



**District of Columbia Government  
Advisory Neighborhood Commission 6A  
Agenda for April 10, 2014**



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

- 7:00 pm      **Call to order**  
Call of the roll and announce the presence of a quorum  
Approve Previous Meeting's Minutes, Adopt Agenda
- 7:05            **Community Comments (2 minutes each)**
- 7:15            **Community Presentation:**  
Anwar Saleem - H Street Main Street  
Presentation on Starburst intersection programming  
Presentation on H Street Festival
- 7:35            **Officer Reports:**  
Chair (2 minutes)  
Vice-Chair (2 minutes)  
Secretary (2 minutes)  
Treasurer (2 minutes)  
1. Approve Treasurer's Report
- 7:45            **Standing Committee Reports:**  
**Community Outreach**  
1. No report - Committee did not meet.  
2. Next meeting - 7 pm, April 21, 2014 (3<sup>rd</sup> Monday)
- 7:50            **Alcohol Beverage Licensing**  
1. No report - Committee did not meet.  
2. Next meeting - 7 pm, April 15, 2014 (3<sup>rd</sup> Tuesday)
- 7:55            **Transportation and Public Space Committee**  
1. Approve committee report.  
2. **Recommendation:** ANC6A send a letter to DDOT in support of Chupacabra's application for installation of a bike rack on public space upon receipt of commitment in writing that the restaurant staff will dispel loiterers from the location of the bike rack.  
3. **Recommendation:** ANC6A withdraw its opposition to the sidewalk cafe application by Nomad Hookah Bar upon receipt of written confirmation: 1) that the application has been amended to reduce sidewalk café capacity to 44 patrons; 2) that the owner will maintain the adjacent sidewalk area and any adjacent planted areas; and 3) that the owner will limit hours to those stipulated in the settlement agreement.  
4. Next meeting - 7pm, April 21, 2014 (3<sup>rd</sup> Monday)



**District of Columbia Government  
Advisory Neighborhood Commission 6A  
Agenda for April 10, 2014**



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

- 8:10 Economic Development and Zoning**
1. Approve committee report.
  2. 313 9<sup>th</sup> Street NE
  3. 1511 A Street NE
  4. Next meeting - 7 pm, April 16, 2014 (3<sup>rd</sup> Wednesday)
- 8:25 New Business**
- 8:30 Single Member District reports (2 minutes each)**
- 8:50 Community Comments Round II, time permitting (2 minutes each)**
- 9:00 Adjourn**



# Advisory Neighborhood Commission 6A Meeting Minutes of March 13, 2014



## Advisory Neighborhood Commission 6A Minutes Regular Business Meeting Miner Elementary School March 13, 2014

**Present:** Commissioners Alberti, Holmes, Mahmud, Phillips-Gilbert, Ward, Williams

**Absent:** Commissioners Hysell, Nauden

The meeting was convened at 7:00 pm.

### 1. Agenda

The following additions to the agenda were proposed: under the Alcoholic Beverage Licensing Committee (ABL) Committee: Approve revisions to the standard Settlement Agreement; under Transportation and Public Space Committee (TPS): Approve Todd Sloves as new Committee Co-Chair; approve Committee 2014 Mission and Goals. Under New Business: Sahra public space application. The agenda, as amended, was agreed to without objection.

### 2. Minutes

The minutes were agreed to without objection.

### 3. Officers' Reports

#### Chair

Mr. Alberti noted that the Rock and Roll Marathon would take place on the following Sunday (March 15, 2014).

He announced that Councilmember Vincent Orange, whose committee has jurisdiction over the Department of Consumer and Regulation Affairs (DCRA), will hold a meeting with DCRA and the Ward 6 ANC's to discuss ANC concerns.

He said that at the May 2014 ANC meeting there will be a discussion of the Anacostia River tunnel storm runoff project.

Finally, he said that the Public Charter School Board (PCSB) had announced approval for eight new schools, but has no information on which ones might be located in ANC 6A. The PCSB did not provide the proposed locations which is their customary practice.

#### Treasurer's Report

Mr. Holmes presented the Treasurer's Report. He reported that the opening balance in the checking account was \$14,763.34 and the savings account balance was \$13,717.82. There was a quarterly allotment from the District of \$4,607.82, and an interest payment of \$.21 to the savings account. There were disbursements of \$200.00 to Irene Dworakowski for the February 2014 agenda package (Check #1632); \$23.42 for travel reimbursement for Jay Williams (Check #1636); \$180.00 to Roberta Weiner for transcription of the February 2014 ANC minutes (Check #1639); \$30.00 for a stop check fee for a lost check to WebHST; \$15.00 for a wire transfer fee; and \$169.47 for FedEx Office for February 2014 statement (Check #1634), leaving a balance of \$19,371.16 in the checking account, and \$13,718.03 in the savings account.

**Motion:** Mr. Holmes moved/Mr. Williams seconded a motion to accept the disbursements. The motion passed unanimously.



## Advisory Neighborhood Commission 6A Meeting Minutes of March 13, 2014



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

#### 4. Committee Reports

##### Alcoholic Beverage Licensing

The report of the Committee was accepted without objection.

The Committee met without a quorum. The resolutions below come from the Committee chair.

##### 1427 H Street NE - Halftime Sports Bar

**Motion:** Mr. Williams moved/Mr. Holmes seconded a motion that ANC 6A formally protest the CT license application for the Halftime Sports Bar, 1427 H Street NE, unless a signed Settlement Agreement is submitted to the ANC prior to the protest date. Mr. Williams is given the authority to sign the agreement in behalf of the ANC. The motion passed 5-0-1, with Mrs. Phillips-Gilbert abstaining.

##### 914 H Street NE - Andy Lee Liquor

**Motion:** Mr. Williams moved/Mr. Mahmud seconded a motion that ANC 6A formally protest the Class A Retailer license application for Andy Lee Liquors, 914 H Street NE, unless a signed Settlement Agreement is submitted to the ANC prior to the protest date. The motion passed 5-0-1, with Mrs. Phillips-Gilbert abstaining.

##### Modifications to Settlement Agreement

**Motion:** Mr. Williams moved/Mr. Mahmud seconded a motion to accept certain deletions to the standard Settlement Agreement. The motion passed unanimously 5-0-1 with Mrs. Phillips-Gilbert abstaining.

##### Ben's Chili Bowl

Mr. Williams reported that ANC 6A had been notified that day that the Alcoholic Beverage Control (ABC) Board had issued its decision on the ANC's protest of Ben's Chili Bowl's license. The order states that the outdoor areas (rooftop and Tenth (10<sup>th</sup>) Street sidewalk café) of this new H Street establishment would be required to close at 11:00 pm during the week and at 12:00 am on Friday and Saturday. He thanked Mr. Holmes and Mr. Mahmud for their exceptional efforts in accomplishing the change.

##### XII

It was reported that someone was stabbed at about 2:00 am at XII on a recent Saturday morning. The victim is okay, but the establishment was closed for 96 hours and the ABC Board will hold a Summary Suspension hearing within the next week.

##### Transportation and Public Space

The report of the Committee was accepted without objection

**Motion:** Mr. Mahmud moved/Mr. Holmes seconded a motion to name Todd Sloves as co-chair of the Transportation and Public Space Committee. The motion passed without objection.

**Motion:** The committee moved/Mr. Mahmud seconded a motion to accept the Goals of the Committee for 2014. The motion passed without objection.



## Advisory Neighborhood Commission 6A Meeting Minutes of March 13, 2014



### Economic Development and Zoning

The report of the Committee was accepted without objection.

#### 819 D Street NE

**Motion:** The Committee moved/Mr. Alberti seconded a motion that the ANC accept its recommendation to write a letter to the Historic Preservation Review Board (HPRB) in support of design approval for the conversion of the church and two rowhouses at 819 D Street NE into a 30-unit residential development (HPA 14-180), provided that the developer incorporates HPRB's pending comments into its design prior to its March 27, 2014 hearing.

Mr. Holmes moved that the motion be amended to list the specific points to be modified: 1) no new window cuts are created on the Ninth (9<sup>th</sup>) Street or D Street sides of the building; 2) all stained glass is preserved; 3) HVAC units are not visible from the street; 4) any new third levels added onto the row houses are not visible from the street; 5) any roof deck structure or deck furniture on either the row houses or the church building are not visible from the street; and 6) the interior space of the church tower is not visible from the street if the existing louvers are modified. The amendment passed 6-0-0. The motion as amended passed 6-0-0.

**Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to include himself and Mr. Dan Golden as designated representatives of the ANC on this matter. The motion as amended passed 6-0-0.

#### 504 12<sup>th</sup> Street NE

**Motion:** The Committee moved/Mr. Alberti seconded a motion that the ANC accept the Committee's recommendation to send a letter to the BZA in support of special exceptions from the lot occupancy and a variance to the court width requirements for 504 12<sup>th</sup> Street NE, in connection with a rear addition to the existing structure (BZA 18755). The motion passed unanimously, 6-0-0.

## 5. New Business

### Anacostia River Sediment Project

Dan Smith, of the Anacostia Watershed Society, reported on a study now being undertaken by the District Department of the Environment (DDOE) to investigate contaminants in the river sediments and determine a clean-up plan. Certain documents – a Work Plan for the project, and a Community Involvement Plan – have been released, and the goal of the coalition supporting the study is now urging that a Community Advisory Group (CAG) be appointed, and that plans be finalized by 2017.

**Motion:** Mr. Ward moved/Mr. Williams seconded a motion to send a letter to DDOE and the Mayor urging the appointment of a Community Advisory Group (CAG), and that the clean-up be expedited and be in process by 2017. The motion passed 6-0-0.

### Sahra

Sahra has applied for a public space permit. They agreed to come to the Transportation and Public Space Committee on March 16, 2014, which means that the issue will not come before the full ANC until after the DDOT Public Space hearing on March 25, 2014. Mr. Williams stated that there should be a letter from the ANC saying that if the owners do not agree to move the Public Space hearing back a month, the Commission will oppose the application based on concerns that the size and location will have a negative effect on the surrounding community.



## Advisory Neighborhood Commission 6A Meeting Minutes of March 13, 2014



**Motion:** Mr. Williams moved/Mr. Alberti seconded a motion to conditionally oppose Sahra's Public Space application unless it agrees to postpone its hearing, and to recommend that the café operate no later than 11:00 pm on weekdays and 12:00 am on Saturday and Sunday and that the total occupancy be limited to 44 patrons. The motion passed 5-1-0 with Ms. Phillips-Gilbert in opposition.

### 6. SMD Reports

Mrs. Phillips-Gilbert reported that she attended the Bureau of Zoning Authority (BZA) hearing for 1717 E Street NE in her Single Member District (SMD), and spoke with the BZA Chair about the possibility of conducting training for ANC Commissioners. She attended a meeting of the Business Advisory Council of the Eastern High School Health and Medical Academy, and provided them with an ANC 6A grant application. She made phone calls for a broken sign pole, sidewalk repairs and to request additional trash receptacles at the Rosedale Recreation Center. Finally, she is organizing a Community Watch meeting in April 2014.

Mr. Holmes reported that the signs he requested for Tenth (10<sup>th</sup>) Street NE and Massachusetts Avenue NE are being installed. He said that 700 Constitution Avenue NE has a new owner. It will be a 143-unit building, and while it is a by-right project there will be historic preservation issues involved. Finally, he said that the zoning rewrite is in deep trouble and may not be going anywhere.

Mr. Mahmud thanked Mr. Holmes and Mr. Williams again for their work on Ben's Chili Bowl and reported that bike lanes are on tap for G and I Streets NE and they will be striped as soon as it gets warm.

The meeting was adjourned at 9:00 PM.



# Commission Letters of April 10, 2014 Meeting



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



March 14, 2014

Ms. Gretchen Pfahler, Chair  
Historic Preservation Review Board  
Office of Planning  
1100 Fourth Street, SW, Suite E650  
Washington, DC 20024

Re: HPA #13-028 (901 D Street, NE)

Dear Ms. Pfahler,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 13, 2014, our Commission voted 6-0-0 (with 5 Commissioners required for a quorum) to notify you of our concerns regarding the construction of a roof deck structure at 901 D St NE that is visible from the street. In November 2012 ANC 6A expressed support for the redevelopment plans of the property at 901 D St NE, Edmonds School site. That support was based on plans presented to ANC 6A on August 15, 2012 that showed no roof deck structure, certainly nothing that would be visible from the street. BZA Order No. 18463 specified that construction should follow the plans submitted to the BZA and held within the Order file in the Office of Zoning

The guidelines of the Capitol Hill Historic require that decks, their fences and furniture be built out of sight of someone standing at street level. Therefore, we believe the current placement of the roof deck structure is inappropriate in the Historic District, in addition to being unauthorized construction.

We ask that your office take immediate steps to investigate whether the roof structure comports with the plans presented and approved by the Historic Preservation Review Board. Please report the findings of your investigation to ANC 6A. I can be contacted at 6A04@anc.dc.gov.

On Behalf of the Commission,

Nicholas Alberti,  
Chair, Advisory Neighborhood Commission 6A

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoo groups, on the Commission's website, and through print advertisements in the Hill Rag.





# Commission Letters of April 10, 2014 Meeting



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



March 15, 2014

Ms. Gretchen Pfahler, Chair  
Historic Preservation Review Board  
Office of Planning  
1100 Fourth Street, SW, Suite E650  
Washington, DC 20024

Re: HPA # 14-180 (819 D Street, NE)

Dear Ms. Pfahler,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 13, 2014, our Commission voted 6-0-0 (with 5 Commissioners required for a quorum) to support the proposed design for 819 D Street, NE, on the condition that the developer incorporate the following conditions: 1) no new window cuts are created on 9th or D St sides of the building, 2) all stained glass is preserved 3) HVAC units are not visible from the street 4) any new third levels added onto the row houses are not visible from the street, 5) any roof deck structure or deck furniture on either the row houses or the church building are not visible from the street, and 6) the interior space of the church tower is not visible from the street if the existing louvers are modified. In addition, we ask that the comments of the Historic Preservation Office be incorporated into the final design prior to its March 27 hearing before HPRB.

The applicant proposes to renovate the existing church at 819 D Street, NE, as well as two adjoining row houses as part of a 30-unit development, with 26 units located in the church and two units in each of the two row houses. As noted above, the ANC approves of the proposed design provided that the six conditions stated above and any HPO's comments are incorporated into the final design.

Please be advised that Nicholas Alberti, Andrew Hysell, Daniel Golden and David Holmes are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov.

On Behalf of the Commission,

Nicholas Alberti,  
Chair, Advisory Neighborhood Commission 6A

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.





## Commission Letters of April 10, 2014 Meeting



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



March 14, 2014

Mr. Clifford Moy  
Secretary of the Board of Zoning Adjustment  
Board of Zoning Adjustment  
441 4<sup>th</sup> St. NW, Suite 210  
Washington, DC 20001

Re: BZA Case No. 18755 (504 12th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 13, 2014, our Commission voted 6-0-0 (with 5 Commissioners required for a quorum) to support the Applicant's request for a special exception from § 223 (not meeting the lot occupancy requirement in an R-4 zone) and a variance from § 406.1 (minimum width of open court) in the above referenced application.

The Commission supports granting the requested special exception because the proposed addition to the rear of the structure will not unduly affect the light and air available to neighboring properties nor unduly compromise their privacy of use and enjoyment. The Commission supports granting the requested variance because strict application of the open court width requirement would result in peculiar and exceptional practical difficulties and hardship to the applicant. Furthermore, granting the requested variance will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan.

Please be advised that Nicholas Alberti, Andrew Hysell, and Daniel Golden are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at [6A04@anc.dc.gov](mailto:6A04@anc.dc.gov).

On Behalf of the Commission,

Nicholas Alberti,  
Chair, Advisory Neighborhood Commission 6A

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoo groups, on the Commission's website, and through print advertisements in the Hill Rag.



# Commission Letters of April 10, 2014 Meeting



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



March 20, 2014

Mr. Matthew Marcou  
Deputy Director for Public Space Regulation  
District Department of Transportation  
55 M Street SE, Suite 400  
Washington, DC 20003

Re: Sidewalk Café Permit Application for Sahra Restaurant, 1200 H Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 13, 2014, our Commission voted 5-1-0 (with 5 Commissioners required for a quorum) to oppose the application for a Sidewalk Café from Sahra Café at 1200 H St. NE. The size and location of the proposed sidewalk café raises concerns about the negative effect it will have on peace, order and quite of the surrounding community.

The proposed sidewalk café borders a residential neighborhood. The proposed use would allow for a total occupancy of more than 44 persons (44 seats plus additional standing patrons). The sidewalk café would sit at a busy intersection on the 800 block of 12<sup>th</sup> St NE, a mostly residential block. It would add greatly to the pedestrian traffic at and along 12<sup>th</sup> St NE. We are concerned that noise emanating from a sidewalk café and the increased pedestrian traffic would have a negative impact on the quality of life of the surrounding residents. We are especially concerned about the negative effect that late night noise will have on the nearby families. We recommend that, if a public space permit is approved, that you restrict the hours of use of the sidewalk café no later than 11 pm Sunday-Thursday and 12 am on Friday and Saturday, and that you restrict the total occupancy to no more than 44 patrons seated or standing.

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoogroups, on the Commission’s website, and through print advertisements in the Hill Rag.



## Commission Letters of April 10, 2014 Meeting



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



Thank you for giving great weight to the recommendation of ANC 6A. I can be reached at [6A04@dc.gov](mailto:6A04@dc.gov).

On behalf of the Commission,

Nicholas Alberti  
Chair, Advisory Neighborhood Commission 6A



## Officer Reports - Treasurer



### ANC 6A Treasurer's Report Period Covered - 3/01/14 - 3/31/14

Checking Account, balance forwarded \$14,197.53

**Disbursements:**

02/13/2014	Check 1638: DC Treasurer, security, not yet cashed	\$126.12
03/11/2014	Check 1641: I. Dworakowski, 3/14/14	\$200.00
03/11/2014	Check 1642: E. Nelson, reimburse, 3/24/14	\$178.20
03/13/2014	Check 1643: R. Weiner, transcript, 4/01/14	\$180.00
03/13/2014	Check 1644: Blick, Maury Elem. art supplies, 3/31/14	\$755.48
03/24/2014	Check 1645: FedEx printing, 3/31/14	\$194.60
03/13/2014	Check 1646: USPS PO Box, 4/03/14	\$342.00
	Total disbursements	\$1,976.40

Balance on March 1	\$14,197.53
Checks written	-\$1,976.40
Balance on March 31	\$12,221.13

**Receipts:**

Transfer, quarterly allotment	\$4,607.82
1-2717169137: adjust erroneous wire charge	\$15.00
Total receipts	\$4,622.82

Total funds available (minus un-cashed check for \$126.12)	\$16,843.95
Checking account balance (with un-cashed check for \$126.12)	\$16,970.07

**Savings Account**

Balance on March 1	\$13,718.03
03/31/2014 Interest Earned	\$0.23
Balance on March 31	\$13,718.26



## Officer Reports - Treasurer



### Petty Cash Summary

Balance forwarded, March 1	\$25.00
Ending balance, March 31	\$25.00



## Committee Reports Community Outreach Committee (COC)



### ANC6A Community Outreach Committee

No report. Committee did not meet in March 2014.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



#### ANC 6A Alcohol Beverage and Licensing Committee

No report. Committee did not meet in March 2014.





# Committee Reports Alcohol Beverage and Licensing (ABL)



Made this 27<sup>th</sup> day of March, 20 14

by and between

**Halftime Sports Bar (ABRA #094107)**  
1427 H Street, NE  
Washington DC 20002

and

**Advisory Neighborhood Commission 6A**

### Preamble

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

Applicant agrees to work regularly with 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 Settlement 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 Settlement Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

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

### Witnesseth

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

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

Settlement Agreement between Halftime Sports Bar and ANC6A  
Page 1 of 4



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



#### 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 and garbage removal service, regularly removing trash from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
  - c. Depositing trash and garbage only in rodent-proof dumpsters, and seeing 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 curbs in front of the establishment to keep them free of trash, removing snow and ice from the sidewalk, and complying 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 brings 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.
  - d. Applicant will not provide or sell alcoholic beverages “to go.”
  - e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
  - f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
  - g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
  - h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
    - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
    - ii. It is illegal to sell alcohol to anyone under age 21;
    - iii. Patrons are requested not to 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; and
    - v. The establishment requests that customers do not contribute to panhandlers.
  - i. 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 if illegal activity is observed;
    - iii. Keeping a written record of dates and times (a “call log”) when the MPD is called for

Settlement Agreement between Halftime Sports Bar and ANC6A

Page 2 of 4



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- assistance; and
- iv. 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 that could lead to an ABRA investigation. Each incident will contain the 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.
  - j. Upon request of the Board, Applicant's call log and incident log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving Applicant's license.
  - k. Applicant shall not support the installation of pay phones outside of the establishment on its property.
  - l. Applicant will utilize and maintain high-intensity floodlights 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 D.C. Municipal Regulations Title 24 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 soundproofing.
  - 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 Code § 25-725.
  - c. In order to mitigate noise on a sidewalk café 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; and
    - v. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
  - d. The hours of operation for a sidewalk café or summer garden 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.
  - e. 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.
  - f. All CT license holders with an entertainment endorsement must have an ABRA-accepted security plan in place.
  - g. 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 Applicant from fulfilling its obligations under this 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 SMDs are adjacent to the location of the establishment.



# Committee Reports

## Alcohol Beverage and Licensing (ABL)



5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code Code § 25-446.
6. **Miscellaneous.**
  - a. Applicant shall post a copy of this Settlement 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. Any reference to specific laws and regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.
7. **Enforcement.**
  - a. Applicant and ANC 6A agree to enter into this Agreement. If Applicant should breach the conditions of this Agreement, it is understood by all parties that ANC 6A and/or its committees shall immediately notify the applicant and file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
  - b. This Settlement Agreement is binding on 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: Karl Gersham Date: 3/26/14

Signature: [Handwritten Signature]

**Advisory Neighborhood Commission 6A Representative:**

By: Jay Williams Date: 3/26/14

Signature: [Handwritten Signature]



# Committee Reports

## Alcohol Beverage and Licensing (ABL)



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



March 30, 2013

Ms. Ruthanne Miller, Chairperson  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street, NW, Suite 400S  
Washington, DC 20009

Re: ABRA-093550 (Andy Lee Liquor, Inc.), 914 H Street NE

Dear Ms. Miller,

Please be advised that at the March 13, 2014 meeting of Advisory Neighborhood Commission 6A, with a quorum present, the Commission voted (5-0-1) to protest the application for the license application of Andy Lee Liquor, Inc. (Trade Name TBD), ABRA #093550. This vote took place at our regular and publicly announced meeting.<sup>1</sup> The grounds for the protest are disturbance to peace, order, and quiet, and threats to property value.

I, as the Chair of the ANC 6A Alcohol Beverage Licensing Committee, will be the primary representative of the ANC in this matter. Our Chair and Vice Chair are also authorized to represent the ANC before the Board with respect to this application. I can be reached at 202-906-0657 or WilliamsANC6A05@gmail.com.

On behalf of the Commission,

Jay Williams  
Commissioner, ANC 6A05  
Chair, ANC 6A ABL Committee

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A, and NewHillEast Yahoo group listserves, on the Commission's website, and through print advertisements in the *Hill Rag*.





# Committee Reports Alcohol Beverage and Licensing (ABL)



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



April 6, 2014

Ms. Ruthanne Miller, Chairperson  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street, NW, Suite 400S  
Washington, DC 20009

Re: ABRA-076366 (Twelve Restaurant & Lounge), 1123 H Street NE

Dear Ms. Miller,

Please be advised that at the October 10, 2013 meeting of Advisory Neighborhood Commission 6A, with a quorum present, the Commission voted (3-1-1) to protest the CT license renewal of Twelve Restaurant & Lounge, ABRA #076366. This vote took place at a regular and publicly announced meeting.<sup>1</sup> The grounds for the protest are disturbance to peace, order, and quiet of the surrounding neighborhood.

I am writing to reaffirm the ANC's protest of Twelve's license renewal and ask that this letter and/or the letter provided by then-Chair David Holmes on October 19, 2013, serve as formal notice of the ANC's protest of this license renewal.

I, as the Chair of the ANC 6A Alcohol Beverage Licensing Committee, will be the primary representative of the ANC in this matter. Our Chair and Vice Chair are also authorized to represent the ANC before the Board with respect to this application. I can be reached at 202-906-0657 or WilliamsANC6A05@gmail.com. Should you have any questions or need additional information, please do not hesitate to contact me.

On behalf of the Commission,

Jay Williams  
Commissioner, ANC 6A05  
Chair, ANC 6A ABL Committee

<sup>1</sup> ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC-6A, and NewHillEast Yahoo group listserves, on the Commission's website, and through print advertisements in the *Hill Rag*.



## Committee Reports

### Transportation and Public Space (TPS)



#### ANC 6A Transportation & Public Space Committee Meeting Minutes

Sherwood Recreation Center (10<sup>th</sup> Street and G Street NE)  
March 15, 2013 at 7:00 pm

- I. Call meeting to order at 7:05 pm
- II. Introductions
  - A. In attendance were committee members ANC6A Commissioner Omar Mahmud (Co-chair), Todd Sloves (Co-chair), Benjamin Rosset, Lara Levison and Delania Hardy; ANC6A Chairman Commissioner Nick Alberti, ANC6A Commissioner David Holmes. Of those with business before the committee: Representatives for DC Streetcar; Jason Martin of Chupacabra; Mr. Anise of Nomad Hookah Bar, Cynthia Sims on behalf of Nomad Hookah Bar (formerly Sahra); residents of 1100 block of Maryland Avenue.
- III. Community Comment
  - A. None
- IV. Announcements
  - A. Co-chairman Mahmud announced an upcoming public meeting on the Florida Avenue Corridor multimodal transportation study. Co-chairmen Mahmud and Sloves encouraged community attendance. They explained the goals of the study and answered a few questions on the scope of the study.
  - B. Update from DC Streetcar team

Mr. Thomas Perry, in charge of construction, thanked the Committee and ANC6A for supporting extended quiet work hours to install overhead wires. It was key to meeting their milestone. The project is now in functional acceptance testing, identifying any issues that need to be addressed. The next phase will be systems integration testing. Afterward, they will put out a Request for Quote (RFQ) for the rest of the twenty-two (22) mile system.

Commissioner Alberti asked when the streetcars will begin moving, anticipating complaints from motorists.

Mr. Perry responded that streetcars will be going up and down the street for testing as early as Friday, March 28, 2014.

Mr. Perry also said the Twelfth (12<sup>th</sup>) Street substation will be getting its brick façade by the week of March 31, 2014.

Commissioner Alberti asked when traffic would revert to normal arrangement on the Hopscotch bridge.

Mr. Perry indicated that will happen once testing is over.

With regard to revenue service, Mr. Perry would not commit to anything better than full operations within 2014. He stated that winter weather set things back.
- V. New Business
  - A. Request by Chupacabra Latin Kitchen/Taqueria (822 H Street NE) to install bike racks on public space adjacent to sidewalk café





## Committee Reports

### Transportation and Public Space (TPS)



1. Co-chairman Mahmud gave background on Chupacabra's previous requests for public space and concerns of neighbors.
  2. Mr. Martin gave a presentation on the proposal to install the bike rack at the north edge of his current sidewalk café.
  3. Discussion: Mr. Mahmud indicated that a bike rack was not the Committee's original idea of a noise buffer. Commissioner Holmes asked if people were likely to congregate near the bike rack. Mr. Martin responded no. Commissioner Holmes asked if Mr. Martin would commit in writing that his staff will dispel any loiterers from that area, given its proximity to neighbors. Mr. Martin agreed.
  4. ***Co-chairman Mahmud offered a motion, seconded by Co-chairman Sloves, that the Committee recommend that ANC6A send a letter of support to DDOT if Chupacabra provides a written commitment that the restaurant staff will dispel loiterers from the location of the bike rack. The motion passed unanimously.***
- B. Request by Nomad Hookah Bar (formerly Sahra Lounge) (1200 H Street NE) to install a sidewalk café on public space adjacent to the property.
1. Mr. Mahmud provided background on the public space request process and explained that the Committee and ANC6A would have to protest the request because the Committee was not given enough time to formally weigh in and that Nomad would not postpone their hearing with DDOT. He also explained history involving Sahra's illegally-operated sidewalk café.
  2. Mr. Anise gave a presentation to the Committee on the public space proposal, the designs for which were shared with others in attendance.
  3. Discussion: Mr. Alberti asked if Nomad has signed an ABRA Settlement Agreement. Mr. Anise and Ms. Sims confirmed that they had. Mr. Alberti asked if Nomad would consider limiting their application to a maximum capacity of forty-four (44) patrons in the sidewalk café. Mr. Anise consented. Mr. Tony Gray of Wylie Street voiced his opposition to the proposal. Mr. Alberti recommended ANC6A send a follow-up letter if the owner agrees to the stated concessions in writing.
  4. ***Mr. Mahmoud offered a motion, seconded by Mr. Sloves, that ANC6A withdraw its opposition to the application conditioned upon receipt in writing from Nomad a promise to reduce sidewalk café capacity to 44 patrons, maintain the adjacent sidewalk area and any tree boxes clean and limit hours to those stipulated in the settlement agreement. Motion agreed to unanimously.***
- C. Request by residents for support concerning alley repair/repaving requests. 1100 block of Maryland Avenue NE/1100 block of E Street NE.
1. Presentation by Nick Losurdo, joined by several other residents of the block. The alley has not been repaved since sometime before 1978 (per neighbor Craig), and the condition is terrible - "third world conditions." The driveways are deteriorating into the alley, trash isn't collected properly, which attracts rats, holes full of water which breed mosquitoes, and the overall poor condition which attract criminal activity. Mr. Losurdo and other neighbors have made many requests to the city government and Councilmember Wells for repair, but to no avail. In 2011, Mr. Losurdo was told the alley had been put on the list for repair in 2013. The repairs were then pushed to 2014, and again to 2015. Stacey Leavandosky of 1101 Maryland Avenue NE noted that the branch of the alley from Eleventh (11<sup>th</sup>) Street doesn't have a curb cut, has a "grassy knoll," and can't be returned to functioning alley status. Commissioner Holmes



## Committee Reports

### Transportation and Public Space (TPS)



2. stated that the City sets aside about \$3 million per ward for alleys, which doesn't go very far.
  3. Mr. Mahmud agreed to talk to the Ward 6 Coordinator in the Mayor's office, ask him to do a walk through, and see if the Mayor's office can make a push.
- D. Consideration of a new Capital Bikeshare station location originally planned for 12<sup>th</sup> Street NE and H Street NE in the proximity of the streetcar electrical substation.
1. Neighbor Stacey Leavandosky proposed placing the station in the triangle at Maryland Avenue NE, Tenth (10<sup>th</sup>) Street NE and D Street NE.
  2. Commissioner Holmes stated that there is already partial funding for that site. Discussion of ideas for locations will continue at the next TPS Committee meeting.
- VI. Additional Community Comment was omitted.
- VII. Meeting adjourned at 8:30 p.m.

Next Scheduled TPS Committee Meeting  
Monday, April 21, 2014  
7:00-8:30 PM



## Economic Development and Zoning Committee



### ANC6A Economic Development and Zoning Committee

7:00-9:00 PM, Wednesday, March 19, 2014

Sherwood Recreation Center (640 10<sup>th</sup> Street, NE), Second (2<sup>nd</sup>) Floor Community Room

#### Present:

**Members:** Dan Golden (Chairman), Missy Boyette, Michael Hoenig, Stephanie Frang, Brian Carlson, Charmaine Josiah.

**Commissioners:** David Holmes

#### Community Comment

There were no community comments at the beginning of the meeting.

#### Status Reports

**Resolution of Previously Heard BZA/HPA Cases:** ANC 6A voted to recommend Historic Preservation Review Board (HPRB) approval of 819 D Street NE, contingent on the incorporation into the design of the comments by the Historic Preservation Office (HPO). The owner of 819 D Street NE received comments from one reviewer at the Office of Planning. Comments included: request for no new window cuts on D or Ninth (9<sup>th</sup>) Streets; requirement for all stained glass to be preserved; request for HVAC units and porches on the third (3<sup>rd</sup>) floor of townhomes to not be visible from the street, as well as the interior of the church tower to not be visible from the street.

ANC voted to recommend BZA approval for 504 12th Street NE. Owner does need a variance for court width, which ED&Z committee had noted in the February meeting.

**Vacant Properties:** Chairman Golden provided an update on 1737 F Street NE, which a resident had complained about. Chairman Golden contacted the Department of Consumer and Regulatory Affairs (DCRA) and determined that the property is presently classified as blighted.

**Zoning Regulations Rewrite:** No update

**H Street Business Liaison Report/AIA Training Session:** No update

**Other:** No additional items

#### Old Business

**Murry's Redevelopment (616 H Street, N.E.):** Trent Smith of Insight Property Group gave a brief presentation on the current status. The Developer is closing on the Self Storage building within a week and will ideally vacate Murry's late summer 2014 and start construction in fall 2014. The best case scenario looks to be the delivery of the new building at the end of 2016. Mr. Smith provided an update of the building elevation for the Whole Foods Market. He also stated that they are making some tweaks with the Zoning Administrator related to setbacks and to the finalization of the penthouse sizes and locations. To date, the Planned Unit Development (PUD) has been approved and the alley closure has been approved.

**1300 H Street, NE (R.L. Christian Library Site):** Ben from Rise Development presented an update on the parking issue. Last month he presented a proposal to the ED&Z Committee for developing off-site parking locations, including a proposal to pave and utilize the vacant lot across 13th Street (where a community garden is now located) for parking that was not well-received by the community members present. The developer and City are now looking into limiting Residential Parking Permits (RPPs) and contemplating that RPPs would be withheld from 18 to 20 units. Chairman Golden stated that the



developer agrees that the goal would be a net neutral impact on neighborhood parking relative to what Rise had originally proposed when their project was recommended to the Mayor's office by the ANC. Thus, RPPs would be withheld from a number of units that would account both for the reduction in on-site parking resulting from the decision not to go forward with the underground parking garage and for the additional units resulting from the developer's new plan to go up to five stories.

### New Business

**313 9th Street, NE (HPA #14-224):** Applicant is seeking HPRB approval for a rear addition. Owner purchased the 1840's home 7 years ago. The proposal is for a 2-story addition which would bring the size of the house from 700 sq ft to about 1400 sq ft. The existing porch off the back of the house is not heated. The proposed design would remove the porch and add to the back of the home in a similar configuration to the neighbor, with a standing seam tin roof and hardi-board parti wall. The home is 6 1/2 feet from the side property line. Owner stated that she is not seeking any variances and that the neighbors have seen the proposed plans.

Committee member Missy Boyette asked whether the height of the proposed addition is to be the same as the neighbor. Owner responded affirmatively. Owner also clarified that the existing house is clad in stucco and that there is a grade change from front to back. Committee member Boyette asked whether there is a full basement. Owner responded that there is a full basement and that there will be no additional excavation at the addition.

The Committee made a motion to recommend that the ANC write a letter to HPRB expressing support for the design of the proposed two (2) story addition. Motion was seconded. Motion was approved in vote 6:0.

**1511 A Street NE:** Chairman Golden explained that neighbors of this property have found records online at DCRA's website indicating that building plans have been filed at DCRA for a conversion of this building into an 18-unit apartment building which would appear to exceed the minimum 900 square feet per residential unit requirement for apartment conversions in an R-4 zone. However, the western half of the subject block is zoned C-2-A, so it is not an R-4 zoned property and therefore the 900 square feet per unit requirement does not apply. A search online for this address indicates two lots. The first lot features an existing row house and fronts on the street. The second lot is located immediately behind it and has a large garage structure. There does not appear to be a pending zoning application for the project on file, and Chairman Golden has left phone messages for the property agent. The owner listed is "57th Street Mews, Inc.". Chairman Golden stated that the zoning requirements for commercial use do dictate a maximum floor area ratio (FAR) of 2.5 for residential uses. Chairman Golden stated that the FAR requirement as well as the parking space requirement (one (1) space per two (2) units, which in this case would be a requirement for nine (9) parking spaces) could come into play. Chairman Golden suggested that a letter to the Zoning Administrator could be helpful in bringing this to the zoning office's attention.

Community comments were heard. One community member asked whether, if one lot is zoned as a garage, the owner is allowed to combine the lots. Chairman Golden responded that this could be included in the letter. Community member expanded on this issue by asking about the process for combining two lots and, specifically, whether that review goes before the BZA. Chairman Golden stated that the process for combining lots is a subdivision and that, yes, BZA review would occur. Chairman Golden suggested that the Zoning Administrator be asked to confirm that this is by-right.

Chairman Golden received an email from a neighbor requesting that ANC6A take a look at how this block is zoned. Chairman Golden stated that this may be a long term goal for this block, to look at blocks



throughout residential areas of the ANC zoned C-2-A that should be zoned R-4. Community member asked about this process. Commissioner David Holmes stated that ANC6A has been through the rezoning process before and can look into it. Chairman Golden suggested that those portions of the block not fronting East Capitol Street could be moved out of C-2-A to R-4 (upzoned) and that the properties fronting East Capitol Street could remain as C-2-A. Commissioner Holmes pointed out that rezoning from C-2-A to R-4 can cause properties to lose value.

Additional questions were asked by Committee/Community members. One community member asked whether the owner would be allowed to demolish the house. Chairman Golden responded that they could and that the structure was not within the Historic District, but that the owner would not be able to leverage the existing structure if it is razed (i.e., preventing the existing features of the structure from being grandfathered). Committee member Boyette inquired as to whether there was a raze permit application. Commissioner Holmes responded that there is no raze permit for the property. Committee member Boyette asked whether the lot is interior to the block. Neighbor responded that the subject property is along an alley at the side and is wider than typical lot at the side.

Regarding the lot, a neighbor explained that DC records have a distinction between tax lot and record lot. This will likely need to be rectified at the level of the Office of the Surveyor. Chairman Golden stated that the DC property search website references lots 0802 and 0803 as well as a reference to lot 0011 (both parcels), but that the tax records website only shows lots 0802 and 0803.

Commissioner Holmes explained that the existing permit on the property is for demolition and was a postcard permit. He asked what is going on in terms of work on the property right now; neighbor responded that scope of work that has been observed has been limited to interior demolition.

Regarding sending a letter, Commissioner Holmes stated that the Zoning Administrator has to respond. Neighbor inquired as to whether the developer has to tell anyone about what they intend to do. Chairman Golden responded by saying that they are not required to if it is by-right development, but that if the owner/developer needs zoning relief, they would have to go through the BZA and that the BZA would give great weight to an ANC recommendation. The BZA application process also involves notification of neighbors.

Neighbors inquired as to the best way to know the status of tracking this project. Commissioner Holmes stated that if the property goes through BZA, a neighborhood group should attend the hearing. Committee member Boyette suggested calling 311 to report any activity that is illegal or suspicious. Margaret Holwill suggested that neighbors keep diaries of activities that go on related to this property. Commissioner Holmes suggested the Property Information Verification System (PIVS) of DC ([www.pivs.dcr.dc.gov](http://www.pivs.dcr.dc.gov)) as a website that provides up-to-date records and photos of permits on DC properties.

The committee made two motions:

1. Motion to recommend that the ANC write a letter to the Office of Planning to recommend that the properties on the western half of the block not fronting on East Capitol Street be upzoned to R-4 from C-2-A. Motion was seconded. Motion was approved in vote 6-0.
2. Motion to recommend that the ANC write a letter to the Zoning Administrator calling to his attention that the proposed development at 1511 A Street NE contemplates eighteen (18) residential units, expressing concern as to how the developer plans to achieve that level of density without zoning



relief with respect to FAR and on-site parking, and requesting that the Zoning Administrator investigate. Motion was seconded. Motion was approved in vote 6-0.

**H Street Signage Guidelines:** Chairman Golden explained that Commissioner Omar Mahmud recommended that the ED&Z Committee take on the issue of signage guidelines for H Street while the application for zoning relief for 1362 H Street was before the ANC. Committee member Boyette presented some draft ideas related to how to set up guidelines that encourage creativity for business owners but that define a certain set of criteria that can help the Committee to review and either approve or reject signage that is proposed. Committee member Boyette provided some examples of signage from the Chinatown area, specifically different types of signage (building-mounted, painted, 3-D "standing" letters, lighted, etc.) for consideration. The Committee discussed taking a survey of good examples of signage that exists to date on H Street and expanding on the draft that was presented as a guideline document.

### Additional Community Comment

At the end of the meeting, Dana Wyckoff inquired about the recent application for a use variance by the developer at 1717 E Street NE. Specifically, she was concerned about the conditions the ANC attached to its recommendation of approval by BZA, that the property owner would hire local residents for construction and grounds maintenance and make a donation to a youth organization. The woman felt that the term "youth organization" is amorphous and that there is no way to be sure that local residents will be hired. Chairman Golden stated that he attended the meeting between the developer and the community and that the residents were willing to give some RPPs back but wanted local employment opportunities and support for their youth group in return. The EDZ draft letter to the ANC for this application identified these conditions for the ANC's recommendation of its approval. The question was raised as to whether this is a precedent that can be set. Chairman Golden stated that when the issue got to the level of the BZA hearing, the BZA stated that these were not zoning-related conditions. Committee member Michael Hoenig stated that the Committee can encourage the community to work things out "on the side" with the developer in a manner that does not implicate ANC approval based on non-zoning-related conditions. For example, this occurred with the Valor project, where a local community group formed and dealt directly with the developer. Ms. Wyckoff stated that she wants to see a legal and logical way that a community group can require hiring local workers and providing donations to a 503(c)(3). Chairman Golden stated that there probably needs to be some reasonable relationship between zoning concerns and the condition imposed. Commissioner Holmes said that there is precedent for the labor agreement.

At the end of the meeting, community member inquired as to whether, in the case of 1300 H Street NE, the ability to enforce RPPs exists. Chairman Golden stated that the BZA has started approving these cases where limits on RPPs are set. Commissioner Holmes pointed out that we have no direct experience with this issue in ANC 6A yet, and that the ED&Z Committee just heard the first case recently where this was proposed (819 D St NE). Dan said he will look into the enforceability of limiting RPPs.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, April 23, 2013  
7:00-9:00 PM  
640 10th St NE  
Sherwood Recreation Center, 2<sup>nd</sup> Floor**





## Economic Development and Zoning Committee



April XX, 2014

Ms. Gretchen Pfaehler, Chair  
Historic Preservation Review Board  
Office of Planning  
1100 Fourth Street, SW, Suite E650  
Washington, DC 20024

Re: HPA # 14-224 (313 9th Street, NE)

Dear Ms. Pfaehler,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on April 10, 2014, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the design of the proposed rear addition at 313 9th Street, NE.

The applicant proposes to construct a two-story addition at the rear of the existing building, removing the existing back porch and building out the existing structure in a manner similar to the rear of a neighboring property. There are no zoning issues with this proposal. The ANC supports the proposal and believes it will provide an aesthetically pleasing fit with the remainder of the block.

Please be advised that Nicholas Alberti, Andrew Hysell, and Daniel Golden are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at [6A04@anc.dc.gov](mailto:6A04@anc.dc.gov).

On Behalf of the Commission,

Nicholas Alberti  
Chair, Advisory Neighborhood Commission 6A

---

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.





## Economic Development and Zoning Committee



April XX, 2014

Ms. Rosalynn Hughey, Interim Director  
Office of Planning  
1100 Fourth Street, SW, Suite E650  
Washington, DC 20024

Re: Square 1070 (East Capitol, 15th, A, and 16th Streets, NE)

Dear Ms. Hughey,

At a regularly scheduled and properly noticed meeting<sup>2</sup> on April 10, 2014, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the Office of Planning consider rezoning the majority of the western half of Square 1070, which is bounded by East Capitol Street to the south, 15th Street to the west, A Street to the north, and 16th Street to the east. Notwithstanding the fact that the only commercial establishments contained in the Square are those fronting on East Capitol Street to the south, the entirety of the western half of Square 1070 is currently zoned C-2-A. We request that those portions of the Square not fronting on East Capitol Street be rezoned to R-4, so that the block may maintain its residential character and remain in keeping with the surrounding area.

Several residents of this Square recently have expressed concern regarding the possibility of its commercial development and resulting additional density and increased vehicle traffic. We note that under the current C-2-A zoning regime, new construction may occur up to fifty feet in height by right and there is no requirement that there be at least 900 square feet of lot size for each residential unit, as would be the case in an R-4 zone. Such development would detract from the quiet, residential character of the Square, which consists almost exclusively of traditional two-story row homes. We agree that this action is warranted to secure the continued quiet, residential character of the neighborhood and to prevent the increased vehicle traffic that will result from the type of development that is permitted in a C-2-A zone.

Thank you for your consideration of this matter. I can be contacted at 6A04@anc.dc.gov.

On Behalf of the Commission,

Nicholas Alberti  
Chair, Advisory Neighborhood Commission 6A

---

<sup>2</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.



April XX, 2014

Mr. Matthew Le Grant  
Zoning Administrator  
Department of Consumer and Regulatory Affairs  
1100 Fourth Street, SW, Room 3102  
Washington, DC 20024

Re: Notice to ZA of Potential Zoning Violation (1511 A Street, NE)

Dear Mr. LeGrant,

At a regularly scheduled and properly noticed meeting<sup>3</sup> on April 10, 2014, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that you investigate planned construction at 1511 A Street, NE that appears to have the potential to result in violations of the zoning code.

A search of the subject address at DCRA's website lists building permit B1307755 as having been filed for the property on June 12, 2013. Under the heading "Elevator Review," the website states: "Elevator Review Approved. New elevator in 18 unit APT bldg." Under the heading "Fire Review," the website states "Fire Review Approved. Plans approved as noted. 18 unit APT." It therefore appears that the owner contemplates developing the property with an eighteen unit apartment building. In addition, under the heading "Zoning Review," the website states "Zoning Review - HFC. PREVIOUS COMMENTS NOT ADDRESSED." We are unaware of any zoning application having been filed in connection with this address.

The D.C. real property assessment database indicates that the address in question, 1511 A Street, NE, consists of two record lots. The first, Lot 1070 0802 ("Lot 1"), has a listed area of 3,784 square feet and is improved with a rowhouse that fronts on A Street. The second, Lot 1070 0803 ("Lot 2"), has a listed area of 2,152 square feet and is improved with a garage-like structure that fronts only on the interior alley of the block. Lot 2 is located immediately at the rear of Lot 1. Both Lots are located in the western half of square 1070, which is zoned C-2-A.

Several neighbors have contacted us expressing concerns regarding the density and impact on parking of the proposed project. Although a FAR of 2.5 for residential projects is permitted for these lots under the present zoning regime, it is unclear that the proposed project can comply with that limitation given that it appears to contemplate 18 residential units on a total lot size of less than 6,000 square feet. Moreover, the developer also will be responsible for locating no fewer than nine parking spots on site.

We therefore ask that you investigate the proposed construction at this address and determine whether any zoning relief is required. I would appreciate a response regarding this issue at your earliest convenience. I can be contacted at 6A04@anc.dc.gov.

On Behalf of the Commission,

Nicholas Alberti  
Chair, Advisory Neighborhood Commission 6A  
Enclosure

<sup>3</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@googlegroups.com](mailto:anc6a-announce@googlegroups.com), ANC-6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.



## New Business

