



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for June 14, 2012**



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

7:00pm **Call to order, Approve April Meeting's Minutes, Adopt Agenda**

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

7:10 **Community Presentation:** Options Public Charter School Regarding Gym Construction

7:15 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 32*

1. Approve treasurer's report and previous month's disbursements.

7:25 **Single Member District reports** (2 minutes each)

Standing Committee Reports:

7:40 **Community Outreach** *pg. 34*

1. Approve committee report
2. **Recommendation:** ANC provide \$533 toward the cost of storage carts and pole bags as requested in the grant application from the Eastern SHS PTSA
3. **Recommendation:** ANC provide the remaining balance of the grants budget (+/- \$4,465) to fund the application from P'Tones to purchase recording equipment for use at the Sherwood Recreation Center
4. **Recommendation:** ANC add to the grants budget sufficient funds to complete the grant request received from P'Tones (total \$5,000) to purchase recording equipment for use at the Sherwood Recreation Center and that the grant be funded in full
5. **Recommendation:** ANC, if the commissioners feel they have sufficient reserves, move additional funds to the grants budget to complete the grant request from the Eastern SHS PTSA (total \$5,000) to purchase uniform sweat suits and storage racks
6. Next meeting - 7:30pm, June 18, 2012 (3rd Monday)

7:45 **Alcohol Beverage Licensing** *pg. 43*

1. Approve committee report
2. Next meeting - 7pm, June 19, 2012 (3rd Tuesday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for June 14, 2012**



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

7:50 **Transportation and Public Space Committee** *pg. 45*

1. Approve committee report
2. **Recommendation:** ANC approve curb cut relocation at Capitol Hill Oasis development (900 block of 12th Street NE) provided developer assumes all costs
3. **Recommendation:** ANC Support petition asking DDOT to explore changing 1400 block of G Street NE to a one-way street
4. **Recommendation:** ANC send a letter supporting ANC 6C's proposed amendments to parking permit regulations in the DCMR
5. Next meeting - 7pm, June 18, 2012 (3rd Monday)

7:55 **Economic Development and Zoning** *pg. 51*

1. Approve committee report
2. **Recommendation:** ANC The ANC appeal the building permits at 1400 Maryland Ave. based on the fact that 1) the closure of the median strip was not included as required by the BZA order, 2) the Certificate of Occupancy cannot be issued for a permitted use and 3) the building permits were issued more than 6 months after application
3. Next meeting - 7pm, June 20, 2012 (3rd Wednesday)

8:00 **Unfinished Business**

8:05 **New Business**

8:10 **Community Comments Round II, time permitting (2 minutes each)**

8:15 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes for April 10, 2012



Advisory Neighborhood Commission 6A Minutes Miner Elementary School April 10, 2012

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

The meeting was convened one hour later than usual, at 8pm, and the agenda was taken out of order in order to complete the ANC's business in time for the Miner School deadline.

1. Community Outreach Committee

Elizabeth Nelson, committee chair, recommended that the ANC approve a grant of \$650 to the Capitol Hill Garden Club for the purchase of bulbs for planting for spring flowering in public areas within ANC 6A. CHGC president Vera Sisolak was present and reminded the Commission that this has been a successful program funded by the ANC for several years. **Motion:** Mr. Holmes moved/Ms. Lawler seconded a motion to accept the Committee's recommendation to award a grant of \$650 to the Capitol Hill Garden Club. The motion passed without objection.

The report of the committee was accepted without objection.

2. Alcoholic Beverage Licensing Committee

H Street Country Club - 1335 H Street NE

This is a request for a substantial change for the H Street Country Club at 1335 H Street NE, which would like to establish a sidewalk café outside the establishment. **Motion:** The committee moved/Mr. Healy seconded a motion to accept the committee's recommendation that the ANC protest the Country Club's application for a substantial change unless there is an approved addendum to their voluntary agreement by the petition date that limits the hours of the public space to 11pm Monday through Thursday, and 12am Fridays and Saturdays. After a brief discussion, it was determined to postpone the vote until after a discussion, scheduled for later in the meeting, is held on the public space permit needed for the outdoor café.

Kith and Kin Pizza - 1118 H Street NE

Motion: The committee moved/Mr. Healy seconded a motion that the ANC protest the application for Kith & Kin Pizza at 1118 H Street NE unless there is an approved voluntary agreement prior to the petition date. Mr. Healy said that it is a standard agreement and he sees no problems on the horizon. The motion was approved 6-0-1, with Mr. Alberti not voting.

Amended Questionnaire

Motion: The Committee moved/Mr. Healy seconded a motion that the ANC approve the amended questionnaire that is on the ANC website as guidance for owners before they come to the committee. He said it is not to be filled out, but only used to assess what the committee is looking for. Mr. Holmes said that this is exactly what the ANC should be doing, and doing with everything. (A copy of the amended questionnaire appears on the Committee's website.) The motion was approved 6-0-1, with Mr. Alberti not voting.



Advisory Neighborhood Commission 6A Meeting Minutes for April 10, 2012



Expanding the Current Ban on Single Sales

Motion: The Committee moved/Mr. Healy seconded a motion to urge the ANC to support efforts to amend the DC law to expand the current Ward 6 ban on singles sales to include a ban on selling two- or three-packs of alcohol. These are often packs put together by store owners rather than manufacturers. Mr. Holmes asked about whether growlers were included, and Mr. Healy said it hadn't been discussed. The motion passed 6-0-2, with Mr. Alberti and Ms. Mack not voting.

The report of the committee was accepted without objection.

3. Treasurer's Report

Mr. Alberti delivered the Treasurer's report. He reported that the opening balance in the checking account was \$20,890.49 and the savings account balance was \$4,206.64. There was an interest payment to the savings account of \$.18. There were disbursements of \$200 to Heather Schoell for the March 2012 agenda package (Check #1550-); \$160 to the US Postal Service for six month's rental of a postal box (check #1551); and \$180 to Roberta Weiner for February 12 minutes (Check #1552), leaving a balance of \$20,350.49 in the checking account, and \$4,206.82 in the savings account.

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

Motion: Mr. Alberti moved/Mr. Hysell seconded a motion to approve the Quarterly Report for the 2nd Quarter of FY 12. The motion passed without objection.

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

4. Public Space and Transportation Committee

Outdoor Café - H Street Country Club -1335 H Street NE

Mr. Mahmud reported that his committee had recommended approving an outdoor café for the H Street Country Club, which would be situated 10' from the curb and have seating for 10 patrons. Mr. Alberti asked whether there would be enough space with the H Street crowds. Mr. Mahmud said that it should be left to the DDOT Public Space Committee to answer those questions.

The owner's representative consulted his drawings and said there was 15.5 feet between the building line and the curb, Mr. Holmes pointed out that there was valet parking. Mr. Alberti asked about the distance from the tree box and was told there is no tree box. Mr. Healy pointed out that they have signed off on earlier patio hours, and the owner's representative pointed out that the tables are 24" plus the planter and barrier.

Mr. Alberti said he was concerned about setting a precedent for other outdoor spaces on H Street, and he would like to stipulate a clearance of 10' from the patio to the curb; he said he would like to see 8' of sidewalk or a minimum of 6'. He said that drunk people bumping into each other is not good. The owner's representative said he thinks they can do 10'.

Dr. Ronneberg said it should be limited to a single row of tables. Ms. Nelson said that given a hydrant, poles, etc. it should be a minimum of 6'. Mr. Hysell said the measurement should be the width of one



Advisory Neighborhood Commission 6A Meeting Minutes for April 10, 2012



row of tables plus the planters. Margaret Holwill suggested that the owners were responsible and it should be self-regulating. Mr. Mahmud said he appreciated the suggestion of having no more than a single row of tables. **Motion:** Mr. Alberti moved/Ms. Lawler seconded a motion to accept the committee's recommendation to support an outdoor café at the H Street Country Club with the caveat there be 10' clearance between the curb and the patio area. The motion passed 7-0-1 with Mr. Alberti not voting.

Traffic Calming Measures on Florida Avenue NE

Motion: The Committee moved/Mr. Healy seconded a motion to accept the Committee's recommendation to send a letter to DDOT supporting efforts to calm traffic on Florida Avenue NE between 2nd Street and West Virginia Avenue NE, including analyzing the reduction of one lane of traffic in each direction, installing turn lanes, and widening sidewalks, among other solutions. Mr. Mahmud said that this would be joining with ANC 6C, and although it's a different ANC, it's worth supporting. Mr. Holmes said that support for this is a "no brainer." The motion passed without objection.

The report of the committee was accepted without objection.

Moving Bus Stop

Motion: The Committee moved/Mr. Alberti seconded a motion urging that the ANC accept the committee's recommendation to send a follow-up letter to DDOT regarding the ANC's previous request to have the bus stop moved back to its original location at the northeast corner of H Street and 14th Street NE from its current location on the west corner, in front of Rose's Dream. The motion passed without objection.

5. Economic Development And Zoning Committee

808 L Street NE

This is a request for support for a special exception for the construction of a garage at 808 L Street NE. The garage will include a deck above the garage for green space. The revised lot occupancy will be 70%. The owners have letter of support from their western neighbor but were unsuccessful in reaching the eastern neighbor. However, the structure has a 5' setback and aligns with the neighboring garage/fence structure. **Motion:** The committee moved/Mr. Healy seconded a motion to accept the Committee's recommendation to send a letter of support to the BZA for a special exception to construct a garage at 808 L Street NE. the motion passed 7-0, unanimously.

RL Christian Library Site Redevelopment

Dr. Ronneberg pointed out that it has been many months since it was announced that the site of RL Christian Library would be redeveloped, but nothing has happened and the site appears to be languishing. **Motion:** The Committee moved/Dr. Ronneberg seconded a motion that the ANC accept the committee's recommendation to send a letter to the Deputy Mayor for Economic Development and Planning requesting a status update on the RL Christian site and inviting him to come to an ANC meeting and report in person. The motion passed unanimously.

The report of the committee was accepted without objection.



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5. New Business

GT Liquors - 1835 Benning Road NE

Motion: Mr. Healy moved/Dr. Ronneberg seconded a motion to recommend that the ANC accept the Committee's decision to protest the renewal of a Class A (wine, beer and spirits) license for GT Liquors, 1835 Benning Road NE until the Committee has an opportunity to consider the renewal with community input. The motion passed 6-0-2, with Mr. Alberti and Ms. Mack not voting.

Extending Establishment Hours

Mr. Holmes raised the issue of whether the ANC should weigh in on Council Committee or Human Services' hearing to discuss the proposal in the Mayor's budget to allow restaurants, taverns and nightclubs to remain open and serve alcohol until 3am weekdays and 4am weekends. The Mayor has produced increased revenue projections from the increased hours (\$5.2 million). Mr. Holmes said he is inclined to testify in opposition. It would mean, among other things, trashing voluntary agreements. Mr. Albert said that VAs would stay in effect.

Mr. Holmes said there should be community input, and that Councilmember Graham thinks so too. The ANC's VAs do not generally restrict hours of operation because they don't restate the current law. Any change in hours is considered a substantial change. **Motion:** Mr. Holmes moved/Mr. Healy seconded a motion to oppose the Mayor's budget proposal to extend hours of restaurants, taverns and nightclubs. If the hours are extended, anyone who wanted to extend hours would have to put in an application for a substantial change. The motion passed 7-0-1, with Mr. Alberti not voting.

FreshFarm Market

The FreshFarm farmers market has found a new home, at the site of the RL Christian Library at 12th and H Street NE, and seeks a letter of support from the ANC. The Market operates from 8am until noon on Saturdays through November. **Motion:** Mr. Hysell moved/Mr. Alberti seconded a motion to send a letter supporting the location of the FreshFarm Market at the site of the RL Christian Library to the Public Space Committee at DDOT. The motion passed by unanimous consent.

ANC 6A Voluntary Agreements and ABRA

Mr. Healy reported that ABRA had rejected the modifications the ANC had suggested to the changes that had been made to several VAs, and he recommended accepting ABRA's changes. **Motion:** Mr. Healy moved/Mr. Hysell seconded a motion to accept the Alcoholic Beverage Control (ABC) Board changes, including the new ANC/ABC Board-approved language for section 3(d) to the voluntary agreements for Dangerously Delicious Pies, Da Luft, Pho Bar and Grill, Casbah, HR-57, DC Conscious Café, Impala Cantina Y Taqueria and any other pending voluntary agreement that needs such a modification. Further, the ANC should include these changes into the standard voluntary agreement. The motion passed 7-0-1, with Mr. Alberti not voting.

6. SMD Reports

Ms. Mack reported that on March 28, she met with the Board of Trustees of DCPL about relocating these legendary names—RL Christian and John Mercer Langston to the new Rosedale Library. On March 29th, she testified at the Budget Oversight Hearing for the fiscal year 2013 Budget Support Act of 2012, fiscal year 2013 Committee on Libraries, Parks, Recreation and Planning—full time staff and



Advisory Neighborhood Commission 6A Meeting Minutes for April 10, 2012



Committee individuals. Chairperson: Councilmember Tommy Wells. She also reported that she held a meeting-ANC 6A07 with the Rosedale Grassroots Organization on April 10, 2012 about co-locating RL Christian and the John Mercer Langston Libraries to the new Rosedale Community Library located at 17th and Gales Street NE. Speakers about RL Christian were Roslyn S. Christian and Judge Kaye Christian. The speakers for John Mercer Langston were Edward Phillips Gilbert and Christopher Philips Gilbert.

Dr. Ronneberg reported that the midline substation at Khan's Barbeque had been moved, and that there was a Bikeshare station at 12th Street and H Street. He said there had been an oil slick at H and 12th.

7. Community Comment

Sondra Phillips-Gilbert of the Rosedale Grassroots Organization expressed a preference that the names of the two now-closed local libraries, the R.L. Christian and John Mercer Libraries be incorporated in naming the new library.

Chris Fitzgerald of the Mayor's Office announced a Ward 6 meeting on the budget at the Atlas Theatre on April 25.

The meeting was adjourned at 9:10pm.



Commission Letters of May 10, 2012 Meeting



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



May 12, 2012

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

RE: FRESHFARM Markets street closure

Dear Director Bellamy:

Advisory Neighborhood Commission 6A proposes the Saturday morning closure of 13th Street NE between H and Wylie Streets for part of each year. We do this in support of H Street FRESHFARM Market's new location in the public space on the east side at that location. It is already obvious that this new site is inadequate to the community support and need. Our citizens are turning out in even larger numbers than hoped for.

Both Commissioners Hysell and Healy (13th Street is the district dividing line) and Commissioner Ronneberg, from across H Street, support this closure on behalf of their constituents. Now, the full Commission joins in support. Our motion was adopted unanimously (8-0-0) with the entire Commission in attendance. This vote was taken at our May 10 meeting - our regularly scheduled and publicly announced¹ monthly meeting.

The move from 601-645 H Street was necessitated by the beginning of redevelopment at that site, but a great deal of space was lost in the move to the current location. Not all vendors from the old site can be accommodated in the public space located currently on the east side of 13th street south of Wylie and north of H.

Vehicular access to Wylie Street will remain. Observation has shown that very few vehicles currently transit this short block on Saturday morning. I counted less than ten vehicles an hour on two recent weekends. Twelfth Street provides an easy alternate route.

It is important to our ANC's citizens to have access to fresh, high quality, local, organic farm produce and prepared goods. The tremendous response from the locals shows this support. FRESHFARM, local residents and our ANC want to encourage more vendors, and the current space is inadequate. Your assistance will be much appreciated.

Respectfully,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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



Commission Letters of May 10, 2012 Meeting



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



May 12, 2012

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

Re: Spirit Room (1337 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted 7-0-1 to protest the new license for Spirit Room proposed to be located at 1337 H Street, NE. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

The applicant has informed the Chair of our ABL Committee, Commissioner Adam Healy, that their application has been withdrawn. Since we have no confirmation from ABRA, we are compelled to file this protest. Also, the ANC cannot support this license until such time as the applicant appears before our ABL Committee to describe the nature of the proposed business and to address possible community concerns.

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

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of May 10, 2012 Meeting



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



May 12, 2012

Councilmember Marion Barry
Chair, Aging and Community Affairs Committee
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Sir,

Advisory Neighborhood Commission 6A has, by unanimous vote (8-0), voted to support Bill 19-0716. Our meeting was the Commission's regular monthly meeting, publicly announced¹ and appropriately posted and with the entire Commission present.

The ANC is very enthusiastic about this change, and I thank you for your leadership. We proposed this change to the Committee of the Whole in 2008.

The prior matter being discussed at our Commission meeting dealt with a long-term community problem where the City has once again refused to follow its own rules and time limits. (We asked for and received a change in zoning for that part of the H Street business corridor; BZA authorization time limits had expired; BZA requirements for median closure were set aside by the Public Space Office of DDoT; leaving the ANC and newly vibrant H Street with a gas station across from newly developing luxury apartments and close to food establishments; a health hazard for the community; an open median that will allow vehicles to turn across a major transit route into a space with minimal area for queuing; where vehicles will inevitably block public space (the sidewalk); all for a gas station that is prohibited by current zoning.)

So ANC 6A was delighted to move to support of your measure. This change in the ANC law will improve the listening ability of those we deal with on the occasionally adversarial matter – both private developer and the City.

I thank you and urge adoption by the Committee and the Council.

Respectfully,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 12, 2012

Jesus Aguirre
Director
Department of Parks and Recreation
1250 U Street, NW
Washington, DC 20009

Ginnie Cooper
Chief Librarian
District of Columbia Public Library
901 G Street, NW, Suite 400
Washington, DC 20001-4599

Dear Director Aguirre and Chief Librarian Cooper,

Advisory Neighborhood Commission 6A has voted to reaffirm our strong desire that the recreation center located in the east of our ANC retain the name of Rosedale Recreation Center. The motion passed unanimously, 8-0-0, with five required for a quorum. The May 10, 2012 ANC meeting was properly noticed and publicly announced¹.

At that same meeting, the ANC voted 7-1-0 to support naming the new facility the Rosedale Recreation Center and Library. There should be no separate name for the Library portion of the complex.

Further, the ANC asks that a Wall of Honor be established within the Center where community activists and other notables can be recognized and honored. We ask that your departments set up and manage a process for creating the Wall of Honor, soliciting input from members of the community, Rosedale Park Partners, and the ANC.

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



Voices in our community are eager to honor the individuals whose names graced the two now-closed kiosk libraries (at 2608 Benning Road NE and 1300 H Street NE) – R. L. Christian and John Mercer Langston – and the designation of the Wall of Honor in their name should be considered by the group you establish to consider the matter. Another name mentioned in our discussions was Brit Wycoff, a local activist who worked to establish the new Library. Again the consultative group should consider his contribution.

As this process goes forward, please consult with this ANC.

Respectfully,

David Holmes
Chair

cc: Tommy Wells, Chair, Committee on Libraries, Parks, Recreation, and Planning
Kwame Brown, Council Chair
Anne Phelps, Director, Committee Director



Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 12, 2012

Jesus Aguirre, Director
Department of Parks and Recreation
1250 U Street, NW
Washington, DC 20009

Dear Director Aguirre,

Advisory Neighborhood Commission 6A has voted to oppose a proposed event at Sherwood Recreation Center, characterized as a Fathers' Day celebration.

The recent experience of the local community and observations by Commissioners of this event place us in opposition. The motion passed, 7-1-0, with five required for a quorum. The May 10, 2012 ANC meeting was properly noticed and publicly announced¹.

You have in your files a letter from then-Commander David Kamperin of the MPD First District. He stated that there were several police calls in response to problems at the event.

It's my observation that the organizers flatly deny there were any problems or misbehavior - public drunkenness and urination, illegal street closures, open carry of alcoholic beverages, etc. Perhaps they did not see these activities, which are so repugnant to the neighborhood. Despite the Commander's letter, the organizers continue to assert this is a fully controlled simple family event. Unfortunately, that has not been the case.

In addition to our normal interest in protecting the Center and its users, this past bad behavior has taken place across the street from the House of Ruth, a womens' shelter, and from the senior housing at Capitol Towers.

Respectfully,

David Holmes
Chair

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Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 14, 2012

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

Re: Jumbo Liquors (1122 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted to protest the renewal application for Jumbo Liquors at 1122 H Street, NE, unless there is an approved voluntary agreement prior to the petition date. The motion carried 6-0-2. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

We hope to withdraw this protest once a Voluntary Agreement has been signed between the applicant and the ANC.

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

On behalf of the Commission,

David Holmes
Chair

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Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 14, 2012

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

Re: Family Liquors (710 H Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted to protest the renewal application for Family Liquors at 710 H Street NE, unless there is an approved voluntary agreement prior to the petition date. The motion carried 6-0-2. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

We hope to withdraw this protest once a Voluntary Agreement has been signed between the applicant and the ANC.

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

On behalf of the Commission,

David Holmes
Chair

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Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 14, 2012

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

Re: Master Liquors (1806 D Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted to protest the renewal application for Master Liquors at 1806 D Street, NE, unless there is an approved voluntary agreement prior to the petition date. The motion carried 6-1-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

We hope to withdraw this protest once a Voluntary Agreement has been signed between the applicant and the ANC.

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

On behalf of the Commission.

David Holmes
Chair

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Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 14, 2012

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

Re: NY Liquors (1447 Maryland Avenue, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted to protest the renewal application for NY Liquors at 1447 Maryland Avenue, NE, unless there is an approved voluntary agreement prior to the petition date. The motion carried 6-1-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

We hope to withdraw this protest once a new Voluntary Agreement has been signed between the applicant and the ANC.

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

On behalf of the Commission,

David Holmes
Chair

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Commission Letters of May 10, 2012 Meeting



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



May 16, 2012

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

Re: 1028 D Street NE

Dear Ms. Buell,

At our regularly scheduled and properly noticed¹ meeting on May 10, 2012, our Commission, with all members in attendance, voted unanimously, 8-0-0, to support the redevelopment plans for the above referenced site.

The applicant's representative, Mr. Ray Valentine, presented massing and architectural plans to our Economic Development and Zoning Committee's April 18, 2012 meeting. The ANC believes that the presented plans tastefully fit into the massing and architectural style of the row.

Please be advised that Missy Boyette and David Holmes are authorized to represent the ANC for the purposes of this case. I can be reached at 202.251.7079 or Holmes6A3@gmail.com.

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of May 10, 2012 Meeting



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



May 16, 2012

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

Re: the appearance and design of the midline power station

Dear Director Bellamy:

At our regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted 8-0-0 to request that the District Department of Transportation (DDOT) to request design and appearance modifications for the midline power station for the H/Benning Streetcar Line. The quorum required is five Commissioners.

We suggest that the station provide:

- a) a space for the adjacent business on the northern face for the necessities of outdoor food service;
- b) a map of the surrounding streets and the trolley car route in the brickwork of the eastern face (in differently colored brick);
- c) place screening shrubs on the southern face; and
- d) explore the possibility of a green roof.

Our motion is in response to a request from your staff to participate in the design of the power station. Should you require information why other options were rejected, please call or email Commission Vice Chair Drew Ronneberg at 202.431.4305 or ronneberg6a02@gmail.com.

Thank you for taking the time to consider this request.

On behalf of the Commission,

David Holmes
Chair

cc: Tommy Wells, Ward 6 Councilmember

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



Commission Letters of May 10, 2012 Meeting



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



May 16, 2012

Mr. Ronaldo Nicholson, PE
Deputy Director and Chief Engineer
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Feedback on the appearance and design of the midline power station

Dear Mr. Nicholson,

At our regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted 8-0-0 (with five required for a quorum) to provide DDOT with the following feedback regarding the design of the midline substation.

ANC 6A is pleased with the steps DDOT has taken to provide design alternatives and include a CaBi bikeshare station as part of the project. When deliberating the options presented, our Economic Development and Zoning Committee felt that:

1. The southern and eastern facing walls shouldn't be blank as this will attract graffiti.
2. A ticketing kiosk should not be part of the substation because it will be underutilized, as most passengers will use SmartTrip cards or purchase tickets at Union Station.
3. A community billboard will likely become filled with advertisements and will not serve its intended purpose.

After careful thought, our ANC believes that the following design elements are the best alternative for reducing graffiti, minimizing costs and visually tying the midline substation to the H Street Corridor.

1. The northern face should be available for use by the adjacent business (currently Kahn's BBQ) to support its outdoor seating (e.g. menu displays, potted plants, etc). We only ask that the business not be permitted to install backlit signs for advertising itself or its products. Non-backlit signs that advertise the name of the business would be acceptable.

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



2. On the eastern face, we urge DDOT to incorporate a design of the local street grid into the brickwork. This street grid shown in Figure 1 is the symbol of H Street and it can be integrated by using darker colored bricks for the streets and lettering and raising them in relief to the rest of the brickwork.
3. On the southern face, we recommend that hearty shrubs be used to soften the appearance of the substation.
4. For the roof, we recommend that DDOT solicit a design for a sustainable green roof that can be a showcase for Green Roofs across the City.

Figure 1: H Street NE Street Grid symbol



On behalf of the Commission,

David Holmes
Chair

cc: Tommy Wells, Ward 6 Councilmember



Commission Letters of May 10, 2012 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
919 Massachusetts Avenue, NE
Washington, DC 20002



May 16, 2012

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

Re: Transfer of license for Rose's Dream from 1370 to 1378 H Street NE

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted to support this transfer. However, should this be a new license rather than a transfer, our support is withdrawn. A new license will require additional consideration by the ANC.

The ANC also supports a stipulated license for this transfer, subject to the qualification in the first paragraph. The motion carried 7-0-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

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

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of May 10, 2012 Meeting



Made this 10th day of May, 2012

by and between

Viggy's Liquor (ABRA #077897)
409 15th Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

Through this agreement, both parties aim to create an environment whereby the applicant may operate as a viable contributing business to the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit the retail sale of beer, wine, and spirits for off premises consumption and Class B liquor licenses that permit retail sale of beer and wine for off premises consumption.

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

Further, ANC 6A acknowledges that this Cooperative Agreement shall be presented to all Class "A" and Class "B" applicants within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Cooperative Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicants or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

The community and merchants have agreed that it is in all the parties' best interests to standardize the requirements for the operation of Class A and Class B establishments within the boundaries of ANC 6A. The community and merchants understand and agree that the changes imposed upon the operations of all licensees within the ANC as set forth herein are important measures to protect the safety, peace, order and quiet of the neighborhood, its residents, and businesses. It is the intent, therefore, of ANC 6A, to level the playing field through the implementation of this standardized Cooperative Agreement.

Witnessed

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

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

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

Voluntary Agreement between Viggy's Liquor and ANC6A

Page 1 of 4



friendly.”

The Parties Agree As Follows:

1. Requirements for sale/provision of single containers of alcohol beverages
 - A. Once all Class A and Class B licenses within a 1,200 foot radius of the applicant’s premises agree to the following provisions in this section, all provisions in this section shall also apply to the applicant. The remaining sections (sections 2 through 10) will be in effect immediately.
 - B. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale in single containers of alcohol of 70 ounces or less.
 - C. Applicant shall only sell, give, offer, expose for sale, or deliver beer, malt liquor, or ale containers of 70 ounces or less with multiple-container packaging supplied by the manufacturers of four or more individual container (example: 4-packs, 6-packs, 12-pack cases, etc).
 - D. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of wine or fortified wine in a single container with a capacity of less than 750 ml.
 - E. Class B applicants will not sell fortified wine. Fortified wine is defined as wine that exceeds 14% alcohol content.
2. Clear bags must be used for all purchases of single sales of beer, malt liquor, ale, wine or fortified wine until the conditions defined in requirement Section 1, subsection A take effect.
3. Ban on Sale/Provision of Other Items:
 - A. Single Cigarettes:
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
 - B. “Go-cups”:
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver “go-cups” or servings of plain ice in a cup.
 - 2) Per the Alcoholic Beverage regulations, a “go-cup” is defined as: “a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment.”
 - C. Products associated with illegal drug activity:
 - 1) Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
 - 2) These items are defined as: “cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia.”
4. Public Space Cleanliness and Maintenance:
 - A. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free conditions by:
 - 1) Picking up the trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
 - 2) Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
 - 3) Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
 - 4) Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean.
 - 5) Remove snow and/or ice from sidewalks fronting (includes sidewalks on the sides of corner buildings) within the time limits set by the District of Columbia for such snow and/or ice removal.
 - 6) Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti’s appearance.
5. Signage/Loitering/Illegal Activity:
 - A. Applicant will not directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offences by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so

Voluntary Agreement between Viggy’s Liquor and ANC6A

Page 2 of 4



Commission Letters of May 10, 2012 Meeting



identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.

- B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - 1) The minimum age requirement for purchase of alcohol,
 - 2) The obligation of the patron to produce a valid identification document in order to purchase alcohol.
 - C. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - 1) Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers,
 - 2) Asking loiters to move on whenever they are observed outside the establishment,
 - 3) Calling the Metropolitan Police Department if illegal activity is observed,
 - 4) Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant's log shall be provided to the ABC Board and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant's license.
 - D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
 - 1) Prohibition against selling to minors,
 - 2) No panhandling,
 - 3) No loitering.
 - E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
 - F. Applicant shall receive, at their request, and at no cost, a sign to post within their establishment (provided by the ANC6A ABL Committee) that outlines the primary points of this agreement.
 - G. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
6. Reporting to ANC 6A:
- A. Applicant must appear before the ANC 6A Alcohol Beverage Licensing Committee two (2) months prior to their Class A or Class B license expiration date to discuss issues and concerns related to the previous two years operations, and the impending renewal of their license.
 - B. Written testimony can be provided to the ANC 6A Alcohol Beverage Licensing Committee instead of appearing in-person if mutually agreed upon by the merchant and ANC 6A.
7. Regulations:
- A. In addition to the requirements of this agreement, applicant will operate in compliance with all applicable laws and regulations.
8. Miscellaneous:
- A. Applicant shall deny support of the installation of pay phones around the establishment (externally). The applicant shall have existing pay phones (if any) removed from their exterior of the establishment at the end of the current contract.
 - B. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
 - C. Applicant certified that it does not owe more than \$100 to the District of Columbia government as a result of any fine, penalty, or past due tax for more than six months.
 - D. Applicant will participate in a Business Improvement District program if one exists.
9. Enforcement:
- A. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
 - B. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
 - C. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

Voluntary Agreement between Viggy's Liquor and ANC6A

Page 3 of 4



Commission Letters of May 10, 2012 Meeting



In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: SANG WON LEE Date: 5/14/2012

Signature: *[Handwritten Signature]*

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES F HAIR Date: 5-16-12

Signature: *[Handwritten Signature]*



Commission Letters of May 10, 2012 Meeting



Made this 10th day of May, 2012

by and between

H & Pizza (ABRA #089158)

1118 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

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

Voluntary Agreement between H & Pizza and ANC6A

Page 1 of 4



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

2. Business Operations and Practices:

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

Voluntary Agreement between H & Pizza and ANC6A

Page 2 of 4



Commission Letters of May 10, 2012 Meeting



in compliance with Title 24 DCMR Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. Music / Dancing / Entertainment: (If applicant seeks and receives an entertainment endorsement, Section 3 shall apply)

- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.
- b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.
- c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:
 - 1) Applicant shall not offer any type of live or pre-recorded music on the patio.
 - 2) A fence or other barrier will enclose the entire perimeter.
 - 3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
 - 4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
 - 5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.
- d. The hours of operation for a patio or summer garden on private property (excluding rooftops) are limited until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff. If the patio has been open for business for at least three months during the months of April through September and noise levels from the patio do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the licensee may submit a change of hours application to allow for expanded hours of operation on the patio.
- e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m. Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.
- f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
- g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.
- h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

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

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

6. Miscellaneous:

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

Voluntary Agreement between H & Pizza and ANC6A

Page 3 of 4



Commission Letters of May 10, 2012 Meeting



7. Enforcement:

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

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Steve Salis Date: 5/11/12

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES, CHAIR Date: 5-12-12

Signature: [Handwritten Signature]



Commission Letters of May 10, 2012 Meeting



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



May 20, 2012

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

Re: GT Liquor dba as Capitol Liquors (1835 Benning Road, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of May 10, 2012, Advisory Neighborhood Commission 6A (ANC) voted 4-3-1 to withdraw our protest against this establishment and to support the continuation of their exemption allowing for the sale of spirits in half-pint containers. The quorum required is five Commissioners. Commissioner Alberti abstained, and did not participate in the discussion.

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

On behalf of the Commission,

David Holmes, Chair

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



Officer Reports - Treasurer



ANC 6A Treasurer's Report May 2012

Period Covered 05/01/12 - 05/31/12

Checking Account:

Balance Forwarded \$ 23,540.66

Receipts:

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

Total Receipts \$ -

Total Funds Available \$ 23,540.66

Disbursements:

Stop Payment Fee (Ck #1551)	\$ 30.00
Roberta Weiner (Minutes Apr. '12 Meeting) Ck #1558	\$ 180.00
Heather Schoell (Agenda Package May '12) Ck #1559	\$ 200.00
Nick Alberti (Petty Cash - PO Box Fees) Ck #1560	\$ 24.00
FedEx Office (Photocopying) Ck #1561	\$ 2,164.28

Total Disbursements \$ 2,598.28

Ending Balance \$ 20,942.38

Savings Account:

Balance Forwarded \$ 4,206.99

Receipts:

Interest (05/31/12)	\$ 0.18
Transfers from Checking Account	

Total Receipts \$ 0.18

Total Funds Available \$ 4,207.17

Disbursements \$ -

Ending Balance \$ 4,207.17

Prepared May 31, 2012



Officer Reports - Treasurer



ANC 6A Treasurer's Report May 2012

PETTY CASH SUMMARY

Balance Forwarded	\$	1.00
Deposit to Petty Cash	\$	24.00
Total Funds Available	\$	25.00
Disbursements:		
Total Disbursements	\$	-
Ending Balance	\$	25.00

Prepared May 31, 2012



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

May 21, 2012 Minutes

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

Meeting called to order at 7:40 p.m.

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

Community members present: Joseph Barnes, P'Tones Studio Manager at Sherwood Recreation Center; Raphael Marshall, Director of Sherwood Recreation Center; Mark Roy, representing Eastern SHS PTSA

- I. Agenda
Adopted.
- II. Status report on ANC/COC activities.
Nothing to report.
- III. Ms. Nelson gave a brief status report on the balance in the grants budget, noting that there was \$4,294** left in the budget. She suggested that since each of the two grant requests were for \$5,000, both applications be presented and discussed before any discussion of funding would take place. This was agreed to, unanimously, by the committee members. ** this number is in error; there is actually \$4,998.53 left in the budget.
- IV. Joseph Barnes presented a grant application on behalf of P'Tones to pay for recording equipment to be installed at the Sherwood Recreation Center for use in the after-school program they operate at that site.
 1. Mr. Barnes explained that the program, which is nationwide, has been operating at Sherwood for about a year. It serves high-school students (approx. 60 per semester) who are allowed to continue through the end of the summer of the year in which they graduate. The program receives support (financial and personal) from many well-known persons in the recording industry and has a \$40,000 investment in equipment currently in use at Sherwood. Rather than focusing solely on the music itself, students (who apply on-line) are assigned to different tasks in the recording industry based on interest and ability. There is an emphasis on engineering and business aspects. The program provides a safe environment and stresses the importance of professionalism. Mr. Marshall attested to the effectiveness of the program and, in response to questions about the 6A benefits requirement, said he is confident that a significant percentage of current participants are 6A residents. He also said that it was beneficial to have a program at the Center that was not aimed at athletes, as not all youth excel in that area. Ms. Joseph remarked that she likes having something other than sports offered. Similar observations were expressed by other committee members.
 2. Ms. Barbash inquired as to how the interns who staff the program are recruited. Mr. Barnes replied that they come from local colleges and universities, including Howard and UDC. He is an intern himself and feels that the program offers an excellent internship experience and that mentorship is a key component of the program.



Committee Reports

Community Outreach Committee (COC)



3. Mr. Barbash also asked if P'Tones would be able to make good use of partial funding, in the event that full funding would not be provided. Mr. Barnes said that smaller sums could be put to good use. Ms. Nelson asked why the equipment was necessary, given that they already had a functioning recording studio. Mr. Barnes replied that some of the equipment was becoming obsolete. Mr. Marshall added that equipment also wears out.
- V. Mark Roy presented a grant application on behalf of the Eastern SHS PTSA to pay for uniforms and storage equipment for the use of the Band Program.
1. As the committee members are very familiar with the program, there was little discussion of the program itself. Mr. Roy explained that equipment previously purchased has inadequate storage and improved containers are necessary to protect the existing investment. Also, sweat suit uniforms are needed because they are far less expensive than formal uniforms but can often be used in their place, thus extending the useful life of the more expensive uniforms. Ms. Williams asked if the PTSA could raise funds some other way, but Mr. Roy said that couldn't be done in the necessary time frame as Eastern Motors has agreed to use the band in a commercial and make a donation to the PTSA's general fund but only if the students perform in the sweat suits.
 2. Ms. Williams asked if the price quoted is for the full sweat suit; Mr. Roy confirmed that is the case. She also inquired about the number of students in the program, given limited enrollment at the school. Mr. Roy explained that 30% of all students at the school are expected to participate in the band program next year. Many middle school students also participate.
- VI. Ms. Nelson returned to a discussion of the status of the grants budget. She said that, in the past, it had been necessary to encourage potential applicants to request funding and that, in some years, the entire grants budget had not been disbursed. So, it hadn't been necessary to have a policy or guidance on how often organizations could request funds, how organizations might "compete" for funding, "holding back" funding to a later point in the fiscal year, or anything of that sort. But that with increased interest, it probably is necessary to consider a new approach. This will be the primary topic at the June COC meeting. The discussion then turned to how to allocate the remaining funds in the grants budget given that both applications (P'Tones at Sherwood and Eastern SHS PTSA) were worthy of funding if availability of funds were not an issue.
1. Ms. Nelson stated that Eastern SHS PTSA had received approx. \$8,000 for the band program over the course of the past three fiscal years (about twice as much as any other applicant)- and quite a bit more in previous years. But nothing had ever been given toward programming at the Sherwood Recreation Center, although a little more than \$2,000 had been spent to support the landscaping efforts of Sherwood Neighborhood Volunteers.
 2. Mr. Barbash noted that Eastern SHS serves a large number of people so, per capita, so maybe previous grant funding is not disproportionate.
 3. Ms. Joseph stated that the difference in past funding does make a difference in her opinion.
 4. Ms. Kohanek said that past funding is an important consideration but that protecting a prior investment makes good sense.



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Community Outreach Committee (COC)



5. Ms. Williams commends what the Eastern SHS Band Program is doing but likes it that P'Tones is doing something new. On the other hand, the band program may be a reason why students choose Eastern.
 6. Ms. Nelson encouraged the Eastern PTSA to seek other sources of funding as they were relying, perhaps too much, on ANC 6A funding. In particular she recommended that both applicants contact ANC 6C, which does make grants for which they would likely be eligible. Mr. Roy said that his associate, John Gibson, had approached ANC 6C but had never received a reply.
 7. There ensued a discussion of whether or not the COC should recommend that ANC 6A increase the grants budget. Ms. Joseph and Ms. Kohanek asked if the ANC did have additional funds that could be moved to the grants budget. Ms. Nelson said that the ANC did have savings, though she was unsure of the amount. She also said that the commissioners might reasonably feel that it was important to maintain sufficient reserves. There was a more detailed discussion of how best to allocate limited resources. Ms. Kohanek suggested that sufficient funding be provided to the Eastern SHS PTSA such that they could acquire storage systems to protect the existing investment but that the remainder might be allocated to P'Tones. At this point, some math errors on the Eastern SHS PTSA application were discovered; Mr. Roy will be sending a corrected version.
 8. **Motion: Ms. Nelson moved that the COC recommend that ANC 6A provide \$533 toward the cost of storage carts and pole bags as requested in the grant application from the Eastern SHS PTSA. Seconded by Ms. Williams. Vote 5 in favor none opposed.**
 9. **Motion: Ms. Nelson moved that the COC recommend that ANC 6A provide the remaining balance of the grants budget (\$4,465?) to fund the application from P'Tones to purchase recording equipment for use at the Sherwood Recreation Center. Seconded by Mr. Barbash. Vote 5 in favor none opposed.**
 10. **Motion: Ms. Nelson moved that the COC recommend that ANC 6A add to the grants budget sufficient funds to complete the grant request received from P'Tones (Total \$5,000) to purchase recording equipment for use at the Sherwood Recreation Center and that the grant be funded in full. Seconded by Mr. Barbash. Vote 5 in favor none opposed.**
 11. **Motion: Ms. Nelson moved that the COC suggest that, if the commissioners feel they have sufficient reserves, they move additional funds to the grants budget to complete the grant request from the Eastern SHS PTSA (Total \$5,000) to purchase uniform sweat suits and storage racks. Seconded by Ms. Kohanek. Vote 5 in favor none opposed.**
- VII. Meeting adjourned at 8:40 p.m.
- VIII. The next meeting will take place Monday, June 18, at 7:30 p.m. at 1235 C St. NE



Committee Reports
Community Outreach Committee (COC)



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

1. Date of Application

4/18/ 2012

2. Date of Project or Activity

6/1/2012

3. Applicant Organization Name and Address

PTones Records (Sherwood Recreation Center)
640 10th St NE
Washington D.C.

4. Contact Name

Oren Rosenbaum

5. Title

CEO/Chairman

6. Address (if different from above)

7. Telephone

(347)850-2426

8. Fax

9. E-mail Address

oren@ptonesrecords.com

10. Brief Description of Proposed Project/Activity

P'Tones Records is a nationwide non-profit after-school music program that targets at-risk teens from disadvantaged neighborhoods. PTones partners with local community centers to offer the students free access to semi-professional recording studios that are operated by trained interns. Mission: TO CREATE CONSTRUCTIVE OPPORTUNITIES FOR URBAN YOUTH THROUGH NO-COST AFTER SCHOOL RECORDING STUDIO MUSIC PROGRAMS

11. Projected Total Cost

\$ 12000

12. Amount Requested

\$5000

13. Other Sources of Funding (be specific, provide names)

Wahlberg Youth Foundation,

14. Statement of Benefit (detailed description of project or activity, who will benefit and in what way)

P'Tones Records, a 501c3 organization, has established an after-school music program at the Sherwood Recreation Center. This program is geared towards educating participants aged 14-19 who reside in the DC 6A area in every aspect of the creation, production, and distribution of commercial music. These teens are some of the most underserved in the country and have limited access to quality after school programs. As such, P'Tones is also an alternative to any current and more traditional after-school programs in that it provides the facilities, training, and support for teens looking to develop marketable skills in a dynamic industry in which many of them have marked interest. It's no mystery that the music industry holds a strong allure for many American urban youths. However, for most in the 6A neighborhood, working professionally in the music industry is more of a dream than an actual feasible reality. P'Tones gives them the tools and the training they



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Community Outreach Committee (COC)



desire to make this dream more attainable. The benefits of after-school programs have been well-documented, from increased achievement and participation in formal education to the simple fact that structured after-school programs keep urban youths away from temptations such as drug use, gang memberships, and other risky activities. The benefits of music programs have also been well-documented and proclaimed by everybody from Barack Obama to such national organizations as Save The Music.

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P'Tones Records has developed a nationally-acclaimed program in which our interns work collaboratively with the students throughout the semester to produce fully mastered audio tracks, cover/track designs, webisodes, new media campaigns, and a music video. The program provides teens insight into and experience with the business and creative rigors of the music industry as well as helps teens to build skills which are easily transferrable to real world endeavors and, in many cases, into college curricula. Some examples of such skills are product development, promotion, marketing, merchandising, team-management, and distribution. On top of the skills developed and the fulfillment that comes from pursuing a professional interest, students will also have an opportunity to meet the DC spokespeople for P'Tones, a list of which includes Kevin Durant, Wale, Kenny Burns and several others. This program builds on previous support of musical programs in the ANC 6A neighborhood but is not limited by such factors as where the residents attend secondary school and will be a very strong complement to already-extant youth and after-school music programs. For example, one way we receive new participants is via extant relationships with music instructors at and affiliated with Eastern Secondary High School. If they have a student with promise and desire to pursue professional music production, they will submit the student to us. We also have fliers in local community centers as well as other Primary and Secondary schools which service 6A residents. These recruiting measures nearly guarantee that the participants be from the 6A neighborhood as they are already using facilities and/or involved in community organizations operating in and for 6A members. We also cross-check the address on all applications to ensure that the participant is, in fact, from neighborhood 6A and as such ensure any benefits from an ANC-6A grant will go to 6A residents.



Committee Reports

Community Outreach Committee (COC)



P'Tones is run entirely by volunteers and college interns. Prospective volunteers are sent from our partners at local universities. All volunteers fill out the P'Tones application, which included the DC volunteer screening form and finger prints. After a satisfactory application they are brought in for interviews, last year yielding 18 interns. We are looking to expand this year as the addition of new equipment will allow.

Below are the average numbers culled from our other national P'Tones programs. With these requested funds we plan to meet and possibly exceed these numbers with the ANC 6A program this year:

Number of teens served per fiscal year: 60-80

Number of paid staff: 0

Number of volunteers: 40 (one full time)

Grant funds will be used to purchase required music equipment ranging from a soundboard to microphones. Last year we had 60 participants in the program, operating out of the Sherwood Recreation Center under the supervision of Raphael Marshall who has graciously pledged to continue providing not only locked storage for all our equipment but also dedicated space in which we can continue to house such items as our sound-proof booths, sound boards, and production software. While we were able to run a successful program last year with older gear, to better serve more youths in the area we need more and newer gear. The program has been a tremendous success so far and we hope to keep the program going with your help.

LINE ITEM BUDGET:

PC Computers	4	400	1600	
Korg Triton	1	2000	2000	
Mbox	1	600	600	
Headphones	4	100	400	
Midi-Keyboard	1	400	400	
Microphone	1	300	300	
PreSonus Mic Controller & Pre Amp	1	900	900	
Camera	1	200	200	
Music Production Software	3	300	900	
Sound Mixer	1	400	400	
MPD	2	200	400	
Speaker Monitors + Subwoofer	3	300	900	



Committee Reports Community Outreach Committee (COC)



Transportation			1000	
Couch			400	
Misc (snacks, CD's, office and P&R costs)			1600	
			12000	

The total requested funds add up to \$12,000. This, minus the \$7,000 which has already been committed by Wahlberg Youth Foundation, leaves a need for \$5,000 in additional funds to allow P'Tones to not only continue our work but also expand how many young men and women of the community we can benefit. This \$5,000 has been allocated per the above emboldened items. These are all in addition to or upgrade for any and all items we already possess.



Committee Reports
Community Outreach Committee (COC)



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
05/07 /12	08/08/12

3. APPLICANT ORGANIZATION NAME AND ADDRESS
Eastern Senior High School PTSA
1700 East Capitol Streets, NE

4. CONTACT NAME	5. TITLE
Mark Roy	Band Auxiliary Director/Eastern SHS PTSA

6. ADDRESS (IF DIFFERENT FROM ABOVE)

7. TELEPHONE	8. FAX
(202)262 - 7185	(202)874 - 9229

9. E-MAIL ADDRESS
Mark.Roy@hep.gov or Capricornmark@gmail.com

10. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY
The Eastern Senior High School PTSA requests a grant of \$4,000.00 to purchase performance attire, flag pole carts, flag bags and rolling clothing racks to support the Band Program.

11. PROJECTED TOTAL COST	12. AMOUNT REQUESTED
\$4,000.00	\$4,000.00

13. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)
The Band Parents Committee fundraised this year a total of \$1,500.00. In addition we received a total of \$3,000.00 in fees from various outside performances. We have received \$2,000.00 from the Eastern Band Alumni Association. Through the generosity of community supporters (Mark Roy, John Gibson, Arlyce Powell, Tierra Bryant, James Maddox, James Perry and Jaime Williams) as a whole they have provided \$4,000.00 in funding to the band.

14. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)
We are proud to state that a large percentage of our current and future team members are students who reside within the ANC 6A boundaries; most of ANC 6A is in-boundaries to Eastern SHS. Also, because of the immense popularity of the Eastern Marching Band, the group frequently performs at events where a large number of ANC 6A residents are in attendance. Music education is of obvious benefit to students in itself, but it is well-established that it also improves other forms of academic achievement. The program is well known for providing discipline and a strong sense of belonging in all participants, especially those who are otherwise "at risk".



Committee Reports

Community Outreach Committee (COC)



The band season begins with band camp on August 8, 2012. Many of our band students who have pre-registered for Eastern Senior High School have affirmed that they will participate in band camp. The band attire is needed for practice and performance opportunities. The band equipment is needed to ensure proper storage and upkeep of the articles and equipment. The request will completely outfit our marching band unit. Graciously, the school has provided us adequate storage space for our additional items that is secure and well monitored.

In addition we need proper storage apparatuses as in rolling hanging racks, flag poles and equipment bags. We are very fortunate to have an enormous amount of flag poles and flags and with our substantial inventory, it has been noted that an increasing need for proper storage is warranted. Currently we have been using impromptu storage containers of trash cans or card board boxes, which can result in un-necessary damage to the items.

We have been graciously provided a storage room for our pending receipt of sweat suits and flag equipment. Unfortunately, it is not readily prepared for upright storage of sweat suits and 6' flag poles. It is our additional request for clothing racks and flag pole carts, this will ensure that none of these items will be stored on the floor in our storage room. The area is very secured with a requirement of a key and monitored by video-camera surveillance system within the building.

Budget items requested:

50 Band Member Sweat Suits	@ \$ 40.00	\$ 2000.00
16 Dance Team Sweat Suits	@ \$ 40.00	\$ 640.00
16 Flag Team Sweat Suits	@ \$ 40.00	\$ 640.00
1 Flag Storage Cart	@ \$425.00	\$ 425.00

*enable us to store the 6' flag poles in safe container/cart that will refrain from damaging the flag poles that are prone to dents and bends. It definitely helps with the upkeep and longevity of the items.

2 Flag Pole Bags	@ \$ 54.00	\$ 108.00
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*enable us to pack these 6' flag poles for transport during trips. It ensures that the flag poles are secured in the bus compartments while in transport and reduces likelihood of damage during transport to and from performances.

2 Garment Racks	@ \$109.00	\$ 218.00
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*enable us to properly hang and store the newly acquired sweat suits, as the storage room is of substantial space but needs garment racks that accommodate our garments. The racks have the capacity to hold over 80 garments properly.

Total \$4,031.00

Our vendor of choice for our equipment is American Band Accessories. The items can be viewed on their website at www.americanband.com. Please feel free to browse and verify the prices of the items requested.

Band Parents' Boosters will absorb all extra costs such as any overrun, shipping and handling for items.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee
ANC 6A
May 15, 2012

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7:00 pm EST on April 17, 2012 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Adam Healy, Katy Thomas, Michael Herman and Anne Marie Koshuta
Committee Members Absent: none
Commissioners Present: Drew Ronneberg

I. Call to Order

Chairman Healy called the meeting to order at 7:02 pm. The meeting having been duly convened was ready to proceed with business.

II. Community Comment

None.

III. New Business

Capital Liquors (Class “A” liquor store)

The Committee was prepared to consider a request by Capital Liquors located at 1835 Benning Road NE for an exemption from the Ward 6 singles ban for beer. The establishment has had an exemption for spirits since 2008. The owner indicated that he has decided to close the business at the end of the month so the issue was moot. No action taken.

New Application for 250 11th St. NE (Class “A” liquor store)

The owner or lessee of 250 11th St NE (former Young’s Market) asked to be added to the agenda to get a sense of how the community would react to a Class A liquor license at this location. The owner wants to open a grocery store, but cannot obtain a new Class B license due to the District’s moratorium on those licenses. The owner does not want to sell spirits and would agree to voluntary agreement terms that would prohibit such sales and would be willing to sign the standard voluntary agreement. Several neighbors attended the meeting and expressed concern about the potential for trash and other issues. The Committee took no action since the application has not been submitted or placarded. In the meantime, the owner was encouraged to reach out to neighbors to learn more about their concerns and to try to address them.

Twelve Restaurant and Lounge (Class “CT”)

The owners of Twelve requested that the Committee support efforts to modify the ABC Board-imposed conditions placed on their operations. The owners explained that the costs of the MPD reimbursable details during hours entertainment is offered is hurting them financially. Neighbors expressed concern about any effort to weaken the conditions imposed by the ABC Board Order. Many of them felt the presence of MPD details during entertainment has helped ensure the public safety in and near the establishment. Mr. Healy indicated that there are currently three cases being considered by the ABC Board to adjudicate alleged violations of the Board Order. The Committee took no further action.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Fever Bar and Lounge New Application (Class “CT”)

The owner came before the Committee regarding an upcoming application for a CT license at the current HR-57 location at 816 H St NE (also operating with a CT license). Fever has been having a “first Friday” event at HR-57 for the past few months and will be taking over the lease at 816 once HR-57 moves to its new location. Since the application has not yet been submitted and has not been placarded, the Committee took no action.

IV. Adjourn

The Committee adjourned at 8:45 pm. The next meeting is Tuesday, June 19, 2012 at 7 pm at Sherwood Recreation Center.



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes
Sherwood Recreation Center Library (10th Street and G Street NE)
May 21, 2012

- I. Call meeting to order at 7:07 pm
- II. In attendance: Joe Luce with Advisors LLC; residents Martine Combal, Mark Eckenwiler and Carl Frazer; Juan Amaya with DDOT; ANC 6A Commission Chair David Holmes and Commissioners Adam Healy and Andrew Hysell; and Committee Chair Omar Mahmud.
- III. Community Comment
 - A. Mr. Frazer raised a concern about lack of signage at the starburst intersection indicating whether a left turn from 15th Street NE onto H Street NE is allowed. Mr. Mahmud indicated he was not aware of the issue and that he would look into it before asking for DDOT assistance and possibly inviting DDOT to a future committee meeting.
- IV. New Business
 - A. Consider approval of curb cut for Capitol Hill Oasis site at the 900 block of 12th Street NE (see attached plan) - Mr. Mahmud provided an overview of the developer's proposal to relocate the curb cut per the plan, and introduced Mr. Luce and thanked him for attending the meeting. Mr. Luce provided the following information and answered questions:
 - i. The developer will abandon the current curb cut, restore the curb/sidewalk, and build the new curb cut at the proposed location at the developer's sole expense.
 - ii. Mr. Mahmud asked why there is a need for two curb cut entrances into the alley serving the development's townhomes (there is also a curb cut entrance on Florida Avenue NE). Mr. Luce explained that the alley is too narrow to allow for two-way traffic, which necessitates an entry point and an exit point, as opposed to one curb cut to allow for entry and exit.
 - iii. Mr. Mahmud asked why the opening of the new proposed curb cut where it meets the street is wider than the current curb cut to be closed. Mr. Luce explained that the new opening or apron is wider to meet regulatory requirements.
 - iv. Ms. Combal asked a question about the integrity of the foundation for the condominium part of the development (lot 115) given there were past concerns about the foundation installed by the previous developer. Mr. Luce explained that the foundation is being removed and replaced by the new developer.
 - v. Mr. Mahmud asked why the plan shows conflicting direction arrows for traffic flow in the alley. Mr. Luce explained that the map arrows are an error and that traffic will actually enter from 12th Street NE and exit onto Florida Avenue NE.
 - vi. Commissioner Healy indicated support for the curb cut relocation proposal and expressed frustration with DDOT and DCRA handling of the process. Mr. Healy indicated plans, permits and other important documentation for the project has gone missing and that he would like DDOT to look into how this happened after the project was approved. Mr. Amaya responded that DDOT has taken document



Committee Reports

Transportation and Public Space (TPS)



management measures to prevent this from happening in the future and that he can explain the steps taken to Commissioner Healy offline since it will take about 15 minutes to explain. Mr. Amaya explained that documents are now scanned and posted online for the public to access.

- vii. ***Mr. Mahmud made a motion that the ANC support the developer's proposal to remove the previous curb cut and relocate it per the plan along 15th Street NE at the developer's sole cost. Commissioner Healy seconded the motion, which passed without objection.***

B. Consider support of a petition to convert the 1400 block of G Street NE from a two-way to a one-way street: Mr. Mahmud explained that all of G Street NE from Gales Street NE to 2nd Street NE is one-way except for this portion of the street and that Mr. Frazer is here to seek support for a petition to seek DDOT assistance with making this portion one-way as well. Mr. Mahmud introduced Mr. Frazer and thanked him for coming. Mr. Frazer provided the following information and answered questions:

- i. Mr. Frazer explained that this portion of G Street NE is narrow much like the surrounding portions of G Street, making it difficult for two-way traffic to navigate the street safely. In addition, parking is allowed on both sides of the street making it even more narrow and dangerous (cars have reportedly been sideswiped) and there is a good deal of truck traffic because of the Checkers fast food restaurant. Mr. Frazer also believes the conditions are dangerous for children crossing the street and he believes making the street one-way will alleviate traffic.
- ii. Mr. Mahmud asked how many households are on the block and how many had signed the petition. Mr. Frazer responded that 15 of the 19 households on the block had signed the petition. Mr. Mahmud asked for Mr. Frazer to present the petition, which he did and Mr. Mahmud examined. Mr. Mahmud also asked that a copy of the petition be provided, which Mr. Frazer agreed to do.
- iii. Commissioner Healy indicated he is the Commissioner for this SMD and that he supported the petition.
- iv. Mr. Mahmud asked Mr. Frazer to clarify what the petition is asking for (i.e. asking that DDOT make the change to one-way or ask that DDOT undergo an evaluation or study and make the change if it concludes the change is warranted and feasible). Mr. Mahmud expressed concern that we not ask for traffic condition changes without knowing whether an evaluation by DDOT experts supported the proposal. Mr. Frazer indicated his agreement and clarified that the petition asks DDOT to look into the matter and make the change if supported by DDOT analysis.
- v. ***Mr. Mahmud made a motion that the ANC support the petition of residents along 1400 G Street NE asking DDOT to evaluate changing the block to one-way traffic only. Commissioner Healy seconded the motion, which passed without objection.***

C. Consider proposal to amend visitor parking permit regulations in the DCMR (see attachments) - Mr. Mahmud introduced Mr. Eckenwiler and provided a brief overview of the issue. Mr. Eckenwiler provided the following information and answered questions:



Committee Reports

Transportation and Public Space (TPS)



- i. Mr. Eckenwiler explained that there is a current problem in the temporary permitting process where MPD issues permits to residents without limit allowing people to “free ride” on the RPP (residential parking permit) system continuously. So instead of registering a vehicle and obtaining an RPP, people just keep obtaining temporary visitor passes indefinitely.
 - ii. MPD signed a special order change striking language in the visitor permit order that put a limit on the number of visitor permits that can be issued.
 - iii. Mr. Eckenwiler proposes an amendment to the DCMR visitor parking permit provisions that would place a limit on the number of days a single vehicle can be permitted. His proposed revision has been adopted by ANC 6C and communicated to Councilmember Tommy Wells.
 - iv. Mr. Mahmud had one small edit recommendation, to change “DC” in the newly proposed subsection 2414.3(b) to “District of Columbia.”
 - v. ***Mr. Mahmud made a motion that the ANC send a letter of support for the proposed regulation revision to the visitor parking permit provisions in the DCMR, including Mr. Mahmud’s minor edit. The letter would be copied to the Secretary of the District and the City Administrator. Commissioner Healy seconded the motion, which passed without objection.***
- D. Consider proposing Zipcar spots: Mr. Mahmud explained that the ANC received a letter seeking proposed Zipcar locations in our ANC. Mr. Mahmud asked people to email him with ideas.
- i. Chairman Holmes indicated he has one suggestion, which he will email to Mr. Mahmud.
- V. Additional Community Comment
- A. Chairman Holmes indicated he would like to seek more bike racks along H Street NE. He asked that people give him suggested locations so he can pass them on to DDOT.
- i. Mr. Eckenwiler suggested it would be a good idea to place racks on the north/south streets intersecting H Street NE where there is a good deal of public space currently used for illegal parking. Bike racks would help prevent that problem.
- VI. Adjourn meeting at 7:52 pm.



Committee Reports Transportation and Public Space (TPS)



Government of the District of Columbia

Advisory Neighborhood Commission 6C

April 16, 2012

Honorable Tommy Wells
John A. Wilson Building
1350 Pennsylvania Avenue N.W.
Washington, D.C. 20004

Re: Visitor Parking

Dear Council Member Wells:

On April 11, 2012, at the regularly scheduled, duly noticed meeting of ANC 6C, with a quorum of 5 of 9 Commissioners and the public present, the above-mentioned item came before us. The Commissioners voted unanimously, 5:0:0 to adopt the following:

Daytime on-street parking on Capitol Hill is often scarce, especially near Metro stations and commercial corridors. Gaps in D.C. law and a recent policy change by MPD highlight the critical need for changes to the regulations governing issuance of visitor parking permits.

The District's Residential Parking Permit program serves to ease the impact on residents by limiting visitors to two hours on zoned blocks. However, residents may also obtain temporary permits—good for a maximum of 15 days (per DCMR 2414.1)—for vehicles belonging to visitors (such as out-of-town guests) by going to their local MPD station or to DMV. Unfortunately, abuse and misuse of the visitor permit system by non-visitors is rampant. Although residents with out-of-state vehicles are generally required to register in DC. after 30 days (see D.C. Code section 50-1401.02), many attempt to evade this requirement by seeking repeated visitor permits from MPD. Until recently, the controlling MPD Special Order (SO-07-08) officially barred such applicants from obtaining more than 30 days' worth of permits, although MPD officers frequently ignored the 15- and 30-day limits. On October 14, 2011, MPD amended its Special Order to eliminate the 30-day ceiling (see SOC-11-03).

As a result, there are now no meaningful limits on abuse of the visitor permit system. Residents with properly registered vehicles will face even greater competition for scarce parking from "free riders" using permits meant only for temporary visitors. Chief offenders include residents with out-of-state vehicles and commuters seeking to avoid paying for metered or commercial garage parking. DC's nighttime ROSA enforcement program (targeting unregistered out-of-state vehicles) is too slow and inefficient to stem the tide of out-of-state vehicles, and has no impact on daytime-only abusers.

The attached proposal seeks to address these problems by amending the regulations that govern issuance of visitor and other temporary parking permits. First, it establishes a 30-



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day maximum for visitor permits issued to a single vehicle in any 365-day period. Second, it preserves the existing exceptions for medical necessities (60 days) and pilot permit areas (covered in 18 DCMR 2424), adding a third exception (45 days) for recent vehicle purchases by D.C. residents. MPD developed this last exception in recognition of a need that is not addressed by the official regulations, and the proposal would merely codify that existing practice.

We urge you to initiate legislation to amend the D.C. Municipal Regulations using the attached proposal.

Thank you for giving great weight to recommendations of ANC 6C.

On behalf of ANC 6C,

Karen Wirt
ANC 6C chair

cc: Chief Cathy Lanier, MPD
William O. Howland, Jr., DPW

Please reply to ANC 6C at P.O. Box 77876, Washington, D.C. 20013-7787 Tel. (202) 547-7168



Committee Reports

Transportation and Public Space (TPS)



2414 VISITOR OR TEMPORARY PERMITS

2414.1 ~~Except as provided in § 2424,~~ The Director or the Chief of Police may issue visitor permits valid for periods up to fifteen (15) days to visitors at an address on a residential permit parking block. Except as provided in §§ 2414.3 and 2424, the total duration of all visitor permits issued to a single vehicle in any one-year period may not exceed thirty (30) days.

2414.2 Visitors permits shall be valid on commercial vehicles only while the operator of the vehicle is actually involved in the performance of construction, maintenance, repair, or reconstruction work at an address on a residential permit parking street.

2414.3 (a) The Director may issue temporary permits, valid for periods up to sixty (60) days, for temporary use warranted by a resident's medical necessity.

(b) The Director or the Chief of Police may issue temporary permits, valid for periods up to forty-five (45) days, for use in connection with a resident's newly purchased vehicle. Such permits may not be renewed, and may be issued only if the applicant holds a valid DC driver's license and presents proof of insurance for the vehicle.

2414.4 A visitor's permit or a temporary permit may be issued for a zone even though the motor vehicle displays a residential permit parking sticker for another zone.

2414.5 The forgery, counterfeiting, or unauthorized use or replication of a visitor permit or temporary permit shall be punishable by a fine of \$ 300.

2414.6 The Director shall implement a one (1) year visitor parking pilot program within the Advisory Neighborhood Commission boundaries of the Residential Parking Permit areas of Ward 4 in the District of Columbia.

2414.7 The Director shall implement a one (1) year visitor parking pilot program within the Residential Parking Permit areas of Advisory Neighborhood Commission 1D in the District of Columbia.

2414.8 The Director shall implement a one (1) year visitor parking pilot program within the Residential Parking Permit areas of Ward 3 in the District of Columbia.

SOURCE: D.C. Act 16-464 published at 53 DCR 6719, 6720 (August 18, 2006); as amended by Final Rulemaking published at 54 DCR 10066 (October 19, 2007); as amended by Final Rulemaking published at 55 DCR 003972 (April 11, 2008); as amended by Final Rulemaking published at 55 DCR 7993 (July 25, 2008); as amended by Final Rulemaking published at 55 DCR 12906 (December 26, 2008); and as amended by Final Rulemaking published at 56 DCR 1812 (February 27, 2009).



Committee Reports Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A May 16, 2012

Present: Members: Missy Boyette, Jeff Fletcher, Dan Golden, Laura Gentile
Commissioners: Drew Ronneberg, David Holmes, Nick Alberti

Drew Ronneberg chaired the meeting.

Community Comment

There were no community comments.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: No update.

Vacant Properties: No update.

Zoning Regulations Rewrite: No update.

H Street Business Liaison Report: No update.

Old Business

None.

New Business

1. **R.L. Christian Library Redevelopment:** Ethan Walsh, the Project Manager for the Library Redevelopment Project with the Office of the Deputy Mayor for Planning and Economic Development gave a short update on the status of the project. The Deputy Mayor's Office has decided to move forward on issuing an RFP, which is currently being finalized. Mr. Walsh also met last week with Commissioners Ronneberg and Holmes to obtain community input on the project. His hope is that the RFP will be released in early June.

Mr. Walsh indicated that the site is small and that City's goal is to focus on developing it and generating tax revenue. The existing zoning and the PUD overlay will govern how it is developed. The site is 10,800 square feet in size and is in the Arts portion of the PUD overlay. It is zoned C-2A, which permits a FAR of 2.5 for residential uses and of 1.0 for all other uses. There is a maximum building height of 50 feet for the site, which can be increased an additional five feet if the first floor of the building is at least fourteen feet in height.

Based on his meeting with Commissioners Holmes and Ronneberg, DMPED has revised the draft RFP to include language regarding community preferences. Specifically, the RFP will reflect the fact that there are already a large numbers of bars and restaurants on H Street and other types of uses may be preferable for that reason. (David Holmes later clarified to Mr. Walsh that the perception was that



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there were enough bars and restaurants on the block where the R.L. Christian property is located and that he and Commissioner Ronneberg were not referring to H Street generally.) The RFP also will emphasize that the design of a building on the site should be contextually relevant and add to the existing sense of place and that R.L. Christian, after whom the library building presently on the site was named, should be acknowledged in some manner in the finished project.

Going forward, Mr. Walsh will return to the Committee once submissions are received in response to the RFP. More likely than not, Mr. Walsh stated, there will be a PUD submission, which would permit an additional fifteen feet of building height.

A concern was expressed by an individual in the audience that the City should not be pursuing private development of the final piece of available public space in the H Street Corridor. Mr. Walsh responded that the site was relatively small, with minimal street frontage and that it also is a brownfields site, which would mean there would be additional costs if it were maintained as public space. Overall, the City believes that issuing an RFP for private development of the site is consistent with the original H Street overlay.

In response to the audience comment regarding public space, Drew Ronneberg emphasized that to the extent that “public use” is emphasized in the RFP in connection with the property, the intent is that a developer ultimately incorporate a public amenity into the final design, not that the entire property remain available for public use.

2. Murray’s/H Street Storage Redevelopment: Trent Smith of Insight Property Group gave a presentation on the current status of this project. Mr. Smith stated that Insight’s primary goal with this project is to “plant a flag” in the city and to have the Murray’s redevelopment be its “flagship” project. Insight currently owns the building that contains Murray’s, having purchased it with a partner. The property is subject to two leases, one for Danny’s and one for Murray’s. At least one of the leases does not expire until 2017. It is Insight’s hope that the current tenants will want out of their leases prior to that date. It is Insight’s intent to go forward with a PUD proposal for the property.

To date, Insight has held twenty to twenty-five small meetings regarding the project and has had a great response from ANC 6C. Insight is now seeking design-related feedback from ANC 6A. Insight believes that the Murray’s site is the last site remaining for large development to take place on H Street. Insight contemplates 100,000 square feet of new retail for the site and believes the project is unique in that there will be two developers on opposite sides of this block of H Street working together to develop their respective properties.

Insight has hired Street Sense and the Eisen Group to discuss potential uses for the property. It contemplates two phases to the project. The first phase of the project will be to develop the Murray’s property. Insight is asking in its PUD application for zoning relief for the property that would permit two additional floors of height (consistent with the H Street overlay) and for the alley behind the property to be closed. With respect to the proposed alley closure, Mr. Smith noted that the alley presently only serves three townhouses, with only one of those townhouses actually utilizing it. The alley is also difficult to use as it presently exists. Following the proposed alley closure, Insight proposes that a new alley be created with a permanent public easement.



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The property is currently zoned C-2-B in the front and R-4 in the back. Consistent with the R-4 zoned portion of the building, the proposed structure on the Murray's site would be eight stories tall in the front, six in the middle, and four at the back. Insight contemplates that the building would house 350 multi-family units and 100,000 square feet of rental space. Insight also plans to have the entire frontage of the building pulled back five to ten feet from the street for better pedestrian usage of the space.

The second planned phase of the project involves the adjoining H Street Self-Storage building. Insight has not acquired this building but will do so contingent on having its PUD application approved. The Self-Storage building would be converted to house 150 multi-family units and 50,000 square feet of rental space. Insight is currently contemplating having a high-quality health club as a tenant in the space and seeking a potential pool or other outdoor use on the roof. If Insight cannot secure a desirable health club as a tenant, it would use the space either as rental or potentially for a hotel. Insight has been approached by a hotel regarding the space, however, Insight would like for any hotel tenant to be very exclusive and not a standard-flag chain hotel.

The timeline for development is to-be-determined and depends what occurs with respect to the existing leases. Insight has done a transportation study on the project and hopes to make its PUD application this summer. It currently anticipates spending \$160 million to develop the two properties.

Sketches of the proposed project were presented by Insight to the Committee. The Committee discussed the sketches and agreed to provide organized feedback on the design to Insight subsequent to the meeting.

3. 1001 H Street NE (Ben's Chili Bowl): Representatives of Ben's Chili Bowl were present to share new renderings of their proposed restaurant at 1001 H Street. The Committee reacted positively to the proposed drawings. There was discussion regarding the windows, including their size and location, and the representatives from Ben's Chili Bowl indicated that they would bring their architectural representative to the next meeting of the Committee to further discuss their plans for the property.

4. BZA #18373 (1326 H Street NE: Atlas Vet): Dr. Miller of Atlas Vet was present to seek a special exception from the requirement that there be six parking spaces for the property in question. He indicated that his staff is local and would not be driving and that he expected a significant amount of walk-in business. Because the Committee had not yet received copies of his application, the item was placed on the consent calendar. It is scheduled to be before the BZA on July 10.

5. 1400 Maryland Avenue NE: The building permits that were recently issued to construct a gasoline service station on this site were discussed. Potential objections to the permits were identified, including the fact that the permits as issued do not contemplate closure of the median on Maryland Avenue, which would be in violation of the BZA order approving the project, the fact that DC law requires that building permits be issued within six months of an application (although this would appear to be a requirement that protects, not restricts, the developer), and a potential challenge to the issuance of a certificate of occupancy for the site on the same grounds that the issuance of the building permits was challenged (namely, that the BZA order under which it would be issued is only valid for a two-year period).



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The Committee voted 5-0 to support a recommendation that: 1) the ANC write a letter to the developer, indicating that it will appeal the issuance of the building permits; and 2) that the ANC formally object or support the objections of others to the issuance of the permits.

Additional Community Comment

None.

Next Scheduled ED&Z Committee Meeting:
Wednesday, June 20, 2012
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor



Committee Reports
Economic Development and Zoning (EDZ)



Before the

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPEAL OF:)
Advisory Neighborhood Commission 6A for the)
Administrative Decision of DCRA to issue)
Building Permit # B1107494

Statement of the Applicant

Advisory Neighborhood Commission 6A (“ANC 6A”) hereby requests that the Board of Zoning Adjustment GRANT the Appeal from the administrative decision of the Department of Consumer and Regulatory Affairs Building and Land Use Regulation Administration approval of the Building Permit #B1107494 (“the Permit”) at 1400 Maryland Ave NE and in support of its appeal states:

SUMMARY OF APPEAL

The Department of Consumer and Regulatory Affairs (“DCRA”) erred in its decision to grant Building Permit # B1107494. The property which is subject to this appeal is located at 1400 Maryland Ave NE (Square 1049, Lots 803 and 21) and was zoned C-3-A at the time of the Board of Zoning Adjustments issued BZA Order #17825 (“the Order”). The requested reason is because DCRA approved the building permit in violation of 11 DCMR Section 3205.3, which requires building permits be issued only if each condition of a BZA order is satisfied. DCRA erred because it approved the Permit although the building plans do not close of the Maryland Ave. median strip as required by Condition #11 of BZA order #17825.

DISCUSSION

11 DCMR §§3205.4 states:

If a building permit or certificate of occupancy has been issued under the authority of a decision of the Board to approve a special exception or variance, then for purposes of §§ 3205.4 and 3205.5, each condition to the approval of the special exception or variance shall be treated as a condition to the issuance of the building permit or certificate of occupancy.

One January 26, 2010, the BZA granted a special exception to construct a gas station at 1400 Maryland Ave NE subject to 12 conditions enumerated in the Order. Condition #11 states:

The Applicant shall install, upon DDOT's request and pursuant to its



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standards, an unbroken, raised median in the center of Maryland Avenue for the length of the property's Maryland Avenue frontage.

Because the approved building plans do not show an unbroken median in the center of Maryland Avenue for the length of the property's Maryland Avenue frontage and the building permit was issued without complying with Condition #11 of the Order.

REQUEST FOR RELIEF

The appellant requests that the Board ORDER the Department of Consumer and Regulatory Affairs to revoke Building Permit #B1107494, because DCRA inappropriately granted the permit without complying with Condition #11 of BZA Order #17825 in violation of 11 DCMR §§3205.4.