



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for April 12, 2012**



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

8:05pm **Call to order, Approve Previous Meeting's Minutes, Adopt Agenda**

8:10 **Community Comments (2 minutes each)**

8:15 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 29*

1. Approve Treasurer's Report
2. Consideration of the Financial Report - 2nd Quarter FY12

8:20 **Single Member District reports (2 minutes each)**

Standing Committee Reports:

8:35 **Community Outreach *pg. 34***

1. Approve committee report
2. **Recommendation:** ANC fund the grant application from the Capitol Hill Garden Club to purchase bulbs at a cost of \$650 for planting in public areas within ANC 6A
3. Next meeting - 7:30pm, April 16, 2012 (3rd Monday)

8:40 **Alcohol Beverage Licensing *pg. 37***

1. Approve committee report
2. **Recommendation:** ANC protest the H Street Country Club's substantial change application for a sidewalk cafe unless there is an approved addendum to their voluntary agreement by the petition date that limits the hours of the public space patio to 11pm Sundays through Thursdays and 12am Fridays and Saturdays
3. **Recommendation:** ANC protest the application for Kith & Kin & Pizza at 1118 H St NE unless there is an approved voluntary agreement prior to the petition date
4. **Recommendation:** ANC approve the amended standard questionnaire and post it on the ANC's website
5. **Recommendation:** ANC support efforts to amend the DC law to expand the current Ward 6 ban on singles sales to include a ban on selling two- or three-packs of alcohol
6. Next meeting - 7pm, April 17, 2012 (3rd Tuesday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for April 12, 2012**



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

8:50 Transportation and Public Space Committee pg. 41

1. Approve committee report
2. **Recommendation:** ANC send letter of support to DDOT regarding public space application for sidewalk patio at H St. Country Club (1335 H St. NE)
3. **Recommendation:** ANC send letter to DDOT supporting efforts to calm traffic on Florida Ave. NE between 2nd St. and West Virginia Ave., including analyzing the reduction of one lane of traffic in each direction, installing turn lanes, and widening sidewalks, among other solutions
4. Next meeting - 7pm, April 16, 2012 (3rd Monday)

8:55 Economic Development and Zoning pg. 43

1. Approve committee report
2. **Recommendation:** ANC send a letter of support for a special exception to construct a garage at 808 L St NE (BZA #18361)
3. **Recommendation:** ANC send a letter to the Deputy Mayor of Economic Development and Planning requesting a status update on the RL Christian Site redevelopment RFP
4. Next meeting - 7pm, April 18, 2012 (3rd Wednesday)

9:00 Unfinished Business

9:05 New Business pg. 48

1. ANC protest the renewal of a Class A (wine, beer, and spirits) license for GT Liquors (1835 Benning Rd. NE) until the ABL Committee has an opportunity to consider the renewal with community input (Healy)
2. Discussion of ANC weighing in on Council Committee on Human Services' hearing (April 17, 2012 at 5pm) to discuss a proposal in Mayor's budget to allow restaurants, taverns and nightclubs to remain open and serve alcohol until 3am weekdays and until 4am on Friday and Saturday (Alberti)
3. ANC to consider letter of support for the H Street FRESHFARM Market at its new location (Holmes)
4. Consider Alcohol Beverage Control (ABC) Board's response regarding changes the Board wants the ANC to make to several voluntary agreements (Healy)

9:10 Community Comments Round II, time permitting (2 minutes each)

9:15 Adjourn



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for April 12, 2012**



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



Advisory Neighborhood Commission 6A Meeting Minutes for March 8, 2012



Advisory Neighborhood Commission 6A



Commission Letters of March 8, 2012 Meeting



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



March 8, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 4005
Washington, DC 20009

Re: DC Conscious Café (1413 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 7-0-1 to approve a Voluntary Agreement (VA) with DC Conscious Café. The quorum required is five Commissioners. Commissioner Alberti abstained.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes
Chair



Commission Letters of March 8, 2012 Meeting



Made this 8th day of March, 2012

by and between

DC Conscious Cafe (ABRA-088623)
1413 H Street NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

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

Voluntary Agreement between DC Conscious Cafe and ANC6A

Page 1 of 4



Commission Letters of March 8, 2012 Meeting



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

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

2. Business Operations and Practices:

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

Voluntary Agreement between DC Conscious Cafe and ANC6A

Page 2 of 4



Commission Letters of March 8, 2012 Meeting



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

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

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

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

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

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

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

3. Music / Dancing / Entertainment:

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

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

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

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

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

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

f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a

Voluntary Agreement between DC Conscious Cafe and ANC6A



Commission Letters of March 8, 2012 Meeting



- television, a radio, or other prerecorded music.
- g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.
- h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

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

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

6. Miscellaneous:

- a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
- b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

- a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
- c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals. *PAMELA JOHNSON + Ahma don Buchie Drog*

Applicant:

By: *[Signature]* Date: *3/6/12*

Signature: _____

Advisory Neighborhood Commission 6A Representative:

By: *DAVID HOLMES* Date: *3-8-12*

Signature: *[Signature]*



Commission Letters of March 8, 2012 Meeting



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



March 9, 2012

Mr. Terry Bellamy
Director
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Removal of One Hour Signs in the 400 block of 13th Street NE, near Lincoln Park Towers

Dear Director Bellamy:

At our regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 8-0-0 to request that the District Department of Transportation (DDOT) remove the one hour parking signs in the location referenced above so that residents can park in this area according to the current parking restrictions in place for the rest of the block. The quorum required is five Commissioners.

By way of background, the one hour parking signs at this location are a legacy from a prior use for the adjacent properties. Given that these properties no longer require these restrictions, we feel they should be replaced. Commissioner Lawler, who represents the area, has determined there is wide community support for this request after polling nearby residents (not a single resident expressed opposition). The sole business owner at 413 13th Street NE agrees to the replacement of the signs.

Thank you for taking the time to consider this request. Our hope is that it will be granted and implemented as soon as possible, especially considering parking is becoming harder to come by in our ANC with the success of the H Street corridor. Should you have any questions, please feel free to email Omar Mahmud, Chair of our ANC's Transportation and Public Space Committee, at family-mahmud@yahoo.com.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Ward 6 Councilmember

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



Commission Letters of March 8, 2012 Meeting



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



March 9, 2012

Ms. Ruthanne Miller, Chairperson
Alcohol Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Dear Ms. Miller:

At its regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted (7-0-1) to reluctantly agree to the Alcohol Beverage Control Board's (Board) changes to the voluntary agreements between the ANC and the following establishments: Dangerously Delicious Pies, Da Luft Restaurant & Lounge, Sol Mexican Grill, Central, and Pho Bar and Grill. The email on the next page outlines the Board's changes to these voluntary agreements. Five Commissioners are required for a quorum. Commissioner Alberti neither participated nor voted.

The Commission feels strongly that striking Section 2(i) related to reimbursable MPD details is unwise. The Commission's Alcohol Beverage Licensing (ABL) Committee spent several months carefully considering and crafting the language after much discussion. We believe these provisions are fair to the community and prospective Board-licensed establishments and would be crucial to ensuring the public's safety around any potentially problematic establishment. In fact, the previous MPD First District Commander recommended that the ANC consider including these types of provisions into our standard voluntary agreement. The ABL Committee also reviewed examples of similar reimbursable police detail language in other Board-approved voluntary agreements in order to craft our language.

We respectfully ask the Board to share with the ANC why it chose to strike this section and to provide the ANC with suggested language that would address the Board's concerns in this regard.

Regarding the modification needed to Section 3(d), the ANC proposes to strike the section and replace it with:

"The hours of operation for a patio or summer garden on private property (excluding rooftops) are limited until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff. If the patio has been open for business for at least three months during the months of April through September and noise levels from the patio do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the licensee may submit a change of hours application to allow for expanded hours of operation on the patio."

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com and the ANC-6A@yahoogroups.com (not controlled by the ANC) email groups, and through print advertisements in the *Hill Reg*.



Commission Letters of March 8, 2012 Meeting



Please advise if this modification is acceptable to the Board.

Should you have any questions regarding this matter, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee, at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes, Chair
Advisory Neighborhood Commission 6A

Email

Davis, Thea (ABRA) thea.davis@dc.gov

Feb 7

to David, Adam, Sarah

Good morning, Commissioners,

I am writing regarding several voluntary agreements submitted between licensees and ANC 6A. The Board reviewed and/or reconsidered the following voluntary agreements on February 1, 2012:

1. Dangerously Delicious Pies (reconsidered: Board approval and Order mistakenly issued without all necessary modifications)
2. Da Luft Restaurant & Lounge (reconsidered: Board approval and Order mistakenly issued without any modifications)
3. Sol Mexican Grill
4. Central
5. Pho Bar and Grill

The Board has requested the following modifications/clarifications for the above-referenced voluntary agreements. Mr. Fashbaugh will provide the Licensees with a separate email outlining these modifications. I apologize for the oversight regarding Dangerously Delicious Pies and Da Luft Restaurant & Lounge. As always, these modifications can be made via Board Order without submitting a new VA to make it easier for all the parties. Please let me know if you have any questions or comments.

Section 2(i): Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.

- The word "ANC" should be removed.

Section 2(j) should be removed. (You previously agreed to remove this section in the Dangerously Delicious Pies VA)

Section 3(d): This section should be clarified that any extension of hours must still be considered and approved by the Board, as the final decision maker. Please also be sure to include the applicable time period, as it is left blank in some of the voluntary agreements.

Best regards,

Thea D. Davis
Deputy General Counsel
Office of the General Counsel
Alcoholic Beverage Regulation Administration



Commission Letters of March 8, 2012 Meeting



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



March 9, 2012

Ms. Catherine Buell, Chairperson
Historic Preservation Review Board
Office of Planning
1100 Fourth Street SW, Suite E650
Washington, DC 20024

Re: HPA #12-260 (1321-1323 Constitution Avenue NE – concept review)

Dear Ms. Buell:

At our regularly scheduled and properly noticed meeting¹ on March 15, 2012, our Commission voted 7-1 (with five commissioners required for a quorum) to support the conceptual redevelopment plans for the above referenced application.

The applicant, Mr. Robert Bailey and his architect, Mr. Martin Ditto, presented massing plans to redevelop 1321-1323 Constitution Avenue NE at our Economic Development and Zoning Committee's February 15, 2012 meeting. The conceptual plans call for a second story addition at 1323 Constitution Avenue and 3rd floor recessed additions to 1321 and 1323 Constitution Avenue. The third floor additions will not be visible to a pedestrian on the opposite side of the street. In addition, the conceptual plans show the demolition of the garage at the rear of the property. The ANC believes that the plans as presented adequately balance the developer's need to increase the property's floor area while minimizing the massing changes to the buildings' facades.

In addition, the Commission would like to note that it strongly prefers retaining the historic reading of the architectural elements of 1323 Constitution Avenue in the final plans.

Please be advised that Dr. Drew Ronneberg and Melissa Boyette, AIA, are authorized to represent the ANC for the purposes of this case. Commissioner Ronneberg can be reached at 202.431.4305 or ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A announces its meetings by advertisement in the *Hill Rog*, through the ANC's anc6a-announce@yahoo.com, and in the ANC-6A@yahoogroups.com (which is not controlled by the ANC).



Commission Letters of March 8, 2012 Meeting



David Holmes
Advisory Neighborhood Commission 6A03
919 Massachusetts Avenue NE
Washington, DC 20002



March 13, 2012

To: Terry Bellamy, Director
Sam Zimbadwe

I strongly urge that DDoT keep the H Street midline streetcar power station on the west side of 12th Street, NE. Any move would amount to a major change without proper notice of, or consideration by, the affected ANC.

The current location was carefully worked out with the current vendor on the west side of 12th. His public space application was built around temporarily housing the power supply infrastructure on the west side. Conversely, the new owners of the land on the east side of 12th are in process of planning for redevelopment, and have offered a permanent solution for the power station when the new structure is complete. Placing the above-ground structure on the east side will adversely affect the leasing possibilities for this property (currently Autozone). The ANC has had many problems with the current property lessee, and looks forward to replacement construction by the new owners.

Siting the power supply on the west side was carefully negotiated between the owners, the ANC, Councilmember Wells, and other affected parties. Finding an appropriate site was very difficult with much community participation.

This ANC has been the noisiest and most enthusiastic long-term advocate for the streetcar line. We joined in proposing the line in the early years of the last decade, and pushed for the complete street renovation (utilities included) as part of the preparation. We have been there from the beginning and each stop along the way.

I ask that you not start making unilateral decisions without consulting us. I also ask that carefully negotiated solutions not be overturned. It matters to us and to future corridor development on which side of the street the temporary power supply is placed.

David Holmes

Cc: Tommy Wells, Councilmember
Mary Cheh, Councilmember



Commission Letters of March 8, 2012 Meeting



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



March 8, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 4005
Washington, DC 20009

Re: Impala Cantina Y Taqueria (1358 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 7-0-1 to approve a Voluntary Agreement (VA) with Impala Cantina Y Taqueria. The quorum required is five Commissioners. Commissioner Alberti abstained.

Our Alcoholic Beverage Licensing Committee been working with ABRA staff on possible language that could be included in Impala’s CT VA that would require them to operate as a restaurant and meet food sales requirements for the indoor seats even though they seek a tavern license. We learned from ABRA staff that outdoor seats that are on private property (rooftop, deck, or patio) count towards the \$2000 per seat per year food sales requirement (outdoor seats on a public patio space – with DDOT approval – do not count in that calculation). Mr. Healy stated that ABRA staff has given preliminary indication that the board would likely accept the language in this new VA (much of the new language mirrors DC statutory language defining an ABRA-licensed restaurant).

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC’s Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of March 8, 2012 Meeting





Made this 8th day of March, 2012

by and between

Impala Cantina Y Taqueria (ABRA-088603)
1358 H Street, NE
Washington DC 20002
and
Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

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

Voluntary Agreement between Impala Cantina Y Taqueria and ANC6A

Page 1 of 5



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

2. Business Operations and Practices:

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

Voluntary Agreement between Inpaki Cantina Y Taqueria and ANC6A

Page 2 of 5



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

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

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

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

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

k. Applicant shall not support or be the cause of the installation of any phones outside of the establishment on their property.

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

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

3. Music / Dancing / Entertainment:

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

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

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

- 1) Applicant shall not offer any type of live or pre-recorded music on the patio.
- 2) A fence or other barrier will enclose the entire perimeter.
- 3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
- 4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
- 5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.
- 6) No more than 49 people may be on the ground floor patio at one time.
- 7) The patio must be closed and cleared of all patrons and staff when licensed alcohol sales end for the day.

In order to mitigate noise emanating from the rooftop venue, the following steps will be taken:

- 1) Seating capacity will not exceed 49 persons on the rooftop.
- 2) The patio will be used for seated guests only, that is, the applicant will not use the rooftop for persons standing, at a reception, etc.
- 3) Applicant agrees that sounds on the rooftop shall not be amplified, therefore speakers will not be used on the rooftop. This includes sounds from entertainment, a radio, jukebox, TV or microphone.
- 4) The Applicant will use plantings, walls, fencing, etc. to mitigate sounds from the patio.
- 5) The rooftop will close seating at 11:00 p.m. on Sunday through Thursday evenings and 12:00

Voluntary Agreement between Ingalls Cantina Y Taqueria and ANC6A

Page 3 of 5



- a.m. on Friday and Saturday evenings.
- f) Placards or signs will be posted to notify patrons of the hours.
- g) Placards will be posted requesting patrons to respect the neighboring residents.
- h) Applicant will respond quickly to noise complaints which are brought through the ANC and take appropriate action to mitigate the problems.
- i) In the event that noise on the rooftop repeatedly disturbs nearby residents, the ANC and applicant will work in good faith to negotiate an addendum to this agreement to mitigate noise through additional soundproofing measures.

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

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

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

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

h. The establishment shall be regularly ready, willing, and able to prepare and serve food, have a kitchen (with an operational stove, oven, or grill) which shall be regularly open, have a menu in use, have sufficient food on hand to serve the patrons from the menu, and have proper staff present to prepare and serve the food up until at least one hour prior to closing. The establishment shall have annual gross food sales of \$2000 per occupant or have food sales account for at least 45 percent of the establishment's gross annual receipts. The occupancy is based on the 150 occupancy for the inside seating portion of the establishment.

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

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

6. Miscellaneous:

- a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
- b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

- a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R.

Voluntary Agreement between Impala Cantina Y Taqueria and ANC6A



Commission Letters of March 8, 2012 Meeting



1513.5.
e. 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: GEORGE BRAUN Date: 13 MARCH 2012

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: David Holmes Date: March 8, 2012

Signature: David Holmes



Commission Letters of March 8, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 78115
Washington, DC 20013



March 11, 2012

Mr. William Howland, Director
Department of Public Works
2000 14th Street NW, Sixth Floor
Washington, DC 20009

Re: Audit of businesses on the 1100, 1200, and 1300 blocks of H Street NE for commercial trash hauling contracts and location of trash dumpsters.

Dear Mr. Howland:

At our March 8, 2012 meeting, Advisory Neighborhood Commission 6A unanimously voted to request that your agency audit businesses on the 1100, 1200, and 1300 blocks of H Street NE to ensure that they possess:

1. current contracts with licensed trash haulers; and
2. trash storage on the owner's land, or an agreement to share trash storage facilities on a neighboring owner's land, or trash storage on public space which has been properly permitted by DDoT's Public Space Administration.

The vote was 8-0-0 with five required for a quorum.

We are making this request because some businesses are putting commercial trash (e.g. large used containers of fry oil) next to public trash receptacles and ruining the newly installed sidewalks.

This is a particularly acute problem for the northeast corner of 12th and H Streets NE. We believe only the Argonaut Restaurant (1433 H Street NE) has obtained the necessary public space permits to store trash on public space.

We would greatly appreciate it if your agency would share the results of the audit with our ANC once it is completed.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Commission Letters of March 8, 2012 Meeting



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



March 15, 2012

Ruthanne Miller
Chairperson
Alcohol Beverage Control Board
2000 14th Street, NW, Suite 4006
Washington, DC 20009

Re: Souk, 1208 H Street, NE

Dear Ms. Miller:

At a regularly scheduled and properly noticed public meeting¹ on February 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 4-0-1 (Commissioner Alberti abstaining) to protest the license for Souk, located at 1208 H Street, NE (ABRA-068675). The required quorum of five Commissioners was present.

At the same meeting, the ANC voted to support a stipulated license for Souk, which we communicated to ABRA on February 10, 2012, during the placard period to allow for the applicant and ANC to sign a voluntary agreement prior to the petition date.

At this time, the ANC and applicant have not reached an agreement on a voluntary agreement, so the ANC withdraws our support for a stipulated license and files this protest based on the threat to peace, order and quiet of the neighborhood. The ANC is also troubled about trash, loitering, and pedestrian safety. Nearby property values may be at risk because the rear of the property abuts residential property across a narrow alley.

We still hope to be able to reach a Voluntary Agreement in this matter.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a@1@gmail.com or 202.556.0215.

On behalf of the Commission,

David Holmes, Chair

¹ANC 6A meetings are advertised electronically on anc6a-announcements@yahoo.com and the ANC-6A@yahoogroups.com (not controlled by the ANC) email list, and through advertisements in the H&E Reg.



Commission Letters of March 8, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 78115
Washington, DC 20013



March 16, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 4005
Washington, DC 20009

Re: The Casbah (1128 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 7-0-1 to protest the new license for The Casbah to be located at 1128 H Street, NE (ABRA-088779). The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

Our protest is based upon the threat to the peace, order and quiet of the neighborhood. The ANC is also troubled that there may be an adverse impact on residential parking, as well as by concerns about trash, loitering, and pedestrian safety.

We hope to withdraw this protest once a Voluntary Agreement has been signed between the applicant, S. J. Enterprises, LLC., and the ANC.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on anc6a-announce@yahoo.com and on the ANC6A@yahoo.com (not controlled by the ANC) email list, and through advertisements in the Hill Rag.



Commission Letters of March 8, 2012 Meeting



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



March 26, 2012

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

Re: The Casbah (1128 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of March 8, 2012, Advisory Neighborhood Commission 6A (ANC) voted 7-0-1 to protest against a potential license for The Casbah to be located at 1128 H Street, NE (ABRA-088779) and to approve a pending Voluntary Agreement, if accepted and signed by the applicant. The quorum required is five Commissioners. Commissioner Alberti abstained, and did not participate in the discussion.

Attached is the VA signed by me as Chair of ANC 6A and the Applicant.

Should you have any questions regarding this matter, please contact Commissioner Adam Healy, chair of our Alcohol Beverage Licensing Committee, at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes, Chair

¹ ANC 6A announces its meetings by advertisement in the *Hill Rag*, through the ANC's anc6a-announce@yahoo.com, and in the ANC-6A@yahoogroups.com (which is not controlled by the ANC).



Made this 24th day of March, 2012

by and between

The Casbah (ABRA-088779)
1128 H Street, NE Washington
DC 20002 and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

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



Commission Letters of March 8, 2012 Meeting



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

2. Business Operations and Practices:

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



Commission Letters of March 8, 2012 Meeting



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

- i. If data from MPD indicates that this establishment has caused or is significantly contributing to additional crime or criminal activities in the neighborhood, including disorderly conduct and/or reoccurring public disturbance, the ANC 6A ABL Committee will hold a public meeting to discuss the problems and ways in which to mitigate them. The Applicant, MPD, and an ABRA representative will be invited and encouraged to participate, as well as concerned residents. MPD will be asked to recommend to the Committee the days of the week and hours when the reimbursable MPD detail should be necessary to maintain peace, order, and quiet at and around this establishment and the costs that would be associated with such reimbursable detail. If the Committee recommends the use of a reimbursable MPD detail at this establishment to mitigate these problems, the recommendation will then be considered by ANC 6A at their next scheduled meeting.
 - ii. If the ANC, by a majority vote, supports requiring a reimbursable MPD detail, the ANC Chair will notify in writing the First District MPD Commander or his/her designee and the Applicant that this establishment will be required to have a reimbursable MPD detail assigned to their location.
 - iii. The Applicant shall transmit to MPD funds sufficient to provide the next month's reimbursable MPD detail by the first day of each month that the reimbursable detail is required.
 - iv. The reimbursable detail shall be maintained by the Applicant for up to six months. Within six months, the ABL Committee will conduct another review to hear input on whether or not the reimbursable MPD detail should be continued. The ABL Committee will make a recommendation that will then be considered by the ANC at their next scheduled meeting.
- k. Applicant shall not support of the installation of pay phones outside of the establishment on their property.
- l. Applicant will utilize and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
 - m. Applicant shall provide valet parking services only with valet parking companies as defined licensed and in compliance with Title 24 DCMR Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. Music / Dancing / Entertainment:

- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.
- b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.
- c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:
 - i. Applicant shall not offer any type of live or pre-recorded music on the patio.
 - ii. A fence or other barrier will enclose the entire perimeter.
 - iii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
 - iv. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
 - v. Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.
 - vi. No more than 40 people may be on the patio at one time.
 - vii. The patio must be closed and cleared of all patrons and staff when licensed alcohol sales end for the day.
- d. The ANC will establish a three month trial of noise levels from the outdoor area with limited hours until 11PM on weekdays and 12AM on weekends. If noise levels do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the hours for service on the patio may be extended to be consistent with the licensee's normal business hours. The three month time period for this applicant is N/A to N/A
- e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m., Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.



Commission Letters of March 8, 2012 Meeting



- 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.
- g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.
- h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

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

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

6. Miscellaneous:

- a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
- b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

- a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
- c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: SAROSH HUSSAIN Date: 3/26/2012

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES, CHAIR, ANC6A Date: 3/26/2012

Signature: [Handwritten Signature]

Voluntary Agreement between The Casbah and ANC6A



Officer Reports - Treasurer



ANC 6A Treasurer's Report March 2012

Period Covered 03/01/12 - 03/31/12

Checking Account:

Balance Forwarded		\$	20,890.49
Receipts:			
District Allotments:	\$	-	
Transfers from Saving Account	\$	-	
Total Receipts	\$	-	
Total Funds Available		\$	20,890.49
Disbursements:			
Heather Schoell (Agenda Package Mar. '12)	Ck #1550	\$	200.00
US Postal Service (6 months PO Box Rental)	Ck #1551	\$	160.00
Roberta Weiner (Minutes Feb. '12 Meeting)	Ck #1552	\$	180.00
Total Disbursements		\$	540.00
Ending Balance		\$	20,350.49

Savings Account:

Balance Forwarded		\$	4,206.64
Receipts:			
Interest (03/30/12)		\$	0.18
Transfers from Checking Account			
Total Receipts		\$	0.18
Total Funds Available		\$	4,206.82
Disbursements		\$	-
Ending Balance		\$	4,206.82

Prepared March 31, 2012



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 2nd Quarter FY12

Quarterly Report Period Covered 01/01/12 - 03/31/12 ANC 6A

Summary of Receipts and Disbursements: Checking Account

Balance Forwarded		\$ 17,652.64
Receipts:		
District Allotments	\$ 9,668.70	
Interest Income	\$ -	
Other Deposits	\$ -	
Transfers from Saving Accounts	\$ -	
Total Receipts		\$ 9,668.70
Total Funds Available		\$ 27,321.34
Disbursements:		
1. Net Salary and Wages	\$ -	
2. Workers Compensation	\$ -	
3. Insurance:		
4. A. Health	\$ -	
5. B. Casualty/Property	\$ -	
6. Total Federal Wages Taxes	\$ -	
7. Tax Penalties	\$ -	
8. Local Transportation	\$ -	
9. Office Rent	\$ -	
10. Telecommunication Services	\$ -	
a. Landline Telephone		
b. Cellular Telephone		
c. Cable/Internet Services		
11. Postage and Delivery	\$ 160.00	
12. Utilities	\$ -	
13. Printing and Copying	\$ 647.32	
14. Flyer Distribution	\$ -	
15. Purchase of Service	\$ 1,140.00	
16. Office Supplies	\$ -	
17. Office Equipment	\$ -	
a. Rental	\$ -	
b. Purchase	\$ 4,998.53	
18. Grants	\$ -	
19. Training	\$ -	
20. Petty Cash Reimbursement	\$ -	
21. Transfers to Saving Account	\$ -	
22. Bank Charges	\$ -	
23. Website/Webhosting	\$ -	
24. Other	\$ 25.00	
Total Disbursements		\$ 6,970.85
Ending Balance:		\$ 20,350.49

Approval by Commission: _____

_____	_____	_____
Treasurer	Chairperson	Secretary

Secretary Certification _____ Date _____

I hereby certify that the above noted quarterly financial report has been approved by a majority of Commissioners during a public meeting in which there existed a quorum.



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 2nd Quarter FY12

Summary of Receipts and Disbursements: Savings Account

Balance Forwarded		\$ 4,206.29
Receipts:		
Transfers From Checking Account	\$ -	
Other (Interest Earnings, etc.)	\$ 0.53	
Total Receipts		\$ 0.53
Total Funds Available		\$ 4,206.82
Disbursements:		
Transfers to Checking Account	\$ -	
Other	\$ -	
Total Disbursements		\$ -
Ending Balance:		\$ 4,206.82

CHECKING AND SAVINGS ACCOUNT DEPOSITS		
Deposits to Checking Account (Including transfers from savings account)		
Date	Amount	Source
01/27/12	\$ 4,836.27	Abatement 2nd Quarter FY11
02/16/12	\$ 4,832.43	Abatement 4th Quarter FY11
Total	\$ 9,668.70	
Deposits to Savings Account (Including transfers from checking account)		
Date	Amount	Source
01/31/12	\$ 0.18	Interest
02/29/12	\$ 0.17	Interest
03/30/12	\$ 0.18	Interest
Total	\$ 0.53	



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY Listing of Checks Issued 2nd Quarter FY12

Check #	Date	Payee	Amount	Expense Category	Purpose of Expenditure	Date Approved (1)
						Budget Approved 10/13/11
1542	01/09/12	FedEx Office	\$ 389.92	13	Jan. 1, 2012 Statement	
1543	01/12/12	Heather Schoell	\$ 200.00	15	Agenda Package - Jan '12	10/13/11
1544	10/13/11	INTAC, Inc.	\$ 4,998.53	18	Grant - Elliot-Hine PTSA	12/08/11
1545	01/12/12	Roberta Weiner	\$ 150.00	15	Minutes - Dec. '11	10/13/11
1546	01/22/12	ANC Security Fund	\$ 25.00	24	ANC Security Fund	01/12/12
1547	02/09/12	Heather Schoell	\$ 200.00	15	Agenda Package - Feb. '12	10/13/11
1548	02/09/12	Roberta Weiner	\$ 150.00	15	Minutes - Jan. '12	10/13/11
						Budget Approved 10/13/11
1549	02/17/12	FedEx Office	\$ 257.40	13	Feb. 1, 2012 Statement	
1550	03/06/12	Heather Schoell	\$ 200.00	15	Agenda Package - Mar. '12	10/13/11
1551	03/06/12	US Postal Service	\$ 150.00	11	6 month PO Box Rental	3/8/2012
1552	03/06/12	Roberta Weiner	\$ 150.00	15	Minutes Feb. '12	10/13/11
Total			\$ 6,970.85			

(1) If ongoing operating expense, indicate "Budget" and date budget was approved. If not included in approved budget, indicate date Commission approved the expenditure.



Officer Reports - Treasurer



Petty Cash 2nd Quarter FY12

PETTY CASH SUMMARY

Period Covered 01/01/12 - 03/31/12

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



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

March 19, 2012 Minutes

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

Meeting called to order at 7:35 p.m.

Committee members present: Elizabeth Nelson (Chair), Jean Kohanek (no quorum)

Committee members absent: Rose Williams, Pat Joseph, Louis Barbash

Community members present: Vira Sisolak (CHGC)

- I. Agenda
Adopted.
- II. Status report on ANC/COC activities.
No feedback or assignments.
- III. Vira Sisolak presented a grant application on behalf of the Capitol Hill Garden Club (CHGC) to pay for bulbs to be planted in public space within ANC 6A.
 1. As the committee members are very familiar with the program, Ms. Sisolak was not asked to make a formal presentation. Ms. Kohanek observed that the program has been successful in providing a clear benefit to the community, which is very apparent this spring season. The bulbs planted in previous years have multiplied increasing the beauty of the plantings. Ms. Nelson added that volunteers at new locations received bulbs last year, including Elliot-Hine Middle School, further increasing the spread of the bulbs. Ms. Kohanek noted that the program was very well administered and efficiently run. The cost is very low, especially considering the pleasure it brings.
 2. Ms. Sisolak confirmed that, if funded, the program would run the same way it did last year with Ms. Nelson ensuring that all bulbs go to qualified applicants/locations as they did last year. Every individual/group making a request received bulbs. Similar outreach efforts will be employed this year. The Rosedale Recreation Center will be completed and ready for planting this year and the Sherwood Neighborhood Volunteers have already said they will apply. So, there will be no lack of interest.
 3. **Motion:** Ms. Kohanek moved that the COC recommend that ANC 6A fund the grant application from the Capitol Hill Garden Club to purchase bulbs at a cost of \$650 for planting in public areas within ANC 6A. Seconded by Ms. Nelson. Vote 2 in favor none opposed.
- IV. Meeting adjourned at 8:00 p.m.
- V. The next meeting will take place Monday, April 16, at 7:30 p.m. at 1235 C St. NE



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
3/8/2012	10/1/12
3. APPLICANT ORGANIZATION NAME AND ADDRESS	
Capitol Hill Garden club	
4. CONTACT NAME	
Vira Sisolak	
5. TITLE	
President	
6. ADDRESS (IF DIFFERENT FROM ABOVE)	
638 A St. NE Washington, DC 20002	
7. TELEPHONE	8. FAX
(202)546 -2534	() -
9. E-MAIL ADDRESS	
Elvira.sisolak@eoc.gov	
10. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY	
Community beautification-augment the garden club's program with 2,850 daffodil bulbs and 900 crocus bulbs to be planted in public spaces within ANC6a	
11. PROJECTED TOTAL COST	12. AMOUNT REQUESTED
\$ \$1,700.00	\$650.00
13. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)	
Capitol Hill Community Foundation	
Garden club	
14. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)	
See following.	

For the past eight 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 2012. 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 accept applications until mid-August. In October, the club will distribute the bulbs for planting.



Committee Reports

Community Outreach Committee (COC)



The garden club is also requesting a grant from the Capitol Hill Community Foundation. And the garden club itself will contribute funds toward the program. Last year, ANC 6A gave the garden club a grant of \$650 for this program. This year, the garden club is again requesting a grant of \$650 to purchase approximately the same number of bulbs as last year (115 bags of daffodils and 36 bags of crocuses, with 25 bulbs to each bag). The club makes every effort to give at least some bulbs to each applicant. Last year, all applicants from the ANC 6A jurisdiction received bulbs. A copy of the club's guidelines for distributing the bulbs is attached.

In addition to requesting \$650 from ANC6A, the garden club is requesting a grant of \$950 from the Capitol Hill Community Foundation for bulbs for other areas of Capitol Hill. The garden club will contribute \$100 to these amounts.

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, curb-side 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.
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.

Approved by the membership of the Capitol Hill Garden Club 2009



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee

ANC 6A

March 20, 2012

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7pm EST on March 20, 2012 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

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

Committee Members Absent: None

Community Members Present: Margaret Holwill, Ricardo Vergara, and Steve Salis.

I. Call to Order

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

II. Community Comment

None

III. New Business

H Street Country Club (substantial change for sidewalk cafe)

Mr. Ricardo Vergara of H Street Country Club (1335 H St. NE) came to discuss a substantial change application they have submitted with ABRA for a 12 seat sidewalk patio to be located on public space in front of their establishment. The application has not yet been placarded by ABRA, but it should soon. The ANC Transportation and Public Space Committee has voted to support the DDOT public space application for the patio. Mr. Vergara indicated they would sign an addendum to their current VA that would limit the hours on the patio to conform with other public space patios in the ANC with an 11pm closing Sundays through Thursdays and 12am on Fridays and Saturday.

Mr. Healy moved/seconded by Ms. Thomas that the ANC protest the H Street Country Club’s substantial change application for a sidewalk cafe unless there is an approved addendum to their voluntary agreement by the petition date that limits the hours of the public space patio to 11pm Sundays through Thursdays and 12am Fridays and Saturdays. Motion carried 4-0.

Kith & Kin & Pizza (Retail Class “C” Restaurant)

Mr. Steve Salis appeared before the Committee to discuss a new restaurant application for Kith & Kin & Pizza to be located at 1118 H St. NE. The application has not yet been placarded by ABRA but should be soon.

He plans to have about 30 seats with a total occupancy load of about 49 people and will ask for the standard hours of alcohol beverage service. He did not apply for an entertainment endorsement.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Healy moved/seconded by Ms. Koshuta that the ANC protest the application for Kith & Kin & Pizza at 1118 H St. NE unless there is an approved voluntary agreement prior to the petition date. Motion carried 4-0.

Consideration of a Standard Questionnaire for Prospective ABC Licensees

The Committee discussed a draft standard questionnaire that could be posted on the ANC's website and given to new ABC applications to help prepare them for ABL Committee meetings when they are seeking the ANC's approval of a new alcohol license.

Ms. Thomas moved/seconded by Mr. Herman that the ANC approve the amended standard questionnaire and post it on the ANC's website. Motion carried 4-0.

Review and Consideration of Possible Changes to the Standard VA for Class A Licenses

In light of the upcoming renewal period for Class A licenses (wine, beer, and spirits), the Committee reviewed the standard Class A/B voluntary agreement to see if any changes or updates needed to be made. Discussion surrounded the need to prohibit the sale of two or three packs of alcohol. The Committee felt that the current VA already prohibits selling anything less than a four pack of alcohol but will double check with ABRA staff. The Committee took no further action on this agenda item.

Consider Language to Tighten the Ward 6 Singles Sales Ban

Mr. Healy indicated that the topic of expanding the current Ward 6 ban on selling singles to include two- and three-packs would be considered by Councilmember Jim Graham's task force that is considering updates to the District's alcohol laws.

Mr. Healy moved/seconded by Ms. Thomas that the ANC support efforts to amend the DC law to expand the current Ward 6 ban on singles sales to include a ban on selling two- or three-packs of alcohol. Motion carried 4-0.

IV. Adjourn

The Committee adjourned at 8:27 pm. The next meeting is Tuesday, April 17, 2012 at 7pm at Sherwood Recreation Center.



Committee Reports Alcohol Beverage and Licensing (ABL)



Guidelines for New Applicants to the ABL Committee of ANC 6A

The ABL Committee of ANC 6A welcomes all new applicants for liquor licenses in our ANC. Our ANC is home to the vibrant H Street Corridor and Atlas District. The committee's goal is to ensure that the vibrant development continues, while working in harmony with residential districts that closely border the corridor. These guidelines were developed to help our applicants with an overview of the kind of information that the Committee looks forward to hearing during your presentation.

1) We look forward to welcoming each new applicant before the Committee on the assigned date. In addition to meeting the applicant(s), it is important for the business owner(s) to be present so any questions can be clearly answered. We are interested in meeting those who are investing in our community, so the partnership between our community and your business is productive and co-operative.

Please keep in mind that your appearance before the ABL Committee is more important than your appearance at the full ANC meeting. This is where all details pertaining to the petitioning establishment will be considered. The ANC will rely on the recommendation of the ABL Committee during its meeting.

Feel free to attend any ABL meeting prior to your official date to make yourself familiar with how the committee operates. At that time, if you so choose please feel free to introduce yourself and make us aware that you will soon be appearing before us.

2) Please fill us in on your prior professional experience. Is this your first restaurant? Do you have other food establishments? Where are they located? What attracts you to H Street?

3) Please provide a site plan of your building and how it relates to the other buildings around it and any residential area. This does not have to be official, but needs to give Committee members a feeling for the location. Visual information is the strongest way to communicate questions that might arise from your location.

4) Please provide a floor plan of your space. Make sure all pertinent information is clearly labeled – bar area, seating, kitchen, etc. Again visual information will communicate most easily any questions pertaining to the layout of your space.

5) If possible, please give the Committee an idea as to the décor and interior feeling of your space. How will it be decorated, furnished, finishes, etc?

6) What kind of kitchen will you have? Please explain to the Committee how you will be preparing food.

7) If possible, please provide a sample menu or something that will give the Committee a good idea of the kind of food you will be serving, the range and depth of your menu, the feeling you trying to achieve with the food, etc.

8) Where will the trash be kept and what is the plan for managing your trash?

9) If you are asking for an entertainment endorsement, please provide details of what kind of entertainment you plan on having.

10) Have you done any outreach to your immediate neighbors and/or the surrounding residential community?



Committee Reports

Alcohol Beverage and Licensing (ABL)



11) ANC 6A has adopted a resolution to grant only CR licenses in response to the community's wishes for more restaurants and their concern about the overpopulation of taverns. If you are coming before the Committee to request a tavern license, you will need to present very strong evidence as to why we should grant it. This evidence can include support of a majority of neighbors – either in person or in the form of a written petition, and/or other evidence as you deem necessary to make your case.



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes

Sherwood Recreation Center Library (640 10th Street NE)
March 19, 2012

- I. Call meeting to order at 7:08 pm.
- II. In attendance: ANC 6A Commissioner Adam Healy and Transportation & Public Space Committee members DeLania Hardy and Omar Mahmud (Chair); local business owners Danny Roberts and Joe Englert, and other members of the ANC 6A community.
- III. Community Comment - None.
- IV. New Business
 - A. Consider patio license for H Street Country Club (1335 H Street NE)
 1. Mr. Mahmud invited Mr. Englert, owner of H Street Country Club, to provide information regarding the H Street Country Club's proposed use of public space for a sidewalk patio. Mr. Englert provided the following information to the committee:
 - a. The patio will be situated 10 feet from the curb line directly in front of the business and have seating for 12 patrons. There will be wrought iron fencing with planters, plants, umbrellas, and metal/wood furniture (no plastic). All outdoor furniture will be removed from the space every night upon closing, which will be by 11pm Sunday to Thursday, and at 12am on Friday and Saturday.
 - b. Mr. Englert assured the committee the business will be diligent about keeping the public space clean and that there will be no outdoor music.
 - c. Mr. Mahmud asked whether this matter is on the DDOT Public Space Committee calendar for consideration. Mr. Englert indicated it is not given the ANC has not weighed in yet. They're not on the calendar yet. They can't get on calendar until we weigh in.
 - d. Mr. Englert also promised to discuss this matter with the Atlas Theater and report back to Mr. Mahmud, but he does not anticipate there being opposition from the theater.
 2. ***Mr. Mahmud made a motion that the ANC send a letter of support for this proposed use of public space. The motion passed without objection.***
 - B. Traffic calming plan for Florida Avenue NE
 1. Mr. Mahmud invited Commissioner Healy to provide information regarding a proposal to request traffic calming measures for Florida Avenue. Commissioner Healy provided the following information to the committee:
 - a. In the NOMA master plan produced by DDOT in 2010, a recommendation was made for traffic calming measures along Florida Avenue NE from 2nd Street NE to West Virginia Avenue NE, including the reduction of one lane of traffic from two lanes to three along this stretch and putting in turn lanes. By reducing one lane of traffic in each direction, traffic is slowed and there is room for wider sidewalks, which are currently very narrow and pedestrian-unfriendly.
 - b. Gallaudet University and ANC 6C have sent letters of support for this idea already. So the request is to join these letters of support in an effort to jumpstart an effort to address traffic calming and pedestrian safety like what was done for Maryland Avenue NE from Stanton Park to the starburst intersection.
 2. Neighborhood resident Tomas Carbonell also expressed strong support for the proposal to explore traffic calming and pedestrian safety measures for Florida Avenue. He informed the committee it is very dangerous for him to walk along the narrow sidewalk here. Mr. Mahmud relayed the same experience walking along this stretch of sidewalk from work to



Committee Reports

Transportation and Public Space (TPS)



home during his daily commute, which he now avoids. Ms. Hardy indicated she is not familiar with the area but that she would check it out.

3. Mr. Healy made a motion that the ANC send a letter to DDOT joining ANC 6C's call for traffic calming measures along Florida Avenue NE from 2nd Street NE to West Virginia Avenue NE, including reduction of one lane of traffic in each direction, installing turn lanes and widening sidewalks, among other solutions. The motion passed without objection.

V. Additional Community Comment

- A. Mr. Roberts, owner of Caribbean Best and Rose's Dream, was on hand to discuss his previous request regarding relocating a bus stop moved in front of his businesses by DDOT post-streetscape construction. The bus stop was previously located at the northeast corner of H Street NE and 14th Street NE for years before being moved in front of his businesses at the northwest corner of this same intersection. Councilmember Tommy Wells and the ANC previously contacted DDOT to support his request. He indicated he is raising this issue with the committee again since he hasn't seen any movement on this issue from DDOT.
1. Mr. Roberts is still worried about the location of the new stop hurting his business, including his new business when he moves two doors down as is currently planned. Mr. Roberts wants an answer from DDOT regarding the reason for this move and the reason why the stop cannot be moved back to the northeast corner of H and 14th Street NE, especially given the new investment he plans to make in the new business.
 2. Ms. Hardy asked if Mr. Roberts has spoken to WMATA about the bus stop placement. Mr. Roberts indicated that he had, but that the dialogue with WMATA got shut down for some reason. He says there is no functioning business where the bus stop was previously located.
 3. Mr. Roberts is also concerned that the new bus stop removes several parking spots from in front of his business after he waited for years for the construction to be finished. In addition, given the striping put in place by DDOT, he keeps getting tickets for what he says is legal parking.
 4. Mr. Roberts asked Mr. Mahmud for his opinion regarding why the bus stop location change was made. Mr. Mahmud offered that it may have been done since DDOT has informed him it generally prefers having bus stops located after intersections, rather than just before as this stop was previously situated. Mr. Mahmud also indicated he does not know the reason for this particular change, but that he suspects this may be the reason.
 5. Mr. Roberts expressed frustration that he raised his concern prior to the bus parking pads being installed at the new location, but DDOT still installed the pads. He is also concerned that he made a prior investment in reliance on the bus stop being at the northeast corner, not at this location, given bus patrons harass his customers and disturb his business with trash, graffiti, etc. Mr. Roberts also wonders how the bus stop down the street in front of Granville Moore's (1200 block of H Street NE) was moved by DDOT and speculates it may have been done because of bus patrons sitting on the steps leading up to this business.
 6. Mr. Roberts also contended there isn't enough room for the large buses to pull into the new location, especially with handicapped passengers. Mr. Roberts spoke to Charles Allen, Councilmember Wells' Chief of Staff, about this recently and he plans to discuss with Councilmember Wells directly at his next community meeting.
 7. **Mr. Mahmud made a motion that the ANC send a follow up letter to DDOT regarding our previous request to have the bus stop moved back to its original location at the northeast corner of H Street NE and 14th Street NE. The motion passed without objection.**

VI. Meeting adjourned at 7:45 pm.



Committee Reports

Economic Development and Zoning (EDZ)



Minutes for ANC 6A ED&Z Committee Meeting

Wednesday, March 21, 2012, 7 - 9pm

Attendees: Drew Ronneberg, Jeff Fletcher, Charmaine Josiah, Laura Gentile, Missy Boyette
Commissioners Present: David Holmes, Adam Healy

- 1) Resolution of previously heard BZA/HPRB Cases - 701 10th Street Variance from parking requirements was granted; curb cut project moving slowly.
- 2) Vacant Properties - 1400 Maryland Ave., Chair of Public Space Committee - no hearing due to re-application. All issues resolved.
- 3) Zoning Regulations Rewrite - N/A
- 4) H Street Business Liaison Report - N/A

Additional Comments:

David Holmes

- 6A & 6C meeting with DDOT re: Streetcar status, setting up meeting. Slated for April 12 at Springarn High School (5B)
- Mid-Line Substation - Goal is to place into garage of redeveloped AutoZone site. Temporarily across street @ Kahn's (above ground). Has been confirmed.
- New Window Guidelines for Historic District (from Historic Preservation Office), presentations held at Ebenezer's, 2nd and F Sts. NE
- Reservation 13 Meeting, Thursday, March 22 @ 7pm w/Mayor

New Business

1) Gallaudet University Campus Plan

Speakers: Hansel Bauman, Director of Planning; Julia Triman, Campus Planning Coordinator.

- a. Development of 6th Street Corridor
- b. Will hold four workshops for community input re: update to campus plan
 - i. Sat., April 14 @ Trinidad Rec. Center, 10:30 am - noon
 - ii. April 16 @ Atlas Performing Arts Center, 7 - 8:30 pm
 - iii. TBD on Galludet campus
 - iv. April 30, Recap @ Gallaudet campus , 7 - 8:30 pm, sit-down w/key campus members
- c. Workshops are before zoning process
- d. Growth rate of 2% a year, lion share of planning will address student housing (approx. 150 new beds)
- e. Integrate Gallaudet into the community
- f. Campus has 100 acres; Will create more accessibility into and out of campus, including auto maintenance facility on 6th Street
- g. Owns four acres on farmer's market side (of 6th Street); will be included within discussion



Committee Reports

Economic Development and Zoning (EDZ)



- h. Majority of housing will be on campus; Possibly may address housing on 6th Street @ auto maintenance site

2) BZA #18361 (808 L Street NE)

- a. Owner (George Tess)
- b. Deck doesn't count towards lot occupancy, because surface is less than four feet above grade
- c. Looking to replace existing carport and restore (previous) garage with new garage structure
- d. Garage will include deck above garage for green space
- e. Deck level is within height restrictions
- f. Revised lot occupancy will be 70%
- g. Has letter of support from western neighbor (also in support of deck). Attempted to contact eastern neighbor with no success.
- h. Structure has 5' setback and aligns with neighboring garage/fence structures.
- i. Stairways don't count against occupancy.
- j. Seeking special exception
- k. The committee voted 6 to 0 for the following recommendation:

Recommendation: Send a letter of support to the BZA for a special exception to construct a garage at 808 L St. NE (BZA #18361).

3) RL Christian Library Site Redevelopment

- a. Temporium Site - DMPED was to develop
- b. Property appears to be languishing
- c. Drew recommends letter to department to meet with ED&Z to explain delay (request representative or Deputy Mayor)
- d. Draft letter requesting issue of RFP and address community concerns and input
- e. The committee voted 6 to 0 in support of the following recommendation:

Recommendation: Send a letter to the Deputy Mayor of Economic Development and Planning requesting a status update on the RL Christian Site redevelopment RFP.

Meeting Adjourned.



Committee Reports Economic Development and Zoning (EDZ)



April X, 2012

Mr. Victor Hoskins
Deputy Mayor for Planning and Economic Development
1350 Pennsylvania Ave NW Suite 317
Washington, DC 20004

RE: RL Christian Library Site Redevelopment RFP

Dear Mr. Hoskins,

At a regularly scheduled and properly noticed meeting on April 12, 2012, our Commission voted to request that you provide an update on the status of the RFP for the RL Christian Library site redevelopment at 1300 H St NE. The City has repeatedly stated that it intends to surplus this site for mixed-use development and in the Fall of 2011 told our ANC that the release of the RFP was imminent. Since that time, we have received numerous inquiries from interested developers, the RFP appears to have been delayed indefinitely.

In order to provide the community with the latest status on the RFP, we invite you to provide an update on the RL Christian site RFP at our May 10, 2012 ANC 6A meeting which takes place at 7 pm at Miner Elementary (601 15 St NE). If you are not able to attend that meeting, we would like to invite your staff to give an update at either the April 18th or May 16th meeting of ANC 6A's Economic Development and Zoning Committee. Each of those meeting will take place at 7pm at Sherwood Recreation Center (640 10th St NE).

Please let me know which meeting DMPED will be attending. I can be reached at holmes6a3@gmail.com or (202) 251-7079.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Economic Development and Zoning (EDZ)



April X, 2012

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustments
Office of Zoning
441 4th St NW, Suite 210S
Washington, DC 20001

RE: BZA Case 18361 (808 L St NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on April 12, 2012, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for special exception from Section 223 (not meeting the lot occupancy requirement in an R-4 zone) in the above referenced application.

The Commission supports the request for a special exception because the proposed garage at the rear of the property will not unduly affect the light and air available to neighboring property, nor unduly compromise their privacy of use and enjoyment. In addition, one of the abutting neighbors has written letters of support for the project while the other property owner was unreachable.

Please be advised that Commissioners Drew Ronneberg and David Holmes are authorized to act on behalf of ANC 6A for the purposed of this case. Dr. Ronneberg can be reached at ronneberg6a02@gmail.com or (202) 431-4305.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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



New Business



Draft letter to DDOT

April 12, 2012

Mr. Terry Bellamy, Director
Department of Transportation
55 M Street SE, 6th Floor
Washington, DC 20003

RE: FRESHFARM Markets Endorsement for new location on H Street NE

Dear Director Bellamy:

The Commissioners of ANC 6c support the relocation of the H Street NE FRESHFARM Market to the corner of the 1300 block, 13th Street NE and H street NE. The market runs from April 21 to November 19, 2012 every Saturday from 9am to 12 noon. Market will set up begins at 8am and break down will be completed by 1pm.

FRESHFARM Markets will set up along the sidewalk on 13th Street NE between H Street NE and Wylie Street NE (the northeast side of 13th Street), leaving enough space for pedestrians to walk by and access to Capital Bikeshare. The Department of General Services has agreed to let FRESHFARM Markets set up a market information tent and an additional tent in front of 1300 H Street NE (the R. L. Christian Library kiosk).

FRESHFARM has promised to have:

All necessary DC permits;
An on-site Market Master during all hours of market operation;
An on-site EBT Coordinator to process SNAP (Food Stamps);
Removal of trash from the site at the conclusion of every market; and
Insurance coverage for market operation.

Thank you for giving great weight to the recommendation of ANC 6A.

On behalf of the Commission,

David Holmes
Chair