that that based on past experience, he would be in support of this if it came before the committee.

Barbara Halleck believes that the project isn't controversial and would also support it.

Drury Talent would like to try to avoid a BZA hearing and get a ruling directly from the zoning administrator. To assist in this process, he requested a letter from the committee indicating support from the ANC supporting the Zoning Administrator's use of the 10% discretion afforded to the office by the Zoning Regulations.

Commissioner Holmes offered to discuss the project directly with the Zoning Administrator, Matt LaGrant. No letter from the ED&Z committee will be necessary.

3. **H Street Historic District:** Potential commercial historic district nomination for H Street NE. Continuation of October 2009 discussion of next steps now that the survey of buildings on H Street is complete. See minutes of previous discussion at <http://anc6a.org/minutes/EDZM102809.pdf>

The H Street historic survey was completed, which is a crucial step in establishing a commercial historic district. There is some consensus on the committee and within the community around certain points—if there is a historic district on H Street, it shouldn't have the same tight regulation as in a historic residential neighborhood.

Donna Hanousek provided some additional information regarding the process of achieving a historic designation for the commercial district on H Street NE.



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### Economic Development and Zoning (ED&Z)



She noted that without the historic designation, as the economy improves and development heats up, H Street NE will slowly lose buildings over time. We are already seeing some of that even in a down economy. She presumes that most of the people in the room feel that much of what makes H Street special and fun and funky *is* the buildings. The character of the architecture is a competitive advantage for a commercial district and it shouldn't be lost.

Commissioner Holmes stated that from his experience, H Street NE shop owners and restaurant owners and those opening new clothing stores, like the look of H Street. They are pulling in customers and they want to preserve the look and feel of the area because they believe it adds to their success.

Donna Hanousek: It would be good if we could work with ANC6C on the historic district nomination. Drury Tallant recommended that we try to get a letter of support from H Street Main Street for the historic district. Dru thought that some of the merchants might see historic district designation as a burden, but historic designation would actually offer a level of protection they don't now have. It's important to establish an outreach and education program to help these business owners understand the advantages of being part of a commercial historic district. It's also important for these business owners to differentiate between a commercial historic district and a residential historic district. The commercial version allows more flexibility while maintaining the general "look and feel" of the commercial strip.

Cody Rice: without the design review required by a historic designation, it makes it easier for developers to come into H Street and take over a whole block and replace the current shops with new merchants.

Donna Hanousek: She has expressed the importance of an outreach and education program as an essential next step in getting the local merchants engaged in the process.

Commissioner Robinson stated that he is willing to go along with the commercial historic district but agrees that people need to understand the benefits they will realize.

Commissioner Ronneberg reminded the audience that there are tax benefits as well and that the H Street Connection is on board through their PUD. Clearly we need to do some outreach. Previously he had done some research on the cost and procedure for putting together nomination documents and three outreach meetings; the cost would be between \$10,000-\$15,000 for the whole H Street.

Donna Hanousek proposed an alternative strategy. She believes that we can get the nomination documents done a whole lot cheaper and do the outreach separately.

Drury Tallant again mentioned working with ANC6C—in a historic designation, the boundaries can't be arbitrary; the ANC boundary doesn't really reflect anything about the historic H Street area.

Commissioner Robinson said that it would be necessary for the commissioners to understand a little more about the process that we will have to go through, what are the benefits to the community, and what would it cost? He is not certain that there will be support to move forward from the ANC6A until we understand all of the steps and whether the community would actually be on board. Anecdotally there is evidence of support but we need more concrete information.



## Committee Reports

### Economic Development and Zoning (ED&Z)



Commissioner Holmes: David Maloney, it's better to designate the whole street rather than one part but historic designation can be granted on part of the street.

David: We need to get someone who knows what they're doing to present information to ANC6A about the commercial historic district designation. Commissioner Robinson suggested that up to \$1K for outreach, but before the money is obligated, he would like to know what the money will be spent on. Commissioner Ronneberg volunteered to do find someone to do the presentation and report to Commissioner Robinson the cost and the work that will be done.

**Recommendation:** (Phil/Drew) - move that we recommend authorizing up to \$1K for a limited education regarding commercial historic district outreach campaign. Passed unanimously.

4. Rezoning the area surrounding eastern end of H Street NE to be consistent with the 2006 Comprehensive Plan. The Comprehensive Plan designated specific areas surrounding the eastern end of H Street NE as residential use, while they are currently zoned for commercial use. In addition, the eastern end of H Street NE is zoned for greater density than the central area, while the Future Land Use Map calls for the eastern end to be less dense than the central area.

The Comprehensive Plan has a future land use map that advocates different land use that what is currently envisioned by the Zoning Map. The future Comp. Plan calls for substantial residential where there is now commercial zoning. It also calls for less dense commercial zoning at the eastern end of H Street than in the middle portion of H Street. Motion—send the draft letter to office of planning to ask for a meeting to discuss rezoning the Eastern H Street area to be consistent with the Comprehensive Plan. If OP does not propose the amendment, ANC 6A would propose it directly to the Zoning Commission. Designate Drew Ronneberg and Andrew Hysell as ANC representatives. Passed unanimously.

#5 and #6—letters that we've sent to DCRA and city administrator for which we have received no response. Drew makes a motion that we re-contact DCRA and the city administrator and request response to the letters previously sent. Passed unanimously.

#### Next Meeting

Wednesday April 21, 2010 7-9:00 p.m.  
Sherwood Recreation Center (640 10<sup>th</sup> St. NE)  
2<sup>nd</sup> floor Community Room



## Committee Reports

### Economic Development and Zoning (ED&Z)



April XX, 2010

Mr. Neil Albert  
City Administrator  
1350 Pennsylvania Avenue, NW, Suite 521  
Washington, DC 20004

Dear Mr. Albert,

Over the past few years, ANC 6A has reviewed dozens of development proposals that require approval from two or more of the following entities: the Historic Preservation Office (HPO), the Zoning Administrator/Board of Zoning Adjustments (ZA/BZA), and DDOT's Office of Public Space (DDOT-OPS). In each of these instances, the city directed applicants to seek approvals in the following order: historic preservation, zoning, and public space.

Our ANC believes that the current order of approvals is deeply flawed because:

- 1) HPO often approves projects without knowledge or consideration of zoning or public space issues. Applicants often find out about these issues only after they have spent months seeking HPO approval. In addition, HPRB has approved designs that cannot be built without zoning relief and public space permits.
- 2) Applicants request ZA/BZA approval for projects which rely on the use of public space, but for which the applicant had not received a public space permit.
- 3) DDOT-OPS approves public space applications that have no corresponding public benefit because the agency does not want to stop developments that have already received HPO and ZA/BZA approval.
- 4) A denial of an applicant's public space application after HPO and/or ZA/BZA approval can cause unexpected delays, cost increases and other additional burdens that would be avoided by requiring applicants to apply for public space permits before HPO and BZA/ZA review.

In order to solve these problems, we respectfully request the City Government alter the approval process to follow the following order: public space, zoning, and historic preservation. Although this would be the formal approval chain, the Applicant would be encouraged to have informal discussions with the ZA or Office of Zoning and HPO during the project's design and development.

Some of the many examples we have encountered are outlined below. These examples illustrate the problems with the current approval system and how the system we propose would alleviate these problems:

701 10<sup>th</sup> St NE. In this case, the applicant submitted plans to DCRA for a 2 unit flat on a corner lot without alley access that showed two parking spaces on private land with driveway/curbcut access from the street. However, the applicant had not obtained a public space permit for the curbcut and driveway from DDOT-OPS. DCRA issued building permits and the building was constructed before the applicant applied to DDOT-OPS for a driveway and curbcut. When DDOT-OPS received the public space application, they approved the curbcut and driveway over the unanimous opposition of the



## Committee Reports

### Economic Development and Zoning (ED&Z)



ANC. We believe that DDOT-OPS's approval of such a curbcut and driveway was not consistent with customary DDOT standards.

We further believe DDOT's decision to approve the applicants request was biased by the fact that a denial could have placed a heavy burden on the owner and at the very least, delayed use of the property. Denial of the request by DDOT would have necessitated that the owner apply retroactively for a zoning variance from parking requirements for a flat in an R-4 zone. Had the BZA then denied the variance, the owner would have had to retrofit the building as a single family home or demolish the structure. If one believes the owner acted in good faith, it would seem unfair to subject the owner to that risk.

Requiring the applicant to first obtain a public space permit would have allowed DDOT to appropriately evaluate the merit's of the curbcut application before a structure had been constructed on the site.

1137 C St NE. In this case, the applicant proposed expanding an existing 2-story 2-unit property in the historic district to a 3-story 5-unit structure with 100% lot occupancy. In addition, the applicant proposed integrating a 3-car garage that would require additional curb-cuts from 12<sup>th</sup> St NE.

The case was first reviewed by the Historic Preservation Office, where the staff did not advise the applicant that variances would be required for the lot occupancy and creation of a multi-unit building or that public space permits would be required for the curb-cuts. The case went through several months of review by HPO and our ANC before the applicant understood the difficulty in obtaining the variances and abandoned the project.

In the approval system proposed by ANC 6A, the applicant would be aware that variances and public space permits would be required at the beginning of the project and could have made a more informed decision about whether he should pursue the necessary approvals.

1101 D St. NE. The applicant in this case owns a corner lot and wanted to construct a 6-foot high fence to enclose public space for use as a private side yard. HPO was the first body to consider this case and approved the design of the fence but did not address the public space issues in their report. In its application to DDOT's Public Space Committee (PSC), the applicant emphasized HPO's approval of the fence and the PSC later approved the use of public space largely based on the HPO's approval.

In the approval system proposed by ANC 6A, the PSC would be the first to consider the application and would be more apt to deny the request because of the lack of public benefits or at least require a shorter, open fence as specified in the public space regulations. In this system, HPO would have the opportunity to further refine the design of the fence after PSC approval.

140 14<sup>th</sup> St NE. Brown Memorial A.M.E proposes to expand their church, which is located in the Capitol Hill Historic District. In this case, the HPRB recommended and approved a design that necessitates building on public parkland. Brown must now make requests to DDOT-OPS and the National Park Service. If use of land is denied, as is recommended by ANC 6A, the design approved by HPRB will be voided. Brown AME will then have to apply once again to HPRB for approval of an amended design.





## Committee Reports

### Economic Development and Zoning (ED&Z)



Our ANC fears that the DDOT and the NPS will find it difficult to deny a public space request for a project that has received HPO approval of the burden it places on the applicant - It will take additional time to get approval for the project and necessitate redesigning the building expansion plans.

In the approval system proposed by our ANC, the public space component would be considered first. The steps of the process required for approval would be known to the applicant before hand, without the threat of a delay due to a second HPRB review if the use of public space is denied. The DDOT and the NPS could fairly review the public space permit without being biased the prior HPRB approval or considerations of the burden a negative decision places on the applicant.

1400 Maryland Ave. NE. In this case, the applicant proposes to construct a gas station on a corner lot and incorporate an area of public space into their business that is almost equal to the size of the lot owned by the applicant. The applicant originally requested the BZA approve site plans for a proposal that included signage, curbcuts, driveways, and extensive pavement of public space for which no public space permit had been granted. ANC 6A opposes proposed uses of public space and requested a delay in the BZA case, so that the DDOT-OPS can first rule on the use of public space.

Had BZA considered the case first, as was initially planned, it would have been asked to make a ruling that relied on the assumed availability of public space whose use had not yet been granted by the DDOT-OPS. In that event, if DDOT-OPS decided to deny the request for a public space permit, the BZA's decision would have been made mute. That would have cause unexpected delays for the applicant. Additionally, ANC 6A fears that if BZA had approved the proposed use, the DDOT-OPS would be biased by a positive BZA ruling and thus would be unable to fairly rule on the request for a public space permit.

In the approval system proposed by our ANC, the PSC hearing for public space would have automatically come before the BZA hearing. It would guarantee that BZA made its decision on a set of facts, not on hypothetical conditions unresolved at the time of BZA's decision. It would potentially shorten the time required to resolve the case and lessen the risk of placing additional, yet avoidable, burdens on the applicant.

When formulating this recommendation, our ANC investigated how other similar cities handled the approval process. We found that Baltimore, Boston and Philadelphia all required zoning approval be obtained before their equivalents to the Historic Preservation Office can consider the case.

The cases outlined in this letter clearly show the problems associated with the current process of receiving approvals from historic preservation, zoning and public space. Our ANC strongly urges the District Government to require public space approval before zoning or historic issues are addressed, and to also require zoning approval before historic preservation issues addressed. This system would benefit the applicant because the zoning and public space issues would be evident earlier in the process. It would also benefit District residents because it would be more likely that public space applications would be granted only when there was a compelling public benefit and HPO would only consider projects that had received zoning approval.



## Committee Reports

### Economic Development and Zoning (ED&Z)



In close, as this challenge crosses three city agencies, we are seeking your assistance to implement a change to the administrative process for securing permits. Please note that we brought this matter to the attention of your predecessor in December of 2008, but, to date, have received no response. As this is our second request for assistance and as this proposed administrative direction requires no change in law or regulation, we look forward to timely review of our request by the end of June 2010, in accordance with D.C. Code §1-309.10(h)(1).

Sincerely,

Kelvin B. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc. Adrian Fenty, Mayor  
Linda Argo, DCRA Director  
Gabe Klein, DDOT Director  
David Maloney, State Historic Preservation Officer  
Matt LeGrant, Zoning Administrator  
Harriet Tregoning, Office of Planning Director  
Sharon Schellin, Zoning Commission  
Clifford Moy, Board of Zoning Adjustment  
Karina Ricks, Public Space Committee  
Nicholas Majett, DCRA Deputy Director  
Lennox Douglas, DCRA Permitting  
Lamont Regester, DDOT Public Space Enforcement Director  
Robert Walker, Ward 6 Public Space Enforcement  
Tommy Wells, Ward 6 City Councilmember  
Phil Mendelson, At-Large City Councilmember  
Kwame Brown, At-Large City Councilmember  
Michael Brown, At-Large City Councilmember



## Committee Reports

### Economic Development and Zoning (ED&Z)



April XX, 2010

Ms. Harriet Tregoning  
Director  
Office of Planning  
2000 14<sup>th</sup> Street, NW, 4<sup>th</sup> Floor  
Washington, DC 20009

### Re: Updating Zoning Map for Area surrounding Eastern H Street NE to be Consistent with the 2006 Comprehensive Plan

Dear Ms. Tregoning:

The current zoning in the area surrounding the Eastern End of H Street NE is inconsistent with the Future Land Use Map in the 2006 Comprehensive Plan. For example the Maryland Ave facing lots in Squares 1027 and 1049, the 15<sup>th</sup> St, the western portion of Square 4509, all lots on Square 1050 and C-3-A zoned lots in Square 1026 are all commercially zoned (see Figure 1) but designated as moderate density residential land-use in the Future Land-Use map. In addition, future land use map shows that the density of the commercial lots on H Street between 12<sup>th</sup> and 15<sup>th</sup> should be *less* dense than the commercial area between 7<sup>th</sup> and 13<sup>th</sup> St. However, the current zoning is inconsistent with the future land-use map because many of the lots on H Street between 13<sup>th</sup> and 15<sup>th</sup> are zoned C-3-A while the lots between 10<sup>th</sup> and 13<sup>th</sup> are zoned at the less dense C-2-A zone.

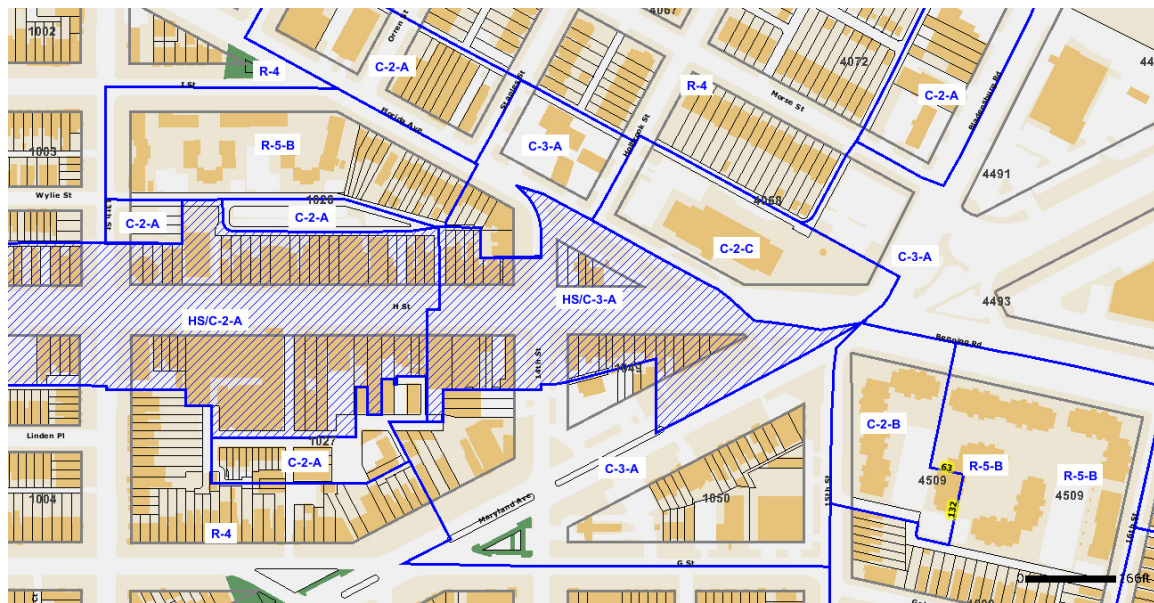
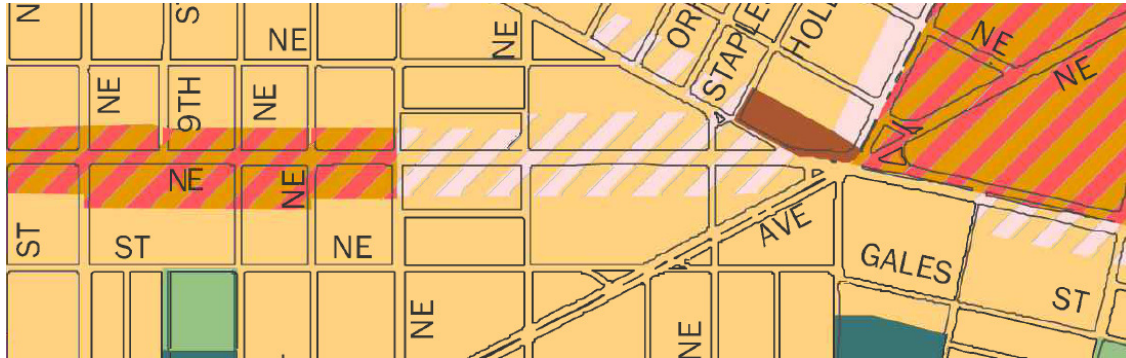


Figure 1: Map current zones on at the Eastern End of H Street NE.



## Committee Reports

### Economic Development and Zoning (ED&Z)



**Figure 2:** Excerpt from the 2006 Comprehensive Plan's Future Land Use Map. The color legend defines the light orange color as "Moderate Density Residential" the dark orange color as "Medium Density Residential" the light pink color as "Low Density Commercial" and the dark pink color as "Moderate Density Commercial".

Our ANC would like to meet with your office to discuss options for making the zoning in the eastern H Street NE area consistent with the 2006 Comprehensive Plan.

Please be advised that Commissioner Drew Ronneberg and Andrew Hysell are authorized to act on behalf of ANC 6A for this matter. Dr. Ronneberg can be reached at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305. Mr. Hysell can be reached at [aysell@hotmail.com](mailto:aysell@hotmail.com) or (203) 570-7560.

On behalf of the Commission,

Kelvin Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Jennifer Steingasser, Office of Planning  
Joel Lawson, Office of Planning  
Melissa Bird, Office of Planning  
Tommy Wells, Ward 6 City Councilmember  
Karen Wirt, ANC 6C Chair  
William Shelton, ANC 5B Chair



**Committee Reports**  
Economic Development and Zoning (ED&Z)



April XX, 2009

Ms. Linda Argo  
Director  
Department of Consumer and Regulatory Affairs  
941 North Capitol St. NE, Room 9500  
Washington, DC 20002

RE: Request for Response to ANC 6A Letter Regarding Public Space Training for Permitting and Inspection Staff

Dear Ms. Argo,

Our ANC hasn't received a response to the attached letter from your office and respectfully request such a response within 60 days in accordance with D.C. Code § 1-309.10(h)(1).

We believe that DCRA should train its permitting and inspection staff so that they 1) recognize when electrical equipment is located on public space and 2) do not issue electrical permits and approvals unless the owner demonstrates that the equipment has received a public space permit. This initiative will greatly reduce the number of unsightly electrical boxes and air conditioners that are currently being installed on public space.

Please have your staff follow up with Commissioner Drew Ronneberg, who chairs our Economic Development and Zoning Committee. Dr. Ronneberg can be reached at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Gabe Klein, DDOT Director  
Nicholas Majett, DCRA Deputy Director  
Matt LeGrant, Zoning Administrator  
Lennox Douglas, DCRA Permitting  
Lamont Regester, DDOT Public Space Enforcement Director  
Robert Walker, Ward 6 Public Space Enforcement  
Tommy Wells, Ward 6 City Councilmember  
Phil Mendelson, At-Large City Councilmember  
Kwame Brown, At-Large City Councilmember  
Michael Brown, At-Large City Councilmember



## Committee Reports

### Economic Development and Zoning (ED&Z)



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



February 20, 2009

Ms. Linda Argo, Director  
Department of Consumer and Regulatory Affairs  
941 North Capitol Street NE, Room 9500  
Washington, DC 20002

RE: DCRA Issuance of Permits for Equipment Illegally Located on Public Space

Dear Ms. Argo,

At our November 13, 2008 meeting, our Commission voted unanimously to request that DCRA (1) train its permitting staff to recognize when electrical equipment (e.g., electric meter boxes and air conditioning units) is located on public space and (2) refrain from issuing permits for such equipment unless the owner has first obtained a public space permit from DDOT.

Our ANC has written numerous letters to DDOT to draw attention to large electrical equipment that is installed on public space without a public space permit. In most cases the electrical equipment is an eyesore and detracts from the green spaces and unobstructed sightlines that are the intent of the L'Enfant Plan, of which ANC 6A is a part.

While public space is within the jurisdiction of DDOT, ANC 6A has concluded that DCRA contributes to this problem by issuing permits to allow the installation of equipment illegally located on public space. We are asking that you help address the problem by first, requiring all DCRA inspectors be trained to recognize the division between public space and private land; second, *as part of the permit review process*, require plans that show where utility boxes, meters (gas and electrical) and equipment will be located (when such equipment is to be installed), require approval from DDOT before the issuance of a permit for such work, and refrain from issuing permits on equipment illegally located on public space; and third, *as part of the inspection and enforcement process*, issue citations and/or stop work orders when utility boxes, meters and mechanical equipment are located in public space (presumably as a material violation of the official approved plans previously filed with DCRA). Furthermore, we ask that DCRA permitting officials be held accountable in their job performance evaluations if they continue to erroneously issue permits for illegally sited equipment.

If you have any questions regarding this matter, please contact Drew Ronneberg, Chair of our Economic Development and Zoning Committee at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On behalf of the Commission,

Joseph Fengler  
Chair, Advisory Neighborhood Commission 6A

cc. Dan Tangherlini, City Administrator  
Nicholas Majett, DCRA  
Connie Wheeler, DDOT

Matthew Marcou, DDOT  
Lennox Douglas, DCRA (BLRA)  
Marvin McFadden, DDOT



## Committee Reports

### Community Outreach Committee (COC)



ANC6A Community Outreach Committee

March 15, 2010 Minutes

Church of the Lord Jesus Christ of the Apostolic Faith annex, 1235 C St. NE

Meeting called to order at 7:30 p.m.

Committee members present: Elizabeth Nelson (Chair), Jean Kohanek, Rose Williams, Necothia Bowens (quorum)

Committee members absent: Mark Roy, Louis Barbash

Community member present: Vira Sisolak, Capitol Hill Garden Club

- I. Agenda
  1. Motion to adopt agenda. No objections.
  
- II. Discussion of ANC relationship with Department of Parks and Recreation (DPR):
  1. Brief discussion of recent email from DPR and apparent inconsistencies in information from different sources. We are working to clarify the scope of the Park Partners program at DPR, and will develop some guidelines for those groups seeking ANC approval on a Park Partners submission to DPR.
  
- III. Consideration of grant application from Capitol Hill Garden Club (CHGC):
  1. Ms. Sisolak presented the grant application. This is will be the third time the CHGC makes application for funding for spring flowering bulbs to be planted in public spaces within ANC 6A. Ms. Sisolak reported that the program worked very well last year. Everyone who requested bulbs received them and most received the full number requested. Past year's bulbs are now beginning to bloom and are contributing to the beauty of the neighborhood. Ms. Sisolak believes that the amount requested (\$650, same as last year) will allow the club to repeat last year's success.
  2. The COC members in attendance were all familiar with the program and have seen the bulbs in bloom so there weren't any questions.
  3. **Motion: Ms. Bowens moved that the COC recommend funding the CHGC request for \$650 to buy bulbs for planting within ANC 6A. Seconded by Rose Williams. Vote 4 in favor, none opposed.**
  
- IV. The next meeting of the COC will take place Monday, April 19 at 7:30 p.m. and 1235 C St. NE

Meeting adjourned at 8:20 p.m.



**Committee Reports**  
Community Outreach Committee (COC)



**Advisory Neighborhood Commission (ANC) 6A  
Grant Request Application Form**

<b>1. DATE OF APPLICATION</b>	<b>2. DATE OF PROJECT OR ACTIVITY</b>
02/24/2010	5/01/2010
<b>3. APPLICANT ORGANIZATION NAME AND ADDRESS</b>	
Capitol Hill Garden Club	
<b>4. CONTACT NAME</b>	<b>5. TITLE</b>
Vira Sisolak	President, Garden Club
<b>6. ADDRESS (IF DIFFERENT FROM ABOVE)</b>	
638 A St., NE, WDC 20002	
<b>7. TELEPHONE</b>	<b>8. FAX</b>
(202) 546-2534 HOME PHONE	(202) 663-4762 WORK PHONE
<b>9. E-MAIL ADDRESS</b>	
ElviraSisolak@EEOC.gov	
<b>10. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY</b>	
Community beautification—augment the garden club’s program with an additional 1,800 daffodils and 2,000 crocus bulbs to be planted in public spaces within ANC 6A	
<b>11. PROJECTED TOTAL COST</b>	<b>12. AMOUNT REQUESTED</b>
\$2,400	\$650
<b>13. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)</b>	
Capitol Hill Garden Club	
Capitol Hill Community Foundation (grant request pending)	
ANC6C (grant request pending)	
<b>14. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)</b>	
See attached	

For the past six years, the Capitol Hill Garden Club has sponsored a bulb giveaway program in which the club purchases and distributes daffodil and crocus bulbs to homeowners and organizations on Capitol Hill for planting in public spaces where the flowers can be seen from the sidewalk. The club intends to continue the program in 2010. Areas suitable for planting are: pocket parks, curbside gardens, church and school grounds, libraries, parks, and community centers. Through this grant, the club will purchase bulbs for individuals and organizations to plant in the jurisdiction of ANC 6A. The club will purchase bulbs from our wholesaler in early spring and advertise the program in Capitol Hill newspapers and local list serves in late summer. The club will





## Committee Reports

### Community Outreach Committee (COC)



accept applications until mid-August. In October, the club will distribute the bulbs for planting.

The garden club is also requesting grants from the Capitol Hill Community Foundation and ANC 6C. And the garden club itself will contribute funds toward the program. Last year, the ANC 6A gave the garden club a grant of \$650 for this program. The garden club contributed \$30 to this amount to purchase approximately 1,800 daffodil and 2,000 crocus bulbs from our wholesaler. This year, the garden club is requesting a grant of \$650 to purchase approximately the same number of bulbs.

The club makes every effort to give at least some bulbs to each applicant. Last year, almost all applicants from the ANC 6A jurisdiction received the number of bulbs they requested. A copy of the club's guidelines for distributing the bulbs is attached.

#### GUIDELINES FOR BULB GIVEAWAY PROGRAM

1. The club will give away daffodil and crocus bulbs, chosen because they reliably repeat year after year. The bulbs will be distributed in October for planting in pocket parks, tree boxes, curbside private gardens, church and school grounds, parks, and community centers. Flowers must be visible from the street.
2. Individuals and groups may apply to plant bulbs in the greater Capitol Hill area. We are roughly defining this area as from North Capitol St. to New York Ave. to Florida Ave. to Benning Rd. and to the Anacostia River; from there, along the river to South Capitol Street. [For the purposes of this grant application, the area is limited to the boundaries of ANC 6A]
3. Applications must include specific information about where the bulbs will be planted and a simple plan for the planting that includes the name or names of person(s) who will be responsible for implementing it.  
The club will try to give at least some bulbs to all persons and organizations that meet the application criteria.



## Committee Reports

### Transportation and Public Space (TPS)



#### ANC 6A Transportation & Public Space Committee Meeting Minutes Capitol Hill Towers (900 G Street NE) March 15, 2010

- I. Call meeting to order at 7:05 pm.
- II. Introductions
  - a. Committee members present: Shane Artim, Lance Brown, DeLania Hardy, Marlon Smoker and Omar Mahmud (Chair).
  - b. Committee Members Absent: Sean Lovitt.
  - c. Others in attendance: Ken Granata (Chair of the Rosedale Citizens Alliance Transportation Committee), prospective committee member Andrew Hysell, and Commissioner Drew Ronneberg.
    - i. Mr. Hysell informed the committee he has experience with running a ballot initiative campaign focused on mass transit options in Seattle and that he is excited about joining the committee.
- III. Community Comment
  - a. Commissioner Ronneberg informed the committee that he would like to invite a public space inspector to the April committee meeting to discuss enforcement issues (e.g. electrical boxes on public space). Mr. Mahmud welcomed the idea, informing Commissioner Ronneberg that the committee has been unsuccessful in past attempts to get a public space inspector to attend a meeting.
  - b. Commissioner Ronneberg also raised a concern about the new home built at 701 10<sup>th</sup> Street NE, particularly the curb cut installed adjacent to the G Street side of the property. Ronneberg reminded the committee that DDOT agreed to consider the ANC's appeal regarding installation of this curb cut. Since DDOT never formally ruled on the ANC's appeal, Commissioner Ronneberg thought it would be a good idea to follow up with DDOT. Commissioner Ronneberg believes former DDOT Director Moneme agreed to put this matter before the public space committee. Mr. Mahmud agreed to consider adding this matter to the end of the agenda, time permitting.
- IV. Announcements
  - a. Street Closings for National Marathon on Saturday, March 20
    - i. Mr. Mahmud announced a reminder about the National Marathon this upcoming Saturday.
    - ii. The race will cause disruption to bus service, particularly the X2 and 90/92 bus lines and road closures.
      1. Street closures begin as early as 6:45 am at the start of the course at RFK. Information regarding street closures on website and here with me. Some details:
        - a. East Capitol Street from 13th Street, NE to 2nd Street NE will be closed to all vehicular traffic starting at 6:45 a.m. It will reopen at approximately 10:45 a.m. Intermittent north bound/southbound travel across East Capitol Street will be allowed at "bump cross route" locations, including at 4th, 6th, 8th, 10th, 15th and 17th Streets. Vehicular traffic at each bump cross route is monitored by MPD and traffic flow is controlled at the discretion of officers.
      2. Parked cars along the route will not be towed, but cars will not be allowed to move if parked on a closed street.



## Committee Reports

### Transportation and Public Space (TPS)



3. Mr. Brown asked whether race organizers ever distributed flyers to homes along the race route, as promised. No one in attendance recalled seeing flyers at homes, including those that live along the race route.
- b. Second Annual DDOT Potholepalooza Program to Repair Potholes Across the District through April 5
  - i. Mr. Mahmud announced information about the program, including:
    1. How to report a pothole: Call 311, dc.gov service request center, text or tweet to [www.twitter.com/ddotdc](http://www.twitter.com/ddotdc) and email to [potholepalooza@dc.gov](mailto:potholepalooza@dc.gov).
    2. You must give specifics about the location, including the quadrant and come details about the hazard, including its size and depth, if possible.
    3. This is not for utility cuts, which are the responsibility of utility companies.
- c. B2 Bus to Resume Normal Route - Northbound Traffic Restrictions at 15<sup>th</sup> Street and Benning Road NE to be lifted March 17
  - i. Mr. Mahmud announced the following to the committee:
    1. DDOT announced that this traffic restriction at the Starburst intersection will be lifted Wednesday.
    2. Intersection will work will continue so be aware of shifting traffic lane markings and construction flaggers who will direct motorists and pedestrians as necessary.
- d. In addition to the announcement items on the final agenda, Mr. Mahmud provided an announcement about the following additional item:
  - i. A meeting regarding conversion of 17<sup>th</sup> and 19<sup>th</sup> Streets NE is being organized by Commissioner Gladys Mack. The meeting is to be held at Pilgrim AME Church, 612 17<sup>th</sup> Street NE at 7:30 pm. The email Mr. Mahmud read regarding this meeting was confusing so he wasn't sure if it was to be held Tuesday, March 16 or Thursday, March 18?
    1. Mr. Granata informed the committee he believes the meeting is to be held Tuesday, March 16. He also informed the committee that Sandra Gilbert of Rosedale Grassroots Organization asked for a meeting with DDOT about this issue. There is concern about the impact of a two way conversion for these streets (e.g. impact on parking, nearby churches, etc.). Chris Delfs will be at the meeting organized by Commissioner Mack since he worked on the Capitol Hill Transportation Study, along with a representative from Councilmember Tommy Wells' office.

#### V. Old Business

- a. Update regarding C Street Project provided by Ken Granata, Chair of the Rosedale Citizens Alliance Transportation Committee
  - i. Mr. Mahmud thanked Mr. Granata for attending and acknowledged all of his hard work on neighborhood transportation issues, including the C Street Project.
  - ii. Mr. Granata informed the committee that the goal is to come up with a preferred conceptual design chosen by the community with help from DDOT and private contractor, Toole Design. Key stakeholders are hoping for construction to begin in 2012 or 2013. Some public meetings and workshops have already taken place, but more are scheduled for the future.
  - iii. Mr. Granata provided the following information to the committee regarding goals and ideas stakeholders are currently exploring:
    1. Slow vehicular traffic along C Street.
    2. Reduce storm water run-off.



## Committee Reports

### Transportation and Public Space (TPS)



3. Reduce traffic volume while finding ways to ensure it is not simply dispersed to other neighborhoods.
    - a. Mr. Mahmud asked for clarification on this point given that discouraging traffic from travelling down C Street may inevitably cause more traffic along other routes through Capitol Hill. Mr. Granata informed the committee he believes the 11<sup>th</sup> Street Bridge project will help reduce traffic flowing into Capitol Hill in general.
  4. Create the first true “green street” in DC. Some concepts/ideas being discussed include:
    - a. Reducing or capturing all storm water run-off, creating porous surfaces, creating breaks in curbing to allow vegetation to absorb water, increasing the street canopy.
    - b. Installation of a cycle track: Dedicated bike paths which would be separated from vehicular lanes and sidewalks.
    - c. Separated, raised crosswalks and cycle tracks at small intersections
  5. Possibly reduce one lane of traffic in each direction.
  6. Installation of bulb-outs at intersections to reduce the distance required for pedestrians to cross the street.
  7. Changing traffic patterns depending on traffic demand at various hours of the day.
- iv. Mr. Granata informed the committee that information regarding the project and preliminary plans are on the project’s website at [CStreetNE.blogspot.com](http://CStreetNE.blogspot.com).
  - v. DDOT and Toole Design will have an open house for the project prior to the next ANC meeting on April 8<sup>th</sup> starting at 6:00 pm. This was originally scheduled to be the last of the public meetings, but Mr. Granata thinks there may be a couple more.
  - vi. Mr. Mahmud asked how the committee and ANC could help. Mr. Granata encouraged us all to get involved in the planning process and to provide recommendations to other key stakeholders.
  - vii. Mr. Mahmud thanked Mr. Granata for attending the meeting and providing information to the committee.
- b. Parking Strategy for H Street/Benning Road Corridor
    - i. Discussion ensued regarding possible ANC recommendations and action to leverage existing parking assets along the corridor. Mr. Mahmud informed the committee that this is something DDOT committed to doing when we met prior to H Street/Benning Road construction beginning, but that not much has happened on this front.
    - ii. Mr. Mahmud pointed out the following possible locations for offsite parking along the corridor, while acknowledging the city may have little or no leverage to encourage public use of these properties and that our ANC should work with ANC 6C regarding this issue:
      1. Union Station
      2. Murray’s grocery store
      3. DOES office building
      4. H Street Connection
      5. RL Christian
      6. Autozone
        - a. Mr. Smoker reminded the committee that the H Street Community Development Corporation (HSCDC) has some stake in this property, possibly as the lessor of the property to Autozone. Mr. Ronneberg



## Committee Reports

### Transportation and Public Space (TPS)



indicated our committee would have to meet with Mr. Barrows of the HSCDC and that he would be willing to participate.

#### 7. Hechinger Mall

- iii. Mr. Mahmud informed the committee he has heard that DDOT may already be making headway regarding negotiation of offsite parking arrangements for H Street patrons at some sites, including Hechinger Mall.
- iv. Mr. Mahmud also pointed out that there are resident options for requesting parking restrictions on their blocks.
  - 1. Commissioner Ronneberg informed the committee about his efforts to promote this effort and that Commissioner Rafael Marshall has already organized many residents north of H Street. Commissioner Ronneberg also informed the committee that he and Commissioner Bill Schultheiss are organizing block captains to promote this effort along blocks south of H Street. He explained that businesses are also getting involved in order to defuse any animosity from the local residents.
- v. Mr. Mahmud informed the committee that the ANC should engage developers and neighboring ANCs regarding future projects so the community can encourage multiple offsite parking options disbursed along the corridor. Mr. Mahmud pointed out that the recently approved H Street Connection project will have 65 retail parking spaces that may be available for offsite parking by H Street patrons.
  - 1. 2<sup>nd</sup> and H project
  - 2. 3<sup>rd</sup> and H project
  - 3. 600 block of H project
  - 4. Arboretum Place project
- vi. Mr. Artim raised an idea related to “special taxing districts” which would allow property owners a property tax credit for allowing public uses on their properties.
- vii. Other potential sites mentioned included Sherwood Recreation Center and the CVS store at the Starburst Intersection (15<sup>th</sup>, Maryland, Bladensburg, H Street and Benning Road)
- viii. Mr. Smoker agreed to research potential use of the Autozone parking lot.

#### VI. New Business

- a. DDOT Proposal to Install All-Way Stop Signs at Various Locations in Ward 6
  - i. Mr. Mahmud explained that this proposal would install stop signs for traffic on Constitution Avenue and Independence Avenue at the 10<sup>th</sup> and 12<sup>th</sup> Street intersections in addition to the stop signs already present at these intersections, but that the proposal stopped short of installing signal lights at these intersections as has been requested in the past. Apparently, installation of signal lights at each intersection could cost upwards of one million dollars each so funding is an issue. There have been quite a few accidents at these intersections due to speeding vehicles and the blind spots caused by parked cars.
    - 1. Mr. Brown expressed opposition to signal lights at these intersections because he believes signal lights disrupt bike traffic.
    - 2. Mr. Mahmud expressed satisfaction with the proposal, but indicated he would like the city to still consider installing signal lights as a future option.
    - 3. Mr. Smoker suggested asking for DDOT to conduct a study post stop sign installation to determine the effectiveness of the stop sign only solution. The study should also consider whether evaluation of bulb-outs and traffic signals at these intersections should be considered.



## Committee Reports

### Transportation and Public Space (TPS)



- ii. *Mr. Mahmud made a motion that the committee recommend the ANC send a letter of support for this proposal, but that the letter also indicate the ANC would like DDOT to consider installation of traffic signals and traffic calming measures such as bulb-outs. Mr. Artim seconded the motion.*
  - 1. *Messrs. Smoker and Brown offered the following amendments:*
    - a. *Mr. Smoker made a motion to amend this motion to include mention in the ANC letter of the Maury Safe Routes to School Program as a source of potential funding for traffic calming at Constitution Avenue and 10<sup>th</sup> and 12<sup>th</sup>. Mr. Brown seconded the motion, which passed without objection.*
    - b. *Mr. Brown made a motion to amend this motion to limit the ANC recommendation to intersections within ANC 6A (i.e. Constitution Avenue at 10<sup>th</sup> Street and 12<sup>th</sup> Street). Mr. Smoker seconded the motion, which passed without objection.*
  - 2. *The motion as amended passed without objection. Mr. Mahmud agreed to draft the letter.*
- b. The committee also discussed sending a letter to DDOT Director Klein regarding possible public space violations at 701 10<sup>th</sup> Street NE.
  - i. *Mr. Mahmud made a motion that the committee recommend the ANC send a letter to DDOT Director Klein asking that DDOT refer the ANC 6A appeal regarding 701 10<sup>th</sup> Street NE to the Public Space Committee and that the letter include background information regarding this matter. Commissioner Ronneberg seconded the motion, which passed without objection. Commissioner Ronneberg agreed to provide a draft of the letter.*

VII. Additional Community Comment - None

VIII. Adjourn meeting at 8:35 pm.



## Committee Reports

### Transportation and Public Space (TPS)



April XX, 2010

Gabe Klein  
Director  
Department of Transportation  
2000 14<sup>th</sup> Street, NW, 6<sup>th</sup> Floor  
Washington, DC 20009

#### **Re: Status of Curbcut Appeal for 701 10<sup>th</sup> St NE**

Dear Mr. Klein:

In January of 2006, DDOT notified our ANC of a pending public space application for a curbcut and driveway to access on-site parking for a 2-unit building (“flat”) at 701 10<sup>th</sup> St. NE. According to the Zoning Regulations, a flat must provide one on-site parking spot. 701 10<sup>th</sup> St NE is a corner lot, and in January of 2006 it lacked both alley access and street access to on-site parking spaces.

A flat was constructed on this lot without first obtaining a zoning variance from the BZA or curbcut permit from DDOT. The building permits were issued in error by DCRA because the owner submitted plans showing a non-existent curbcut and driveway off G Street that accessed two on-site parking spots.

ANC 6A has opposed new curbcuts within residential areas in order to promote the walkability of our neighborhood and minimize vehicle-pedestrian conflicts. Our ANC wrote a letter to DDOT on February 14, 2006 requesting that the public space curbcut application be denied because it would 1) eliminate on-street parking spaces 2) create a safety risk for children going to the Sherwood Recreation Center, 3) eliminate public green space and 4) invite illegal parking on public space.

Despite the fact that the Ward 6 Transportation Planner, Christopher Delfts, agreed with the ANC position, DDOT’s Office of Public Space granted a public space permit for a curbcut and driveway and notified our ANC on December 11, 2006.<sup>1</sup> Commissioner Fengler subsequently appealed the public space permit on to Public Space Manager, Ms. Denise Wiktor of DDOT and her supervisor, Acting Associate Director Ms. Ann Mason-Simpson. Ms Simpson-Mason denied the appeal on December 18, 2006.

Commissioner Fengler then appealed the public space permit to the former DDOT Director Michelle Pourciau on December 21, 2006. There was no response from Ms. Pourciau to this appeal. Ms. Pourciau was replaced by Emeka Moneme in January 2007. Commissioner Fengler appealed the public space permit to Director Moneme on January 4, 2007. Director Moneme responded “Thank you for bringing this issue to my attention. This is an important issue, and I will speak with ... the appropriate DDOT staff to get a response to your request.” However, no response was received. When Mr. Moneme spoke at the May 2007 ANC 6A meeting he indicated that he would refer the appeal to the Public Space Committee. When Linda Argo spoke at the September 2007 ANC 6A meeting, she said that a Certificate of Occupancy would not be issued until the curbcut appeal had been resolved. To date, the appeal has not been referred to the Public Space Committee or officially denied by the DDOT director.

ANC 6A has invested significant effort in this appeal and would like it to be referred to the Public Space Committee for the adjudication. The flat has been vacant for the last 3 years, so it is still possible to act on the appeal before a decision

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<sup>1</sup> Although the letter was dated November 8, 2006, it was not sent to ANC 6A until December 11, 2006.



## Committee Reports

### Transportation and Public Space (TPS)



would affect residents living at this address. We still believe that the best course of action would be to deny the application, close the curbcut and require that the owners of 701 10<sup>th</sup> St NE apply for a zoning variance.

The full appeal is included as Attachment A and former Director Moneme's response to the appeal is included as Attachment B. Please let us know how DDOT will proceed on disposition of ANC 6A's curbcut appeal for 701 10<sup>th</sup> St NE as soon as possible.

On behalf of the Commission,

Kelvin Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Linda Argo, DCRA Director  
Matt LeGrant, Zoning Administrator  
Nicholas Majett, DCRA Deputy Director  
Christopher Delfts, DDOT  
Lennox Douglas, DCRA Permitting  
Tommy Wells, Ward 6 City Councilmember





**Committee Reports**  
Transportation and Public Space (TPS)



April \_\_, 2010

VIA FIRST CLASS MAIL

District Department of Transportation  
Infrastructure Project Management Administration  
64 New York Avenue, NW, 1<sup>st</sup> Floor  
Washington, DC 20002

Re: *Installation of All-Way Stop Signs in ANC 6A – Notice 10-01-TS*

Dear Sir/Madam:

At ANC 6A's regularly-scheduled meeting on April 8, 2010, the Commission voted [unanimously] to forward to DDOT the following recommendations related to installation of all-way stop signs pursuant to the above-referenced notice from DDOT:

- I. ANC 6A supports installation of all-way stop signs at Constitution Avenue NE at 10<sup>th</sup> Street and 12<sup>th</sup> Street (the "Stop Sign Intersections"). ANC 6A does not take a position with respect to installation of all-way stop signs at Independence Avenue NE at 10<sup>th</sup> Street NE and 12<sup>th</sup> Street NE as those intersections are outside of our ANC.
- II. Please continue to consider the feasibility of installing signal lights and adopting traffic calming measures such as bulb-outs at the Stop Sign Intersections.
- III. Please evaluate whether the Maury Safe Routes to School Program could be a potential source of funding for traffic calming measures at the Stop Sign Intersections.

Thank you for considering these recommendations from our ANC. Should you have any questions regarding this matter, please contact Omar Mahmud of our ANC's Transportation and Public Space Committee at (202) 546-1520 or familymahmud@yahoo.com.

On behalf of the Commission,

Kelvin Robinson, Chair  
Advisory Neighborhood Commission 6A

Cc: Tommy Wells, Ward 6 Councilmember (twells@dccouncil.us)



## Committee Reports

### Transportation and Public Space (TPS)



March 31, 2010

VIA FIRST CLASS MAIL AND E-MAIL ([gabe.klein@dc.gov](mailto:gabe.klein@dc.gov))

Mr. Gabe Klein  
Director  
District Department of Transportation  
2000 14<sup>th</sup> Street NW, 6<sup>th</sup> Floor  
Washington, DC 20009

Re: *Redevelopment of H Street Connection Site (south side of 800 and 900 blocks of H Street NE)*

Dear Director Klein:

At ANC 6A's regularly-scheduled meeting on March 11, 2010, the Commission voted unanimously to forward the following recommendations for DDOT to consider as the above-referenced redevelopment proposal is evaluated:

- IV. Adjust signal timing at intersection of 8<sup>th</sup> Street NE and H Street NE in order to a) reduce congestion that may be caused by the building's proposed garage entrance at 8<sup>th</sup> Street NE, and b) accommodate traffic flow to the maximum extent feasible along 8<sup>th</sup> Street NE.
- V. Consider moving bus stops near the intersection of 8<sup>th</sup> Street NE and H Street NE, including moving the northbound 8<sup>th</sup> Street bus stop to a location north of H Street, so that traffic flow will not be impeded by buses stopping to pick up and drop off passengers at this intersection.
- VI. Provide ANC 6A with DDOT's final analysis regarding the feasibility of locating garage entrances for this building along 8<sup>th</sup> and 10<sup>th</sup> Streets.
- VII. Consider widening 8<sup>th</sup> Street NE adjacent to the building as necessary to create a left turn lane in the middle of the street, thus improving traffic flow along this portion of the street. This aim can be accomplished by removing two feet of sidewalk from each side of the street.

Thank you for considering these recommendations from our ANC. We look forward to working with DDOT as your team evaluates the developer's redevelopment plan. Should you have any questions regarding this matter, please contact Omar Mahmud of our ANC's Transportation and Public Space Committee at (202) 546-1520 or [familymahmud@yahoo.com](mailto:familymahmud@yahoo.com).

On behalf of the Commission,

Kelvin Robinson, Chair  
Advisory Neighborhood Commission 6A

Cc: Tommy Wells, Ward 6 Councilmember ([twells@dccouncil.us](mailto:twells@dccouncil.us))



**Committee Reports**  
Public Safety



No Committee report.



## New Business



### Rail-Volution in DC:

From the well-established Rosslyn-Ballston corridor to the development of new, well-connected neighborhoods, the region boasts a variety of projects in various stages of development that will be a perfect stage for a national conference. Conference participants from all types of jurisdictions will find a community and a project relevant to them in the DC area.

Washington, DC is a home, a workplace, and a tourist destination, and we are constantly striving to create a balanced, fully connected transportation system that meets the needs of all of our users.

In addition to the many efforts to build livable communities around transit, a number of transit projects are underway that will link existing communities, reduce congestion and promote further revitalization.

- The DC Streetcar, for example, will make travel within the District easier for residents, workers and visitors, and will complement the existing transit network.
- The Crystal City/Potomac Yard Corridor Transit Improvements Project, for example, will add high-capacity bus service along the 5-mile corridor and improve connections to Metrorail stations and area activity centers.
- The K Street Centerway, for example, will support high performance transit through the central core of the District, connecting key neighborhoods and activity centers.
- The Purple Line, for example, will provide direct connections to existing rail and bus lines and link major suburban centers, reducing travel time for tens of thousands of area residents.

The District is emerging as a national leader in multi-modalism. Balanced, holistic transportation is becoming a hallmark of the city, with a transit system that is supported by bike facilities, car- and ride-sharing, and a pedestrian-friendly environment.

As the nation's capital, DC is in a unique position to showcase best practices in building livable communities. Participants will be able to highlight their efforts for a federal audience that is more engaged in this topic than ever.



## New Business



April 8, 2010

Ms. Cathy L. Lanier  
Chief of Police  
Metropolitan Police Department  
300 Indiana Avenue, NW  
Washington, DC 20001

Dear Chief Lanier:

ANC6A has worked hard to address the significant juvenile crime issues within Ward Six in recent years. While statistics continue to show reductions in crime in many categories, juvenile crimes and crimes of opportunity increasing plague our community. Accordingly, we were disappointed to learn that MPD would be unable to complete its long-planned increase in manpower level due to current budget shortfalls. ANC6A would like to see an increase in the level of resources devoted to our areas, in particular, to PSA 102 and PSA 103, which includes the reenergized H Street corridor and Rosedale community.

While we very much appreciate your personal attention to the spike in carjacking that occurred in PSA 103 late last year, we are concerned about the high levels of crimes of opportunity that we suffered in recent months in PSAs 102 and 103. For example, there were 201 robberies with a gun in the past 12 months in First District between March 24, 2009 and March 24, 2010, compared with 170 in the previous year's span. Robbery-guns were up an incredible 48% in our PSAs over that time span. Similarly, ADWs-gun were up 83 percent within our PSAs during this period. These numbers clearly suggest that our neighborhood's capable Commander and Lieutenants need additional resources, despite MPD's plans to maintain its current number of officers overall.

Though our neighborhood is steadily replacing vacant properties and storefronts with thriving families and businesses, and crime is down nationwide and across the District, crimes of opportunity continue to rise in this area. Foot traffic to the new businesses within PSAs 102 and 103 will only increase over the coming months and years with new developments and re-inhabited homes. We hope you will allocate additional officers to this area to address this unacceptable rise in crimes of opportunity in our neighborhood.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: David Kamperin, Commander, MPD First District  
Vendette Parker, Lieutenant, PSA 102  
Mark Saunders, Lieutenant, PSA 103  
Tommy Wells, Councilmember, Ward 6  
Rebecca Sibilia, Chair, ANC Public Safety Committee