



District of Columbia Government  
Advisory Neighborhood Commission 6A  
**Agenda for June 10, 2010**



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

- 7:00 pm **Call to order, Adopt Agenda and Approve previous meeting's minutes. pg. 3**
- 7:02 **Community Comments** (2 minutes each)
- 7:05 **Community Presentation:** Angel V. Reynolds, Construction Manager, DC Housing Authority, Office of Planning & Development/DC Housing Enterprises
- 7:15 **Officer Reports:**  
Chair (2 minutes)  
Vice-Chair (2 minutes)  
Secretary (2 minutes)  
Treasurer (2 minutes) *pg. 17*
1. Approve treasurer's report and previous month's disbursements.
  2. Approve monthly photocopying expenses.
- 7:25 **Single Member District reports** (2 minutes each)  
**Standing Committee Reports:**
- 7:40 **Public Safety Committee**
1. Next meeting - 7:00 pm, June 17, 2010 (3rd Thursday)
- 7:45 **Community Outreach** *pg. 20*
1. Approve committee report.
  1. Next meeting - 7:30 pm, June 21, 2010 (3<sup>rd</sup> Monday)
- 7:50 **Alcohol Beverage Licensing** *pg. 22*
2. Approve committee report.
  3. **Recommendation:** ANC 6A not oppose the substantial change application of Red & Black/Palace of Wonders.
  4. **Recommendation:** ANC 6A protest the application of Kahn's BBQ (1125 H Street) unless ANC 6A has a signed, approved VA prior to the petition date of June 14.
  5. **Recommendation:** ANC 6A protest the Langston Bar & Grill - Substantial Change to CR License with an outdoor space unless the ANC receives a signed, approved Addendum to his VA prior to the petition date of June 28.
  6. Next meeting - 7:00 pm, June 15, 2010 (3<sup>rd</sup> Tuesday)



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**2nd Thursdays at 7pm, Miner Elementary, 601 15th St., NE  
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7:55 **Transportation and Public Space Committee** *pg. 25*

1. Approve committee report.
2. **Recommendation:** ANC 6A send follow up letter to DDOT regarding traffic calming/pedestrian safety measures for 10th and Maryland intersection.
3. Next meeting - 7:00 pm, June 21, 2010 (3<sup>rd</sup> Monday)

8:00 **Economic Development and Zoning** *pg. 31*

1. Approve committee report.
2. **Recommendation:** ANC 6A support the side window wells but oppose the front window wells and the construction of a rear basement staircase on public space for Historic Preservation Case 10-XXX (1222 Constitution Ave NE).
3. **Recommendation:** ANC 6A send a draft MOU to the Rappaport Companies and 7-Eleven to address issues of loitering, trash, the sale of tobacco products, 24 hour operation and other issues.
4. **Nominations:** ANC 6A approve Sharee Lawler (6A05), Charmaine Josiah (6A08), and Jedediah Bodger (6A02) for EDZ.
5. Next meeting - 7:00 pm, June 16, 2010 (3<sup>rd</sup> Wednesday)

8:05 **Unfinished Business**

8:10 **New Business**

8:15 **Community Comments Round II, time permitting (2 minutes each)**

8:20 **Adjourn**



# Advisory Neighborhood Commission 6A Meeting Minutes of May 13, 2010



## Advisory Neighborhood Commission 6A Minutes Miner Elementary School May 13, 2010

**Present:** Commissioners Alberti, Beatty, Holmes, Mack, Holmes, Marshall, Robinson, and Ronneberg  
**Absent:** Commissioner Schultheiss

### 1. Approval of Agenda

The agenda as presented was adopted without objection.

### 2. Approval of Minutes

The April 2010 minutes as presented were approved without objection.

### 3. Community Comment

Mr. Marshall commented on the success of the basketball awards banquet at the Sherwood Rec Center, and thanked Mr. Robinson and Councilmember Wells for being there. Mr. Robinson said that it was a terrific event.

### 4. Community Presentations

#### Pawnbroker Legislation

Commissioner Sarah Greene, ANC 4B01, presented information on temporary legislation, introduced by Councilmember Bowser, that for eight months would provide regulations for pawnbroking establishments. Pawnshops are currently not regulated by the Department of Insurance or any other agency, and they should be. The bill would require the notification of any ANC at least 30 days prior to the issuance of a license for a pawnbroker establishment; would give ANCs great weight during deliberations on the application; and set maximum rates of interest—24% annually, the same as payday lenders—that can be charged.

Ms. Beatty asked whether there is opposition and was told that the pawnbrokers, which now charge 60% to 240% interest, are opposing it. They claim they are offering one-month loans. Ms. Green said the reason that her ANC is involved is that a pawnshop wanted to open at Fern Street and Georgia Ave., right across from Walter Reed, in her ANC area, at a time when they are trying to upgrade that neighborhood.

Mr. Robinson said that ANC action on the issue would be taken up under New Business.

#### Jobs with Justice

Stephen Courtien, of the DC Jobs with Justice Coalition, presented information on the DC Resident Employment Stimulus Bill now pending before the City Council. A hearing will be held on June 30.



## Advisory Neighborhood Commission 6A Meeting Minutes of May 13, 2010



The bill provides that construction projects receiving more than \$200,000 in District funds meet certain hiring, training, and apprenticeship requirements. The bill also requires that a Project Labor Agreement and a Labor Peace Agreement be signed by the developer.

Mr. Robinson suggested that Mr. Courtien return in June for ANC action to allow time for Commissioners to be better informed about the issue. Mr. Holmes asked about the reaction of ANC 6C Commissioner Keith Silver, and was told that he had not been at the 6C meeting the previous evening. He did mention that 6C, which passed a supporting resolution, included language asking for language mandating strict enforcement of the bill's provisions be included in the legislation.

### Domestic Violence Mural

Joel Bergner spoke about tentative plans for a mural on H Street on the topic of domestic violence. He is working with DASH, a support organization for victims of domestic violence, to get women together to share their experiences and then get the community support the concept of the mural. Ms. Beatty said that if it's on private property there's no need for ANC support. Mr. Bergner said it could be done on private property but he wants the ANC and community to be involved. He said they were looking at walls at the Locker Room or the parking lot at Murray's as potential sites. Mr. Alberti asked what their process is for moving forward. Mr. Bergner said they will go to the community and get input and then move forward. Mr. Holmes asked what kind of mural will they come up with. Mr. Bergner said they will focus on the inspirational aspect, that the women are moving forward. He said it would be an uplifting presentation. Mr. Marshall suggested that there would be two murals within only a few blocks, and the women's shelter in their neighborhood might be a more appropriate location. Ms. Beatty added that it's a very positive theme to deal with, a very important topic to spotlight. An audience member asked why there was objection to having two murals in two blocks, and Mr. Marshall responded that any additional mural should be in the arts and entertainment district (12th to 14th Street). He used the example of the H's spread out along H Street as an example of spreading the distribution. Mr. Bergner said he was working on getting the funding, and would come back to the ANC when he was further along.

## 5. Officer Reports

### Chair

Mr. Robinson reported that there was a meeting on the plans for the R.L. Christian Library. There was little conversation on involving the community in the plans, and it will have to be monitored. There will be a Mayor's hearing announced by May 28 to discuss the long term strategy for the space and to provide an opportunity for the community to express its views. He said he is concerned about the planned incubator space being planned because of the status of the current incubator on H Street.

### Treasurer's Report

**Motion:** Mr. Alberti moved/Ms. Beatty seconded a motion to accept the Quarterly Report for the second quarter of FY10. The motion passed without objection.



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Mr. Alberti presented the Treasurer's Report. The report shows that the opening checking account balance was \$17,624.68 the savings account balance was \$4,200.35. There was an interest payment to the savings account of \$.36, There were disbursements of \$200 to Heather Schoell for preparation of the agenda package (Check #1459); \$135 to Roberta Weiner for transcription of February 2010 minutes (Check #1460); \$135 to Roberta Weiner for transcription of March 2010 minutes (Check #1461); and a \$30 bank charge for a cancelled check, leaving a balance of \$17,124.68 in the checking account, and \$4,200.71 in the savings account. **Motion:** Mr. Alberti moved/ Ms. Beatty seconded a motion to approve the expenditures. The motion passed without objection. **Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to approve the Treasurer's Report. It was approved without objection.

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

The Vice Chair and Secretary had no reports.

### 6. Single Member District Reports

**Ms. Mack** reported that on April 30 she had attended the "homegoing" celebration for Charles Clifton Kelly, Jr. Charles opened his family floral shop on H Street NE, called Executive Flowers. His signature design was placing white flowers in his arrangements. If you stopped by his shop to say hello, she said, he always had some good old fashioned advice for you.

**Dr. Ronneberg** reported that there are concerns about the proposed 7-11 being open 24 hours, and about the loitering and trash. He said he is working with Mr. Rappaport. He also said that he has written a letter disapproving the Sherwood Rec Center Father's Day event.

**Mr. Alberti** reported that a vacant house at 16th St. and Constitution Ave. has been completely renovated, and will be finished within 3 to 4 months. It will be either rentals or condos.

**Mr. Holmes** reported that the stop signs at 10th and 12th Streets, which have been on his list since 2005, have been installed. He also reported that an alley on 10th Street NE has been repaired.

**Mr. Marshall** reported Damien Harvey has told him that they are making the parking on Wylie Street residential on one side, and two hours up to midnight on the other, but are holding up until after the construction is complete. He also reported that DDOT is putting in a transformer for the trolley at 1215 Wylie Street. He spoke with Derek Woody and asked why the transformer is there rather than at the R.L. Christian site. He said that as appeasement, the alley behind Wylie Street will be repaired, and he will work with the people on Wylie.

**Mr. Robinson** reported that the dark smoke from Eastern High School was a tar fire on the roof, which didn't affect the building schedule and looked a lot worse than what it was. He also reported that he is working on Visitors' Parking passes, and that Councilmember Wells has to work on getting expansion of the program.



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### 7. Committees

#### ABL Committee

Nick Sarris - 1220 H Street NE

This is a request for support of a CT license for an establishment that will serve mezze. The committee unanimously recommended that the ANC protest the application unless there is a signed voluntary agreement prior to the petition date. Mr. Sarris has been presented with the ANC6A standard voluntary agreement, but has not returned a signed copy. There is not yet a petition date. **Motion:** Ms. Beatty moved/Dr. Ronneberg seconded a motion to approve the voluntary agreement. The motion passed 6-0-1, with Mr. Alberti not voting.

#### Public Hearing on CT Licenses

Ms. Beatty reported that the ANC had approved the idea of holding a hearing to consider whether the ANC should recommend a moratorium on CT licenses, two years after the last hearing at which it was decided that such a decision was too soon in the evolution of H Street. **Motion:** Ms. Beatty moved/Ms. Mack seconded a motion to allocate up to \$2000 to publicize a hearing on CT licenses. Ms. Beatty said about \$500 would be used for ads, and \$1200 for flyers and distribution. Mr. Marshall suggested that CSOSA participants could be used for flyer distribution. Ms. Beatty said she found CSOSA unreliable.

Dr. Ronneberg suggested that the word “cap” be used instead of “moratorium”. Ms. Beatty explained that “moratorium” is the word used in ABRA regulation, but the flyer could further explain the concept. Mr. Alberti said that the public hearing was a great idea. He also suggested putting into the motion specific language that the money was “for publicizing through distribution of flyers and a Hill Rag ad.” The motion passed without objection.

The report of the committee was accepted without objection.

#### Economic Development and Zoning Committee

##### 1310 East Capitol Street

This is a request for support of a historic preservation application to raze an alley structure belonging to House of God Church whose roof collapsed in the heavy February snows. The structure had been constructed between 1904 and 1925, and the church has used it for storage and parking. The church claims it does not have the funds to repair and restore the building. The structure currently presents a safety hazard. They would like to use the space for parking, and want to build a ramp for elderly and physically-challenged members of the congregation.

Mr. Holmes said that the church had shown very poor stewardship, and they could have rented it and paid for the maintenance from the rent. Mr. Alberti said that he had been told by several people that the structure is repairable. Elizabeth Nelson said that if they did repair it, they could get a boatload of money from parking and storage. **Motion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion to accept the Committee’s recommendation to take no position before the HPRB



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for the raze permit for the alley structure at 1310 East Capitol Street. The motion passed without objection.

### America's Best Wings - H Street Connection

America's Best Wings is an establishment that will occupy an empty store at the H Street Connection. Because it seems to be a fast food establishment, it will as part of the H Street Zoning Overlay, because of ANC 6A's efforts, require special exception zoning relief. Dr. Ronneberg said that the committee thought the Zoning Administrator should be alerted to the fact that the establishment should be flagged during zoning review for this issue. **Motion:** Dr. Ronneberg moved/Ms. Beatty seconded a motion to accept the Committee's recommendation that the ANC send a letter to the Zoning Administrator, alerting DCRA that America's Best Wings, a future tenant of 941 H Street NE appears to meet the definition of a fast-food establishment, which requires a special exception within the boundaries of the H Street Zoning Overlay.

Mr. Alberti mentioned that the ANC had spent countless hours to redefine a restaurant and a fast food restaurant, and the ANC is benefiting now from all that work. The motion passed without objection.

### Vacant Property Legislative Definition of "Blighted"

Dr. Ronneberg reported that the Committee discussed "blighted" property, and suggested that a property which has been deemed "uninhabitable" should also qualify as "blighted". In addition, the committee felt that the statute's use of the word "may" was problematic and should be replaced with "shall" in order to require such properties to be deemed blighted. In addition, it also recommended adding an additional catch-all provision to provide DCRA with some discretion to recognize a property that was otherwise "blighted" to be so categorized even if it did not fall precisely within the letter of the other specified categories. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to update the ANC's vacant property legislative proposal and notify the Council of the modification, which would specify that the definition of "blighted" should be improved to include "uninhabitable" as an element, to use mandatory rather than permissive language and to correspondingly provide a catch-all provision to allow for other otherwise blighted properties to be so categorized. The motion passed without objection.

### Transparency in DCRA Treatment of Vacant Property

Dr. Ronneberg reported that the Committee discussed problems that citizens have encountered in trying to engage with DCRA regarding vacant property, particularly tracking within DCRA when a property is identified as vacant, and when it has been removed from the vacant property list. The Committee determined that DCRA keep their vacant property lists available online with real time updates and that it identify what, if any, exemptions have been granted to vacant properties. It also suggested that DCRA provide notification to the ANC or the SMD Commissioner when a property's status as vacant, vacant with exemption, blighted or removed from the vacant list is changed because the ANC can provide the community opportunity to address any concerns about inaccurate changes that have been made. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a



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motion to accept the committee's recommendation that the ANC send a letter to DCRA and the Chief Information/Technology Officer for the District to recommend new procedures to enhance the transparency of the administrative system for identifying and managing DC's vacant properties, so as to make real time updates to the lists available online, to identify what, if any, exemptions have been granted to vacant properties, to identify which vacant properties have been deemed "blighted" and to encourage DCRA to provide notification to the local ANCs when a property within its bounds has its vacant/blighted status changed. Ms. Mack mentioned that there are properties in her SMD that are on the list by mistake. The motion passed without objection.

### Historic Nomination of Two Banks at 8th and H Streets NE

Dr. Ronneberg reported that the committee discussed the proposed nomination of the two banks at the corner of 8th and H Streets NE for historic designation. They are 720-722 H Street NE, a 1912 neoclassical building designed by notable architect Appleton P. Clark, Jr., which currently houses the Bank of America, and 800 H Street NE, a 1921 Beaux Arts style building by prominent architect Stanley Simmons. Commissioner Holmes has volunteered to do the research on the project, and Dr. Ronneberg will write the application. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to accept the Committee's recommendation that the ANC support the nomination of the Bank of America and PNC Bank buildings at 8th and H Streets NE for designation as historic. The motion passed without objection.

### Community Outreach Committee

The Community Outreach had no report.

### Public Safety Committee

The Public Safety Committees had no report.

### Transportation and Public Space Committee

The report of the Transportation and Public Space Committee was accepted without objection.

## 8. New Business

### Letter from DDOT re Conversion of 17th/19th Streets and ANC Response

Mr. Robinson stepped down from the Chair for this discussion and was replaced by Ms. Beatty.

Mr. Robinson reported that there are new items relating to the Capitol Hill Transportation study that need to be explored, and he has written a letter asking to re-engage the community because of conflicting information and new projects that have emerged since the study was approved. **Motion:** Mr. Robinson moved/Ms. Beatty seconded a motion to send a letter to DDOT Director Gabe Klein rescinding ANC support of the Capitol Hill Traffic Study and requesting that DDOT re-engage the community on the issue. **Substitute Motion:** Mr. Alberti moved/Mr. Holmes seconded a substitute motion that the matter of the Capitol Hill Transportation Study be referred to the Transportation and Public Space Committee.





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Mr. Robinson pointed out that the Transportation Committee has already looked at it and discussed it at length. He said there is new information and new issues that need to be looked at. Mr. Alberti said that while the Transportation Committee discussed it in a long, detailed meeting, and much of what is in DDOT's letter is not what he remembers being discussed at the meeting—specifically DDOT's concerns and doubts. The Committee should see what's there and make a recommendation. Mr. Holmes added that he had supported Ms. Mack's original motion, but that the Transportation Committee members are our experts, and he wants to know how they evaluate the new information. He said he was not prepared to rescind support until the Committee had acted.

Ms. Mack said that on April 29, the Rosedale Grassroots Organization and she held a meeting at which Councilmembers Tommy Wells, Phil Mendelson, and Yvette Alexander were invited, along with the Deputy Director of Operations of DDOT, Mr. Jerry Bellamy, and Mayor Fenty's Ward 6 Outreach Specialist, Shaeda Ahmadia. Mr. Bellamy informed the community that the Capitol Hill Transportation Study of 2006 had been completed over four years ago and did not include in its study development on Benning Road, the H Street Corridor, the street car development and the new construction of the Rosedale Community Rec Center and Library. Based on the fact that the new development was not addressed in the CHTS, and a letter written by Ms. Mack, Mr. Bellamy has recommended that a new traffic study should be conducted, and DDOT was to undertake three meetings as part of an updated planning and design process. She said there are other recommendations that they suggest. Mr. Alberti said that that's why it should be returned to the Committee for consideration. He said he would love to engage with DDOT but they're not at the meeting.

Mr. Robinson said that it's important to rescind because there's been a breakdown in communication with DDOT, and the support should be rescinded until a considered judgment can be made. Ms. Gilbert asked why are people on the ANC blocking the will of the community when they don't live in the community. She said is that they are not allowing the less affluent people to be engaged and it's very sad that they are trying to keep community members who have something to say from doing so. Dr. Ronneberg said that Omar Mahmud runs a very fair committee and everyone has an opportunity to participate. Mr. Holmes added that he spends a lot of time on transportation issues and tries never to be exclusionary. The vote on the substitute motion to refer the matter back to the Transportation Committee failed 3-4, with Ms. Beatty, Ms. Mack, Mr. Marshall and Mr. Robinson in opposition. The original motion passed 4-3, with Mr. Alberti, Mr. Holmes and Dr. Ronneberg in opposition.

### Pawnshop Legislation

**Motion:** Mr. Robinson moved/Dr. Ronneberg seconded a motion to send a letter to Councilmember Wells and members of the City Council supporting emergency legislation regulating the licensing of pawnshops, and instituting notification requirements to ANCs. The motion passed without objection.

The meeting was adjourned at 8:55.



## Commission Letters from May 13, 2010 Meeting



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



May 17, 2010

Mr. Matthew LeGrant, Zoning Administrator  
Office of the Zoning Administrator  
Department of Consumer and Regulatory Affairs  
District of Columbia  
1100 4th Street, SW  
Washington, DC 20024

RE: A Fast-Food Establishment at 941 H St NE Requires a Special Exception

Dear Mr. LeGrant:

It is recently come to our attention that an America's Best Wings fast-food franchise has signed a lease to operate at 941 H St NE. We would like to alert the Office of the Zoning Administrator to the fact that this establishment will likely meet the definition of a fast-food establishment set forth in Section 199 of the zoning regulations. While fast-food establishments are normally operated as matter-of-right in C-2-B zones, Section 1320.4(c) only allows this use as a special exception for properties within the boundaries of the H Street NE Neighborhood Commercial Zoning Overlay.

Since this property is subject to the provisions of the H Street NE Overlay, we respectfully request that no building permits or a certificate of occupancy be issued without the required special exception to 1320.4(c).

If you have any questions, please contact Commissioner Terres (Drew) Ronneberg at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6  
Linda Argo, Director, DCRA  
Nicholas Majett, Deputy Director, DCRA



## Commission Letters from May 13, 2010 Meeting



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



May 17, 2010

Mr. Tersh Boasberg, Chair  
District of Columbia Historic Preservation Review Board  
801 North Capitol Street, NE, 3<sup>rd</sup> Floor  
Washington, DC 20002

RE: HPA #10-247 (1310 East Capitol St. NE)

Dear Chairman Boasberg:

At our regularly scheduled and properly noticed meeting on May 13, 2010, our Commission voted 7-0 (with four commissioners required for a quorum) to take no position on the above referenced application.

The ANC would like to thank Pastor Thornton and members of the House of God Church for presenting their plans to raze the alley structure and construct a ramp behind the sanctuary to provide access for physically challenged members of their congregation at the April 21<sup>st</sup> meeting of ANC 6A's Economic Development and Zoning Committee.

If you have any questions, please contact Commissioner Terres "Drew" Ronneberg at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

Cc: Mrs. Nancy Metzger, CHRS  
Mr. Amanda Molson, HPO  
Pastor Ella Thornton, House of God Church



## Commission Letters from May 13, 2010 Meeting



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



May 17, 2010

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

Re: Predatory Pawnbroker Regulation and Community Notification Act of 2010

Dear Councilmember Wells:

At its regularly scheduled meeting on May 13, 2010, our Commission voted 7-0 to support the enactment of the Predatory Pawnbroker Regulation and Community Notification Act of 2010.

As the Council considers the final provisions of the bill, we urge you to include provisions that give Advisory Neighborhood Commissions "great weight" in the issuance of any pawnbroker license. We also recommend that oversight and enforcement of this legislation be mandated to the jurisdiction of the D.C. Department of Insurance, Securities and Banking.

In addition, to ensure adequate protection of those requiring the use of these services, we recommend that maximum annual interest rates, including fees, be capped at 24 percent for *all* pawnbroker loans made in the District of Columbia within 30 days of the adoption of the legislation.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Mayor Adrian Fenty  
Members, Council of the District of Columbia



## Commission Letters from May 13, 2010 Meeting



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



May 17, 2010

Mr. Terry Bellamy  
Deputy Director, Operations  
Department of Transportation  
Government of the District of Columbia  
2000 14<sup>th</sup> Street NW, 5<sup>th</sup> Floor  
Washington, DC 20009

Re: *17<sup>th</sup> and 19<sup>th</sup> Street, NE Two-Way Conversion*

Dear Mr. Bellamy:

Thank you for your letter of May 5, wherein you outline the Department's plans to reengage the community regarding the planned two-way conversion of 17<sup>th</sup> and 19<sup>th</sup> Streets, NE.

We are pleased that DDOT has affirmed our request, as well as the need to seek broader community engagement as you consider the appropriate measures to address the pedestrian and vehicular safety concerns documented as part of the 2006 Capitol Hill Transportation Study. We look forward to working with you and participating in these sessions as one of DDOT's community partners.

Please be advised, however, given recent and conflicting information received from DDOT that raises serious questions as to whether sufficient community and traffic impact analysis has been conducted or considered, the Commission has decided to rescind its previously recorded support for this project until such time that these issues can be resolved. As noted previously, the Commission remains committed to identifying and will support efforts to mitigate traffic congestion and speed throughout our Ward. What we expect, however, is that any proposed solutions avoid the possibility of shifting such traffic issues from one neighborhood to another; and that consideration regarding pedestrian safety and quality of life be equally given to all areas within the Ward.

Again, thank you for your letter and for affirmatively addressing our request. Should you have any questions or require additional information, please feel free to contact me or Omar Mahmud of our ANC's Transportation and Public Space Committee at (202) 546-1520 or [familymahmud@yahoo.com](mailto:familymahmud@yahoo.com).

On behalf of the Commission,

Kelvin J. Robinson, Chair  
Advisory Neighborhood Commission 6A

cc: Gabe Klein, Director, DDOT  
Christopher Delfs, Ward 6 Transportation Planner  
Tommy Wells, Councilmember, Ward 6



## Commission Letters from May 13, 2010 Meeting



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



May 17, 2010

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

Mr. Bryan Syvak  
Chief Technology Officer  
Government of the District of Columbia  
One Judiciary Square  
441 4th Street NW  
Suite 930S  
Washington, DC 20001

Dear Ms. Argo and Mr. Syvak:

ANC 6A has worked hard to address vacant and blighted property issues over the past several years. Our Economic Development and Zoning Committee and citizen volunteers regularly assist DCRA with identifying and abating vacant properties in our neighborhoods. ANC 6A is currently in the process of completely updating our vacant and blighted property map and will be transmitting that information to DCRA in the coming months.

Based on our experience, we believe that DCRA must adopt procedures to enhance the transparency of the administrative system for identifying and managing vacant properties. In particular, we request that DCRA make real-time updates to its vacant and blighted property lists available online. We also request that as part of these lists, DCRA identify what, if any, exemptions have been granted to vacant properties and identify which vacant properties have been deemed "blighted." Furthermore, we encourage DCRA to provide notification to the local ANCs when the vacant or blighted status of a property has changed.

We believe that improved transparency will greatly assist the community and DCRA alike in its efforts to accurately catalogue which properties are vacant/blighted and which ones are properly categorized as inhabited. The lack of publicly accessible information currently greatly inhibits the community's ability to assist DCRA with obtaining the most accurate information possible and frequently leads to calls and emails to DCRA to obtain basic information, which increases the administrative burden on the understaffed Office of Vacant Property.



## Commission Letters from May 13, 2010 Meeting



Letter to Argo and Syvak  
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Finally, we request that technological incompatibilities that appear to hinder communication between DCRA and OTR be removed to allow for timely and accurate updates to the tax categorization of vacant and blighted properties. It is our understanding that when DCRA makes changes to a property's categorization as vacant/blighted, those changes must be manually submitted to OTR prior to changes being made to a property's tax categorization. This poses a significant burden to the efficient administration of the incentives embodied within the enhanced tax class category and leads to improper categorization of properties with each tax season. These technological barriers hinder the application of the Class 3 tax rate to properly identified vacant or blighted properties and should be removed.

Please have your staff follow up with Phil Toomajian, who is a member of the ANC 6A Economic Development and Zoning Committee. Mr Toomajian can be reached at ptoomajian@gmail.com or (202) 532-4301.

On Behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6  
Muriel Bowser, Chair, Committee on Public Services and Consumer Affairs  
Tom Madison, Capitol Hill North Community Association



## Commission Letters from May 13, 2010 Meeting



Government of the District of Columbia  
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Box 75115  
Washington DC 20013



May 17, 2010

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

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

Dear Councilmember Bowser and Councilmember Evans:

As you know, ANC 6A has worked hard over the past 3 years to identify and mitigate vacant property in our neighborhood and we believe that even when vacant properties are not “blighted,” they are a burden our community, because when homes are unoccupied and poorly maintained, they tend to become eyesores that attract vermin, litter, and criminal activity. For these reasons, we applauded your recent proposal to restore a distinct tax class for vacant properties that provides owners a strong financial incentive to reoccupy or sell their property and submitted our own legislative proposal regarding vacant and blighted properties to you for your consideration. We believe that a restored vacant property tax rate with few, if any, exemptions should be enacted as soon as possible.

Our ANC recently added language to our legislative proposal to reform the vacant property laws to include an improved statutory definition for “blighted.” We believe our proposal largely mirrors the proposed expanded definition of “blighted” within Councilmember Bowser’s bill 18-546. In particular, we believe that any property which has been deemed “uninhabitable” should be considered “blighted.” We also believe that the section of the code that defines “blighted” should be modified to make the consideration of the listed factors mandatory, rather than permissive, and should therefore also include a catch-all provision to allow for other properties, which are clearly blighted that may not fall within the delineated factors to be so classified.

We urge you and the full Council to consider a vacant property tax system that eliminates all exemptions except for military personnel who are on temporary reassignment and instead features an escalating tax rate based on the number of years a property is vacant. We also encourage you to amend the definition of “blighted” to allow for more accurate classification of the many properties that are widely recognized as such, but which have not been so classified due to the overly restrictive and permissive language under current law.





## Commission Letters from May 13, 2010 Meeting



Letter to Council Members Bowser and Evans  
Page 2

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

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

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



## Officer Reports - Treasurer



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

**Period Covered:** 05/01/10 - 05/31/10

#### Checking Account:

Balance Forwarded \$ 17,124.68

#### Receipts:

District Allotments \$ 5,555.40  
Transfers from Saving Account \$ -

Total Receipts \$ 5,555.40

Total Funds Available \$ 22,680.08

#### Disbursements:

FedEx Office ( Mar./Apr.'10 Statement) Ck #1463 \$ 364.23  
Heather Schoell (May. '10 Agenda Package) Ck #1464 \$ 200.00  
Roberta Weiner (Apr.'10 Minutes) Ck #1465 \$ 135.00

Total Disbursements \$ 699.23

Ending Balance \$ 21,980.85

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#### Savings Account:

Balance Forwarded \$ 4,200.71

#### Receipts:

Interest (04/30/10) \$ 0.35  
Transfers from Checking Account \$ -

Total Receipts \$ 0.35

Total Funds Available \$ 4,201.06

Disbursements \$ -

Ending Balance \$ 4,201.06

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**Committee Reports**  
Public Safety



No report.



## Committee Reports

### Community Outreach Committee (COC)



#### ANC6A Community Outreach Committee

May 17, 2010 Minutes

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

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

Committee members present: Elizabeth Nelson (Chair), Mark Roy, Rose Williams, (no quorum)

Committee members absent: Jean Kohanek, Necothia Bowens, Louis Barbash

Community member present: Joel Bergner

- I. Agenda
  1. Motion to adopt agenda. No objections.
- II. Report from April & May ANC meetings:
  1. Capitol Hill Garden Club grant was approved in April.
  2. Joel Bergner made a presentation regarding a possible mural for H Street at the May meeting.
- III. Presentation by Joel Bergner:
  1. Mr. Bergner is an artist seeking to create a mural on the topic of domestic abuse. He reported that he has a partnership with DASH; he could not remember what the acronym stands for but it is an organization that supports women moving out of abusive relationships. He has been seeking appropriate locations throughout the City and feels that H Street NE would be a good site for such a mural. He has made overtures to owners of properties on H Street and has a couple of specific locations in mind. He believes H Street is an appropriate location because there is a diverse (in many ways) population in the area, there are lots of businesses and foot traffic but not yet a lot of public art on the corridor. He would work with women who have experienced abuse and want their stories told. The mural would not show violence but would have an uplifting tone and bright colors. Mr. Bergner described several past efforts including pieces on Global Refugees, Political Asylum and El Salvador. He did not bring his portfolio with him but did have a business card that includes an image from another mural (El Salvador); it is cheerful and has a decorative quality.
  2. The size of the installation would be partially determined by the amount of funding available. He would need at least \$5,000 and would prefer to raise closer to \$20,000. The latter amount would permit the rental of scaffolding which would be needed for a very large work. He might be able to include youth “apprentices” - but only if he has significant funding.



## Committee Reports

### Community Outreach Committee (COC)



3. Mr. Bergner pointed out that while he does not need approval since the mural would be done on private property and does not include a commercial message, he would like the community to be informed of his activities and feel included in the discussion. He asked for suggestions on funding sources.
  4. The COC members suggested that he first decide on a location. If the location is in ANC 6A (at least one possibility is in ANC 6C), we can help him arrange and advertise a public meeting. We also suggested that he contact the Capitol Hill Community Foundation, Capitol Hill Restoration Society, Capitol Hill Group Ministries, and individual local churches to see if they have funding available - though we did not think that his project was an obvious “fit” for those organization’s funding philosophies.
  5. Mr. Bergner will contact the COC at such time as he has need for further community outreach.
- IV. The next meeting of the COC will take place Monday, June 21 at 7:30 p.m. at 1235 C St. NE

Meeting adjourned at 8:40 p.m.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



**ANC 6A ABL Committee**  
**May 17, 2010, 7-9 PM**  
**Minutes**

Meeting called to order at 7:00 pm

Committee members present: Commissioner Mary Beatty (ANC 6A05); Michael Herman; Anne Marie Koshuta

Committee members absent: Tish Olshefski, Jaki Downs

Commissioners: Kelvin Robinson (ANC6A08), Drew Ronnenberg (ANC6A02), Gladys Mack (ANC6A07)

Community: Coralie Farlee (ANC6D); Greg Hicklas; Phil Toomajian; Anthony Roberson

#### I. AGENDA/MINUTES

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

#### II. COMMUNITY COMMENT

#### III. REVIEW OF ANC6A MARCH MEETING RE: ABL RECOMMENDATIONS

##### a. 1220 H Street

ANC accepted our recommendation on the VA Agreement. Chair Beatty has sent the standard VA to Nick Sarris for his signature.

##### b. Public Hearing re: Moratorium

ANC agrees that the Committee can spend up to \$2000 to publicize the H Street public hearing regarding ANC pursuit of a CT moratorium.

#### IV. NEW BUSINESS

##### 1) ABRA initiative re "2packs"

A resident living near the 1100 block of H Street had sent me an email letting me know that he had witnessed violations of the singles ban at Me and My as well as 1101 Convenience. He indicated that he had reported the violation to ABRA and had been contacted by an investigator who indicated that "precut" two packs were being sold by both stores. The investigator indicated that manufacturers are cutting up a six pack (those with plastic rings holding cans together so that stores selling in an area that has a singles ban can sell two together. This, if done by the manufacturer, creates a loophole in the law. The resident wants our ANC to get involved in closing that loophole through legislation or regulation.

The Committee felt that we needed more information before we made a recommendation. Chair Beatty indicated that she would speak to Fred Moosally to determine ABRA's current actions on the issue (that is, are they drafting new language for the code, or do they intend to remedy this through regulatory changes).

**No recommendation.**

##### 2) Red & Black/Palace of Wonders-Substantial Change

The owners of Red and Black (Joe Englert) and Palace of Wonders (Greg Nicklas) appeared before the committee in April to discuss their plans for combining operations between the



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



two establishments. They stated that the combination would allow them to establish a kitchen to serve traditional American fare. And the physical joining of the two, though creating a larger stage, would cut the number of acts between the two in half. There were no objections from the committee or community at either this or the April meeting, and we have VAs with both. The terms of the VA applying to the operations of Red and Black will apply to the joint operations since they intend to apply for the substantial change under the R&B license.

**Mary Beatty moves, Ann Marie Koshuta seconds recommendation that: ANC6A not oppose the substantial change application of Red & Black/Palace of Wonders. Unanimous.**

#### **3) CR Application - Kahn's BBQ 1125 H Street NE**

Kahn's BBQ has applied for a CR license for a restaurant that serves Asian BBQ. The customer will choose meats, sauces, and condiments for a unique Asian bowl. They do not plan to have entertainment, and will use recorded music in the background. They plan to be open for breakfast, lunch and dinner, but do not plan to serve liquor during breakfast hours (after 11 AM). They have seats for 55 inside and 35 outside.

**Mary Beatty moves, Michael Herman seconds recommendation that: The ANC protest this application unless we have a signed, approved VA prior to the petition date of June 14. Unanimous.**

#### **4) Langston Bar & Grill- Substantial Change to CR License**

Langston Bar and Grill has a CR license and they plan to open a summer garden. The summer garden will add 18 seats. Mr. Roberson does not plan to have entertainment on the patio but does plan to have pre-recorded music. He also has concerns regarding the "trial period" of shorter hours for the first three months. He stated that he has only one neighbor along the summer garden and that person has no problem with any additional noise. Chair Beatty felt that rather than making exceptions for Langston, that we should submit our standard language for his review and allow him to sign or contact her with proposed changes.

**Mary Beatty moves, Michael Herman seconds that: The ANC protest this substantial change for an outdoor space unless the ANC receives a signed, approved Addendum to his VA prior to the petition date of June 28. Unanimous.**

Adjourned.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



**Addendum to Voluntary Agreement**  
between  
Langston Bar & Grill  
1831 Benning Road, NE  
Washington DC 20002  
&  
ANC6A

Whereas Antonio Roberson, owner of Langston Bar & Grill, (ABRA License # 076260) has applied for a Summer Garden (18 seats) at 1831 Benning Road, NE, and  
Whereas Mr. Roberson and ANC6A agree that measures should be taken to mitigate noise emanating from the Summer Garden, the parties agree that:

- 1) The hours for the patio will be until 11PM on weekdays and 12PM on weekends.
- 2) Applicant shall not offer any type of live music on the patio. Pre-recorded music will be set at a volume so as not to disturb residents.
- 3) A fence or other barrier will enclose the entire perimeter.
- 4) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
- 5) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
- 6) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the summer garden decor.

If residents have not registered complaints to the ANC or ABRA for a three month period following opening of the summer garden (beginning the date of opening and ending 90 days later, but the three month period must occur between April 1 and November 30) and if the licensee has taken appropriate steps to mitigate any such complaints, the hours for service on the patio may be extended to be consistent with the licensee's normal business hours. If both criteria have been met within 90 days the extension of hours can occur on the 90<sup>th</sup> day after opening of the summer garden without further action by the ANC or ABRA. Upon signature by both parties, this agreement will become a part of the applicant's existing VA with ANC6A.

Agreed to this \_\_\_\_\_ day of June, 2010.

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Antonio Roberson, on behalf of Langston Bar and Grill

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Kelvin Robinson, Chair ANC6A, on behalf of ANC6A





## Committee Reports

### Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes  
Capitol Hill Towers (900 G Street NE)  
May 17, 2010

- I. Call meeting to order at 7:05 pm
- II. Introductions
  - A. Committee members present: Shane Artim, Lance Brown, Sean Lovitt and Omar Mahmud (Chair).
  - B. Committee members absent: DeLania Hardy, Andrew Hysell and Marlon Smoker.
  - C. Others in attendance: ANC 6A Commissioners Nick Alberti, David Holmes and Gladys Mack; Sandra Gilbert of Rosedale Grassroots Organization; and ANC 6A Resident Chris Waylor.
- III. Community Comment - None
- IV. Announcements
  - A. ANC 6A received a letter from DDOT regarding future public meetings on the proposal to convert 17<sup>th</sup> Street NE from one-way traffic to two-way traffic. Mr. Mahmud made a copy of the letter available and indicated it has been distributed on neighborhood listservs.
  - B. Public meeting regarding study of Metrobus lines 90,92 and 93 to be held at J.O. Wilson Elementary School (6<sup>th</sup> and K Streets NE) on May 19 from 6:30 pm to 8:30 pm.
- V. New Business
  - A. Request for a transportation study for 12<sup>th</sup> St. NE and Walter Houp Court - Holmes.
    - i. Commissioner Holmes asked to withdraw this agenda item for now. Mr. Mahmud agreed to put this item back on the agenda when Commissioner Holmes is prepared to present it to the committee.
  - B. Request for residential parking permit (RPP) restrictions on G Street NE adjacent to Sherwood Recreation Center
    - i. Mr. Mahmud informed the committee that he, along with neighborhood resident Chris Waylor, have been trying to find out how our ANC can request RPP restrictions for G Street and 9<sup>th</sup> Street adjacent to Sherwood Recreation Center, just as RPP restrictions have been put in place for the 10<sup>th</sup> Street side of the recreation center.
    - ii. Mr. Mahmud informed the committee that residents have complained that a lack of parking restrictions along these streets have caused unfettered parking by cars with an out-of-state license plate, no license plate in some cases, and no parking permit since there is no enforcement regime in place.
    - iii. Commissioner Alberti recommended reaching out to former ANC 6A Chair, Joe Fengler, to find out how he was involved in implementing RPP for the 10<sup>th</sup> Street side of the recreation center. Commissioner Alberti also recalls the ANC weighing in on this matter. Mr. Mahmud agreed to find out what action the ANC took to request RPP for the 10<sup>th</sup> Street side of the street.
    - iv. Mr. Brown suggested asking for "ROSA" enforcement in the meantime. Others suggested ROSA enforcement may only apply to overnight parking.
    - v. Mr. Mahmud is working with Jamie Henson of DDOT on this matter. He will keep the committee informed on progress towards finding a solution.



## Committee Reports

### Transportation and Public Space (TPS)



#### VI. Old Business

##### A. Consideration of DDOT Responses to Questions Related to Proposed Two-Way Traffic Conversion of 17<sup>th</sup> Street and 19<sup>th</sup> Street I/E

- i. Mr. Mahmud informed the committee that Commissioner Holmes sent a comprehensive set of questions to DDOT, which were answered by Jamie Henson of DDOT. Commissioner Holmes informed the committee he would like the set of questions and answers presented to the committee. Mr. Mahmud made a copy of the questions and answers available to those in attendance (see Attachment A).
- ii. Commissioner Holmes indicated the answers provided “went up the department” in DDOT so they are not just answers provided by Mr. Henson.
- iii. The set of questions and answers has also been distributed on neighborhood listservs, but as of the meeting they were not up on the ANC 6A website. Mr. Mahmud suggested the ANC 6A Commissioners make them available on the ANC 6A website.
- iv. Ms. Gilbert asked Commissioner Holmes who at DDOT answered the questions he presented. Commissioner Holmes indicated he received the answers to his questions from Jamie Henson of DDOT, but that had been told the questions were put to others within the department.
- v. Commissioner Alberti informed the committee that the ANC voted in the April Commissioners meeting to rescind the ANC’s previous letter of support regarding conversion of 17<sup>th</sup> Street from one-way to two-way traffic chiefly because, as Chairman Robinson stated at the ANC meeting, Mr. Bellamy of DDOT told the community at the March 18, 2010 meeting at Pilgrim AME Church that H Street streetscape construction, the streetcar and the Rosedale Recreation Center renovation had not been considered by DDOT when it conducted the Capitol Hill Transportation Study (CHTS). This information conflicts with what DDOT told the committee at the March 15, 2010 Special Committee Meeting and one of the answers to Commissioner Holmes’ set of questions to DDOT, namely that DDOT had considered these future neighborhood developments when developing the CHTS (including the recommendations to convert 17<sup>th</sup> and 19<sup>th</sup> to two-way traffic). Commissioner Alberti recommended the committee ask DDOT to attend a future meeting to explain this discrepancy.
- vi. Mr. Brown confirmed that Mr. Henson told the committee at the March 15 Special Committee meeting that future development was considered in developing the CHTS, but he also confirmed that Mr. Bellamy of DDOT contradicted this assertion at the March 18 community meeting.
- vii. Mr. Mahmud offered to invite a DDOT representative to a future committee meeting to hopefully resolve this discrepancy.
- viii. Commissioner Holmes stressed the need to move this forward quickly given the C Street project may be on hold while this issue is moving forward.
- ix. Ms. Gilbert recommended the committee invite someone high up within DDOT to the next committee meeting.
- x. After much discussion regarding a motion to invite DDOT to a future committee meeting, Mr. Mahmud offered a motion to invite a DDOT representative with the authority to speak on behalf of the agency as a whole to a future committee meeting to answer questions regarding the conflicting information coming from DDOT regarding consideration of future



## Committee Reports

### Transportation and Public Space (TPS)



development when the CHTS was conducted. The motion was seconded and passed without objection.

- xi. Commissioner Alberti informed the committee he is particularly interested in hearing what DDOT's next steps are concerning the CHTS. Does DDOT plan to redo the study or is it sufficient as is? He would like DDOT to be prepared to answer this question when it next attends a committee meeting.

#### B. ANC requests to DDOT for implementation of safety measures at 10<sup>th</sup> Street and Maryland Avenue NE

- i. Mr. Mahmud explained to the committee that he has personally attempted to get better signage, crosswalk striping, and other safety measures implemented at this intersection, and that the ANC followed up on his request with no success. Mr. Mahmud suspects this may be the case given DDOT is planning a corridor-wide study for Maryland Avenue, and it won't implement any safety measures until the study provides recommendations.
- ii. The committee agreed that it would be a good idea to stress to DDOT temporary measures can be implemented pending completion of the study.
- iii. Commissioner Holmes expressed interest in asking for a temporary traffic light or stop sign since this can be a deadly intersection for pedestrians, but others in attendance indicated DDOT will unlikely implement such measures without conducting a study to evaluate their impact.
- iv. ***Mr. Brown made a motion that the committee recommend the ANC send a follow up letter to DDOT requesting temporary traffic calming measures at the 10<sup>th</sup> Street NE and Maryland Avenue NE intersection, including pedestrian crossing signs, enhanced pavement striping along crosswalks and/or blinking pedestrian crossing signs pending the upcoming study of the Maryland Avenue corridor. Mr. Mahmud seconded the motion which passed without objection. Mr. Mahmud offered to draft a letter.***

#### VII. Additional Community Comment

- A. Commissioner Holmes announced that an alley in his SMD (bound by Massachusetts, Constitution, 10<sup>th</sup> and 11<sup>th</sup>) was recently repaired. The repair request had been pending since 2006.
- B. Commissioner Holmes also announced that the stop signs at 10<sup>th</sup> and 12<sup>th</sup> at Constitution have also been installed, as promised by DDOT.
- C. Mr. Lovitt expressed concern that ANC 6A has taken up transportation-related issues recently without seeking committee review and input first. He is particularly concerned about this being done after the committee has expressed a recommendation to the ANC (e.g. the recommendation regarding the CHTS and the conversion of 17<sup>th</sup> Street NE from one-way to two-way traffic). Commissioners Holmes and Alberti informed Mr. Lovitt that they tried to send the recommendation regarding conversion of 17<sup>th</sup> Street back to the committee, but their efforts were blocked by other Commissioners. Commissioner Alberti pointed out how much he appreciates the work of the committee and the recommendations it provides to the ANC. Mr. Alberti stressed that the ANC relies on the committee.

#### VIII. Meeting adjourned at 7:50.



## Committee Reports

### Transportation and Public Space (TPS)



#### Attachment A

From: DW Holmes <dw\_holmes@yahoo.com>  
Subject: [anc-6a] DDoT responds to questions about proposed 17/19th conversion to two-way traffic  
To: anc-6a@yahoogroups.com  
Date: Friday, May 14, 2010, 12:09 AM

I sent a collection of the questions and concerns voiced various ANC meetings about the proposed conversion to two-way traffic of 17th and 19th streets in ANC 6A. I asked the Department of Transportation (DDoT) to respond. The responses were developed by DDoT and conveyed to me by Jamie Henson.

The questions are in italics.

*Is a further study is needed to evaluate the effect of the newly expanded Rosedale recreation center?*  
The Capitol Hill Study considered future developments in the area like the Rosedale recreation center. No further planning study is needed. Further, the 17th Street project will coordinate design specifics with pending Recreation Center improvements.

*Is a further study is needed to evaluate the effects of the revitalized H Street commercial district and the streetcar line scheduled to open in 2012?*  
In its traffic analysis, the Capitol Hill transportation study considered the redevelopment of the H street corridor and streetcar operations. No further study is necessary to address these changes.

*The conversion of 17th to two-way traffic will lead to a 100% increase in traffic.*  
Efforts to model future conditions on 17th Street were conducted in the initial study. The results suggested that the total amount of traffic on a two-way 17th Street would be about 15-20% less than the total traffic would be on a one-way 17th Street.

*There have been very few accidents, so there is no need to slow traffic.*  
DDoT receives regular reports of crashes as well as high speeds and near collisions along the 17th Street corridor.

*If the traffic flow is fast on 17th and 19th, that keeps traffic from using other narrower streets. What will happen to traffic coming south on 17th Street from Benning Road?*  
A rapid traffic flow on 17th Street does help to keep traffic from utilizing other streets. This happens because motorists tend to take the fastest route. If 17th Street becomes two-way, there would be a modest redistribution of traffic. Most likely, vehicles will disperse over wide streets such as Maryland Avenue, H/Benning, and 8th Street. It is possible that traffic may also use other arterials such as 14th Street. It is highly unlikely that traffic will shift to local neighborhood streets such as Gales Street or E Street as it will not be as easy or as fast to use these facilities.

Traffic coming south on 17th Street as it intersects Benning Road would have reduced capacity moving south of Benning on 17th.  
A small portion of traffic will shift to other area facilities as previously described. The rest of the traffic will continue to travel along 17th Street as would typically be the case.



## Committee Reports

### Transportation and Public Space (TPS)



*Conversion to two-way will mean the loss of parking along 17th.*

The conversion of 17th Street to two-way operations will not mean the wholesale loss of parking along the corridor. However, there are areas near intersections which may lose some spaces.

*There's not that much speed. Have you tested for the actual speed averages during different hours? Was an on-site observation actually conducted on 17th and 19th?*

Speeding on 17th Street emerged as a critical problem during various study open houses and ANC meetings. This summer DDoT will collect additional speed data along the corridor to augment reports we receive from area residents.

I am concerned about emergency vehicles being able to move quickly if the conversion happens. As a result of a conversion from one-way to two ways, general traffic speed will be lower. However, this should have a marginal impact on emergency response times. Emergency vehicles have the ability to travel above the speed limit and demand that other vehicles yield the right of way. Two way operations would allow emergency vehicles to travel in both directions on 17th Street. Without the need to double back to arrive on the site and the lower levels of traffic, it is possible that emergency response times could actually improve.

*Can the D-6 bus turn onto a two-way street?*

The roadway would be designed such that the D6 bus would be able to make the turn onto 17th Street southbound. When the design process begins, the intersection will be laid out in a way that facilitates bus movement. However, this is one of the areas where there may be a loss of one or two parking spaces.

*You are trying to push the traffic on us.*

DDoT is attempting to control speeds and improve safety for residents. The result would be a slight reduction in cut-through traffic in the Rosedale neighborhood. Converting 17th Street to two ways will push a small portion of traffic away from 17th Street and away from the streets directly adjacent to it.

*Why were streets converted to one-way in the first place?*

Typically streets such as 17th, 19th, Constitution, and Independence were converted to one-way operations to facilitate vehicle traffic into and out of the central city. Conversion to one-way operations allowed traffic to flow more quickly through the neighborhood.

*Instead of two-way conversion, what about speed bumps on 17th to slow traffic?*

Speed humps are one of the tools DDoT utilizes on a variety of local roads across the city to reduce speeds. Speed humps are most effective and safest on streets with very low traffic volumes. The traffic volume on 17th Street is higher than what is allowed for the use of speed humps.

David Holmes  
Commissioner  
Advisory Neighborhood Commission 6A03  
holmes6a3@gmail.com



## Committee Reports

### Transportation and Public Space (TPS)



June \_\_\_, 2010

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

*Re: Implementation of Pedestrian Safety/Traffic Calming Measures at 10<sup>th</sup> Street and Maryland Avenue NE*

Dear Director Klein:

At our regularly scheduled meeting on June 10, 2010, Advisory Neighborhood Commission 6A voted [unanimously] to request that DDOT promptly address pedestrian safety concerns at the intersection of 10<sup>th</sup> Street and Maryland Avenue, NE. In particular, the Commission requests that DDOT implement measures which do a more effective job of notifying motorists that they are approaching a pedestrian crosswalk. Our hope is that such measures will prompt motorists to slow down when approaching the intersection and stop if pedestrians are attempting to cross.

ANC 6A has received several complaints from residents over the past few years regarding extremely dangerous pedestrian crossing conditions at this intersection, including speeding motorists and motorists unwilling to stop for pedestrians crossing the street. We are particularly concerned about safety at this location given parents with small children and strollers often cross this intersection to visit the playground located at the southeast corner of the intersection. We ask that DDOT consider immediately implementing relatively low cost measures such as enhanced crosswalk pavement striping (e.g. 7<sup>th</sup> and Maryland), pedestrian crossing signs, including in the median (e.g. 7<sup>th</sup> and Maryland), and signs indicating a playground is nearby. We note that this is the only crosswalk along Maryland Avenue spanning from Stanton Park to the Starburst Intersection which does not afford pedestrians the benefit of either a traffic signal controlled crossing or a crossing highlighted by pedestrian crossing signs along with enhanced crosswalk pavement striping.

Although it is our understanding that DDOT's planned study of the Maryland Avenue corridor may result in long-term improvements aimed at addressing these concerns, we feel it is vital for DDOT to implement an immediate temporary solution, including the suggestions contained in this letter.

Thank you for taking the time to consider this request. Should you have any questions, please feel free to email Omar Mahmud of our ANC's Transportation and Public Space Committee at [familymahmud@yahoo.com](mailto:familymahmud@yahoo.com).

On behalf of the Commission,

Kelvin Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Ward 6 City Councilmember  
Christopher Delfs, DDOT  
Jamie Henson, DDOT



## Committee Reports

### Economic Development and Zoning (EDZ)



#### MINUTES

Wednesday May 19, 2010, 7 to 9:00 p.m.  
Sherwood Recreation Center (640 10th St. NE)  
2nd floor Community Room

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

Committee Members: Barbara Halleck, Jeff Fletcher, Phil Toomajian  
Call to order: 7:00 p.m. by Chairperson Drew Ronneberg

#### ONGOING STATUS REPORTS:

##### **H Street Connection Redevelopment (Drew Ronneberg)**

Expect to have a PUD hearing in the July timeframe.

##### **Vacant Properties (Dan Golden/Phil Toomajian)**

Commissioner Marshall will not be able to attend tonight but will provide his list of vacant properties by or at the next meeting.

Drew and Phil met with Councilmember Bowser. Our report about vacant properties was well received. The mayor had proposed a series of escalating fines in lieu of a vacant tax rate. Councilmember Bowser has since produced a proposal that incorporates a few of the things we suggested. As background, DC had recently increased the tax rate for vacant properties to 10%; and then Council became concerned that it was hitting too many people, too hard, and eliminated the vacant tax rate and only applied the 10% to so-called "blighted" properties. We proposed a system which would continue to treat blighted properties as such, but which would also have graduated increases in tax rates based on the amount of time a property had been vacant, as we believe there needs to be an incentive to occupy long vacant properties as well.

Bowser's committee proposed a 5% vacant property tax rate and maintains the 10% rate for blighted properties. She is concerned (as we are) about overuse and abuse of exemptions. Exemptions would be good for one year only but they are not as restrictive as we recommended. It wasn't clear whether the property owner can use multiple exemptions to extend the period of exemption over several years. In addition, DCRA doesn't have a good means of tracking exemptions--number, how long they've been in place, etc. The definition of blighted was codified in this bill as well. We acted to support (in last meeting) an expanded definition of blighted properties.

Her proposal also requires vacant properties be registered w/in 30 days with a \$250 administrative fee. The fines then go directly to DCRA, whereas taxes go into general revenues. Phil thought that, overall, Councilmember Bower's proposal seems to be a good short term solution as it ties to the property's assessment.

[http://assets.bizjournals.com/cms\\_media/washington/pdf/FY11\\_PSCA\\_Committee\\_Budget\\_Report\\_draftBowser-5-12-10.pdf](http://assets.bizjournals.com/cms_media/washington/pdf/FY11_PSCA_Committee_Budget_Report_draftBowser-5-12-10.pdf)

Vacant property map—We are still updating the ANC6A vacant property map and are looking for volunteers to survey 6A05 and 6A08. 6A01 should be fully updated within the next couple of weeks. 6A02, 6A03, 6A04 are all complete.



## Committee Reports

### Economic Development and Zoning (EDZ)



DCRA published its first blighted properties list in May. The list only indicates 7 blighted properties overall, 6 of which are in ANC6A. Only 1 of the 7 blighted properties has faced the blighted property taxes in March even though all 7 should have been subject to it. There appears to be something of a disconnect between DCRA and OTR and we are working to close that gap.

#### NEW BUSINESS

##### HPA #10-XXX (809 D ST NE)

The owner would like to remove the aluminum siding on the front of the house and make changes to the front door and transom. In addition, a second floor addition is proposed for the rear of the house. No representative so was not discussed.

##### HPA #10-XXX (1222 CONSTITUTION AVE NE)

The building is on a corner lot. The owner would like dig out the basement and install 2 basement level windows with window wells on each of the front and side of the property, as well as enlarge the windows and steps in the rear of the property. The proposed stairs will be constructed on public space with a hedge used for screening.

The owner, Peter Valey, bought the property in November 2009, which had been vacant for a year and was in a “dreadful state...and suffered years of neglect.” Currently there is a cellar that the owner can stand in but with a dirt floor it is not really a usable space. His intention is to dig out the basement further and put in a floor. They also want to install additional windows and access into the basement at the back of the house, including stairs. They currently don’t plan to make it a rental space but don’t want to do anything that will rule it out in the future. Both the window wells and basement access steps will be using public space.

#### PUBLIC SPACE ISSUES

House is at the end of the row and the previous owner had fenced in the public space. The steps Mr. Valey wants to install would extend into public space. The distance from back of the house is about 20’. That is why they are planning to put the stairs on the public space—they would like to conserve as much yard as possible for their use. Mr. Valey also wants to put in additional window wells also—one in the front and three on the side. All the window wells are in the public space.

Mr. Valey reported that in his meeting with a representative of the Public Space office said that constructing the steps on public space would be acceptable to them if the steps were somewhat camouflaged. The diagram below was provided by Mr. Valey as an illustration of his plan.

Mr. Valey has letters of support from 3 neighbors; neighbors are happy with the project, especially since the building has been derelict and such an eyesore for so long. Commissioner Holmes asked whether Mr. Valey received approval from Public Space. Mr. Valey indicated he had not. They were working on permits for the excavation and then found that he had to get the public space permit. His discussions with the public space department seemed to indicate that the plan would be acceptable.

Commissioner Holmes also asked whether they are replacing the garage? Mr. Valey said just the door as it is in bad shape. In addition, the chain link fence will stay in the short





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term but they intend to put a wrought iron fence at a later point. Commissioner Holmes also indicated that the historic district has no front-facing window wells; they will probably have difficulty gaining HPO approval for that.

Commissioner Ronneberg: A special exception or variance will probably be needed for this renovation project—because the property is probably already over the lot occupancy limit (Greater than 60% lot occupancy requires a special exception, greater than 70% lot occupancy requires a variance ). Commissioner Ronneberg encouraged Mr. Valey to look into the zoning issues now because it would take at least 3-4 months to get any zoning relief approved. He also said that the ANC had supported zoning relief in other cases where the work was subterranean. The special exception or variance will be needed regardless of the public space issues.

Commissioner Ronneberg: I am surprised that public space department would, though an administrative action, allow use of this much public space. This is a large enough space that it would normally, in our experience, go to the Public Space Commission. I believe that the stairs could be configured so that they could be confined to their own property. I appreciate that the stairs are subterranean but I cannot support the use of public space for private use unless it is absolutely necessary. I support the side wells, also the front, as a means of exiting the basement in an emergency.

Mr. Valey: The original design for the steps to the basement had a different configuration that took out a large chunk of the back yard. Mr. Valey also pointed out that there is no one actually looking at it—there is a school and alleyway across the street--or using it.

Barbara Halleck: indicated agreement with Commissioner Ronneberg's assessment regarding the stairs on public space. The owner should be able to put the stairs on his own property. The window wells on the side are fine.

Phil Toomajian—Doesn't support the stairs on public space when they is other available space that could be used.

Commissioner Holmes stated that the steps coming from his own basement are on public space and he doesn't see how this is different.

#### **MOTIONS & VOTING**

The Committee broke the issue into three parts; results of the voting are listed below:

1. Motion that we support the applicant's request for side window wells. 5 in favor.
2. Motion that we oppose window well on the front of the house. 4 in favor, 1 abstain
3. Motion that we oppose the stairs on public space. Vote: 3 in favor, 1 against, 1 abstain

#### **ISSUES RELATED TO FUTURE 7-ELEVEN STORE IN THE H STREET CONNECTION**

Representatives of 7-Eleven were in attendance to discuss hours of operation of the store, sale of tobacco products and concerns that the establishment will generate problems with loitering and litter.

Mark Bradshaw from Rappaport Companies and Bill Macaluso from 7-11.



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Neighbors near the H Street Connection are concerned about litter, currently a great deal spills out into side streets. There is also concern about the sale of tobacco products, especially those used for smoking pot.

Other issues—MPD asked H Street to come and talk about the 7-11; concern about loitering and crime due to the 7-11, late night hours, noise, etc. There are no 24/7 operations on H Street; this would cause increased late night traffic, trash, etc.

Mr. Bradshaw:

1. Litter: The landlord offered to extend porter service in the afternoon. Mr. Bradshaw has met with their cleaning contractor and will be extending their span an additional block for spot cleaning starting by the end of May. This should alleviate some of the trash coming out of the property. This will be permanent, and will address afternoon litter.
2. He is trying to get more information about the program with off duty police officers. H Street Connection is interested in getting involved a reimbursable detail program
3. They are also considering trying to seal off the parts of the sidewalk to direct foot traffic into the parking lot so that they are on camera and less easily spilling onto side streets and are exploring additional ideas for minimizing loitering.

Mr. Macaluso: 7-11 is a leader in establishing processes for customer safety, utilizing very high tech surveillance systems, including interior and exterior cameras that can record and save video over 4-5 months. They are used for internal safety and provides assistance to local police departments. As another deterrent, they keep very little cash on hand, and this is well known. 7-11 requires computer-based training for safety and crime prevention; each employee is required to do the training every year. They do not sell drug paraphernalia; they strictly follow laws on selling tobacco or other restricted products.

Kelvin Robinson asked about camera coverage. Mr. Macaluso stated that they cover whatever the community recommends/allows, depending on ordinance—front of the store and inside. The intent is to get a full frontal shot of every person coming in. Every store has a monitor that customers know they are being monitored. Nothing is done secretly.

Community member #1: H Street already attracts crime; a 7-11 will bring even more loitering, pan handling, drugs, etc. based on his visits to store on Maryland Ave. After bars close down, people will flock to the 7-11. 7-11 brings unwelcome foot traffic, loitering, littering, and crime. He expressed that he's not worried about the safety of 7-11; he is concerned for his own home's safety and the safety of the neighborhood. Other 7-11s in town attract unwanted traffic, including drunks after bars close. He stated that a 7-11 is really a fast food establishment and they should go through the same approval process as other fast food establishments.

Phil Toomajian: H street has historically had a negative image because of crime; the 7-11 will not help the image of the neighborhood. The concern isn't that 7-11 not get robbed; our concern is how 7-11 will fit into the neighborhood and help us continue to remove the negative stigma that developed over years of neglect.

Community member #2: Why have another 7-11 when there are other locations very nearby? The H Street corridor is trying to become a better neighborhood and a 7-11 will not add to the image of the neighborhood.



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Mr. Macaluso stated that the population density warrants another location and 7-11 is part of the gentrification efforts in many urban areas in Washington, DC.

Community member #3: How does 7-11 prevent loitering?

Mr. Macaluso: 7-11 issues debarments and works with the police department. H Street Connection itself has debarred habitual loiterers. They ask the police department to come by and just make themselves present. Store employees may ask people to leave the area but they will not become confrontational. Training is given to employees (CBT) about how to handle loitering. Employees will actively enforce no loitering in front of the property and will call the police if people do not comply. (Same for day laborers.) If there is only one person in the store, they will not leave the store for their own safety. The stores in DC tend to have enough volume to two or more people in the store at all times.

Commissioner Robinson: What's the standard for meeting loitering requirements—would they staff the store to ensure loitering issues are managed? Their plan for managing loitering won't do any good if the store isn't staffed sufficiently to adhere to it.

Mr. Macaluso: They have a standard for staffing a store based on sales but would consider addressing loitering by ensuring sufficient staff are on site. He expressed that 7-11 will manage the problems/issues that are within their control, but that they are not a police force and cannot control whether an inebriated customer comes into the store. They have offered to put space for a police officer to work.

Community member #4: Can anyone address how the problems have been addressed at any of the locations, such as Maryland Ave.'s panhandling?

Mr. Macaluso: They don't want loitering or panhandling in front of their stores. They are not just about the store, but want to be part of the community, operating a safe, clean store. They did not know how bad the situation was.

Phil Toomajian: There will be crime on 7-11 property; he's been waiting to hear that 7-11 will be vigilant and when they observe crime on their property that they will call the police. With regard to late night hours, he's concerned that having only one person there late at night that that one person cannot manage the crime element and keep the store and facility safe. Can you tell us whether they will have two people on site when the store opens? Also indicated a concern regarding the sales of items that can be readily converted for marijuana smoking, such as rolling papers and "blunts".

Mr. Macaluso: There are no stores in DC with only one person at night and agreed that 7-11 can make a condition of not selling mini blunts (Swisher Sweets) and cigarette or other rolling papers.

Phil Toomajian: Stated that he believes there is a legitimate concern about food sales; the H Street overlay excludes fast food establishments. 8th and Maryland sells a variety of fast food including wings; people eat them and throw the bones on the sidewalk, where dogs eat them and choke on them.

Mr. Macaluso: Every store is required to clean up the area around the store 3 to 4 times per day. 7-11 sells wings in most of their stores.



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Community member #5: new resident to the area; knowing this neighborhood and has seen a great number of changes and improvements, specifically the transition in this neighborhood. She feels that the neighborhood wants to see continued improvement; part of that means having particular retail that enhances the neighborhood. She expressed that 7-11 would not add to the image.

Commissioner Robinson: Do we want to recommend some negotiated set of circumstances that we can give to the ANC to review, assuming the store is built?

7-11: stores have 8 or 16 cameras. They have no problem adding more cameras.

Commissioner Ronneberg: if there are major problems with the 24 operations, would 7-11 be willing to review the hours and restrict the hours?

Phil Toomajian: Our ANC puts in place voluntary agreements that restricts operating hours; if they don't have any problems then the bar gets additional hours. Can we put this into place?

Mr. Macaluso indicated that 7-11 plans to operate its store 24/7 and it is not likely that they would agree to a restriction of hours, but they are amenable to discussing issues and finding agreement.

MOTION BY DREW RONNEBERG THAT WE ESTABLISH A MEMORANDUM WITH RAPPAPORT AND 7-ELEVEN OF UNDERSTANDING REGARDING THE FOLLOWING (SECOND BY BARBARA HALLECK. UNANIMOUS):

1. Detail and implement debarment procedure
2. Banning certain tobacco products, including mini cigars and rolling papers
3. Some system to address late night hours and concerns about opening 24x7
4. Minimum staffing levels
5. Active enforcement of no-loitering
6. Limit sales of fast food items
7. Minimum security standards in and around the facilities (cameras, lights that don't affect residential neighbors)
8. Cleanliness standards
9. Participation in police detail
10. Installing physical barrier to reduce foot traffic spilling over on to 10th Street
11. Voluntary enforcement of provisions if violations of agreement are identified
12. Agreement carries over if/when store transfer to a franchisee

Next Scheduled ED&Z Committee Meeting:

Wednesday, June 16, 2010, 7-9 PM

Sherwood Recreation Center

640 10th Street, NE, 2nd Floor



## Committee Reports

Economic Development and Zoning (EDZ)



June XX, 2010

Mr. Tersh Boasberg, Chair  
District of Columbia Historic Preservation Review Board  
801 North Capitol Street, NE, 3rd Floor  
Washington, DC 20002

RE: HPA #10-XXX (1222 Constitution Ave., NE)

Dear Chairman Boasberg:

At our regularly scheduled and properly noticed meeting on June 10, 2010, our Commission voted X-X-X to support some aspects of the above referenced application and oppose others.

The Commission supports the applicant's request for basement window wells on the 12th Place side of the structure. These window wells are necessary to allow light into the basement.

On the other hand, the Commission opposes the basement window wells on the front of the structure (Constitution Ave. facing) because it is out of character with other structures on the block. None of the other buildings on the block have front facing basement windows or window wells.

In addition, the Commission opposes locating the rear basement staircase on public space and urges the Board to require that it be constructed on the applicant's property. The Commission believes that erecting structures on public space contradicts the intent of the historic Parking Act and should only be considered when the structure cannot feasibly be built on private land. In this case, the Commission believes that there is enough private land in the backyard for the stairs to be constructed without using public space. Furthermore, the applicant has not obtained a permit to construct the staircase on public space and the Commission believes that HPRB should not sign off on projects that have not received approval from DDOT's Office of Public Space. Please see the attached letter to the City Administrator, Neil Albert, regarding this issue.

If you have any questions, please contact Dr. Drew Ronneberg at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On behalf of the Commission,

Kelvin Robinson  
Chair, Advisory Neighborhood Commission 6A

Cc: Mrs. Nancy Metzger, CHRS  
Ms. Amanda Molson, HPO



**Committee Reports**  
Economic Development and Zoning (EDZ)



June XX, 2010

William Washington  
7-Eleven, Inc.  
Chesapeake Division  
Attn: Real Estate Department  
5300 Shawnee Road  
Alexandria, VA 22312

Dear Mr. Washington:

Thank you for attending the ANC6A Economic Development and Zoning Committee meeting on May 19, 2010 to discuss the proposed 7-Eleven at 957 H Street NE. As you know, the community supports the ongoing development of the H Street Corridor and welcomes H Street Connection's active pursuit of tenants. However, the community has serious concerns about the proposed 24-hour operation of 7-Eleven on H Street, including late night hours, added litter, loitering, sales of tobacco products, and sales of fast food items.

ANC6A would like to reach a mutual agreement with 7-Eleven and Rappaport Companies regarding the operation of 7-Eleven at 957 H Street NE. Accordingly, we have prepared the enclosed draft Memorandum of Understanding between ANC6A, Rappaport Companies, and 7-Eleven. Please review it and contact Commissioner Drew Ronneberg if you have any questions or concerns. We would like to reach an agreement by the next ANC 6A meeting on July 8th, 2010.

Sincerely,

Kelvin Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Mark Bradshaw, Rappaport Companies



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**DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN  
ANC 6A, RAPPAPORT COMPANIES AND 7-ELEVEN CORPORATION  
REGARDING THE BUSINESS OPERATION AT 957 H ST NE, WASHINGTON DC, 20002**

1. 7-Eleven agrees to educate and instruct all its employees to engage in active enforcement of no-loitering in front of and around store. The store is on private property and loitering can be construed as trespass - anyone who does not leave when asked should be reported to the police for trespass.
2. 7-Eleven and Rappaport agree to detail and implement debarment procedures for repeat offenders in violation of loitering policy and committing other violations on private property surrounding store. Records of repeat offenders shall be maintained. Upon a third incident of misbehavior or refusal to voluntarily comply with no loitering policy, the parties shall submit the violator for debarment and notify MPD of the same.
3. 7-Eleven agrees to ban certain tobacco products, which are commonly refashioned for illicit purposes, including minicigars (such as Swisher Sweets or Black and Milds), flavored cigars/philly blunts, and rolling papers or other products that law enforcement has identified as primarily used in connection with the consumption of marijuana.
4. Late night hours shall be limited during a two month probationary period where the store will close from 2 am until 5 am (3 am closing on weekends). If no problems occur during this period, the store may commence late night hours thereafter. Rappaport Companies will keep the parking gate on 10<sup>th</sup> Street down after the parking attendant leaves for the evening to discourage spill off traffic on and off of the residential 10<sup>th</sup> Street.
5. Minimum staffing levels to ensure adequate safety and staffing in order to enforce no loitering and to prevent criminal activity on property in evening hours. At least two staff members shall be present and on duty at all times.
6. Agreement to limit sales of fast food items so as not to constitute a “fast food establishment” for zoning purposes. Store may not sell chicken wings, which are especially problematic for littering and attracting vermin, such as squirrels and rats, and which cause neighborhood dogs to choke when left on street. The store’s prepared foods section should be limited to no more than 10% of its interior retail space.
7. Minimum security standards in and around the facilities (cameras in front and side of store to cover sidewalk and parking area, lighting along both H Street and 10<sup>th</sup> Street sides that amplifies visibility without affecting residential neighbors along 10<sup>th</sup>).
8. Cleanliness standards. Store shall commit to cleaning property, parking lot, and sidewalk from alley on 10<sup>th</sup> around corner onto H Street no less than five times per business day. Rappaport Companies agrees to extend porter service along side street up 1.5 blocks to include area from Sherwood Recreation Center parking lot and back along 10<sup>th</sup> Street to store entrance.



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9. Participation in police detail. Rappaport Companies and 7-Eleven agree to participate in any ongoing reimbursable police detail along the eastern end of the H Street Corridor so long as such a program is in operation and 7-Eleven continues to operate after 2 am unless said program's cost would exceed \$400 per month.
10. Installing physical barrier to reduce foot traffic spilling over on to 10<sup>th</sup> Street. H Street Connection will implement a wall, fencing, landscaping or some combination thereof to discourage foot traffic from turning right when exiting the 7-Eleven and proceeding out the parking lot exit onto 10<sup>th</sup> Street.
11. Voluntary enforcement of provisions if violations of agreement are identified. If violations of this agreement are identified, 7-Eleven and Rappaport Companies shall immediately remedy said violations. If the violations recur or otherwise appear to be systemic, 7-Eleven shall further restrict their hours of operation by closing an additional two hours earlier than their otherwise agreed to time for a period of six months. The parties agree that a mutually agreed upon independent third party shall be the ultimate arbiter of whether any violations have recurred or are otherwise systemic requiring further restriction of hours or other remedy.
12. This agreement shall carry over if/when the store is transferred to a franchisee. This agreement binds ANC6A, Rappaport Companies, 7-Eleven and any of its successor franchisees who operate in the H Street Connection property on H Street NE.

Signed,

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Kelvin Robinson, ANC 6A Chair

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William Washington, 7-Eleven Corporation

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Mark Bradshaw, Rappaport Companies