



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for July 14, 2011



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

7:00pm **Call to order, Adopt Agenda, Approve previous meeting's minutes**

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

7:10 **Community Presentation:** George Nichols, DC Sustainable Energy Utility (DC SEU)

7:20 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 16*

1. Treasurer's Report
2. Quarterly Report - 3rd Quarter FY11

7:30 **Single Member District reports** (2 minutes each)

Standing Committee Reports:

7:45 **Community Outreach** *pg. 22*

1. **Recommendation:** ANC 6A send thank-you letters to Miner ES, Capitol Hill Towers, Church of the Lord Jesus Christ of the Apostolic Faith, Sherwood Recreation Center and Gallaudet University
2. **Request:** ANC 6A invite representatives of the DCSEU to make a presentation at the July 14 meeting
3. Next meeting - 7:30pm, July 18, 2011 (3rd Monday)

7:55 **Alcohol Beverage Licensing** *pg. 30*

1. **Recommendation:** ANC 6A protest license for 1200 H Street, NE unless a voluntary agreement is approved and signed prior to the protest date with the stipulation that the hours of service for the outdoor patio on public space be limited until 11pm Sunday through Thursday evenings and 12am on Friday and Saturday evenings
2. **Recommendation:** ANC 6A not support an exemption from the Ward 6 singles ban for New York Liquor (1447 Maryland Ave. NE)
3. **Recommendation:** ANC 6A amend the standard voluntary agreement to restrict hours of business for outdoor patios on public space to 11pm for Sunday through Thursday evenings and until 12am on Friday and Saturday evenings



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for July 14, 2011



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4. **Recommendation:** ANC 6A protest the CR license application for Dangerously Delicious Pies unless a voluntary agreement is approved and signed before the protest date
5. Next meeting - 7pm, July 19, 2011 (3rd Tuesday)

8:00 **Transportation and Public Space Committee** *pg. 38*

1. Next meeting - 7pm, July 18, 2011 (3rd Monday)

8:05 **Economic Development and Zoning** *pg. 39*

1. Approve committee report
2. **Recommendation:** ANC 6A write a letter of support for a special exception in the case of BZA #18253 (213 8th St NE)
3. Next meeting - 7pm, July 20, 2011 (3rd Wednesday)

8:10 **Unfinished Business**

8:15 **New Business** *pg. 41*

1. Designation of Commissioner/Commissioners to represent the ANC before the Redistricting committee (Holmes)
2. Invite 7B01 to join 6A in redistricting (Holmes)
3. Support skateboard park (Mack and Holmes)
4. Fund outreach and documentation for possible H Street Commercial Historic District (Holmes)
5. Transmittal of petition from 900 block of 12th St NE residents for street sweeping (Healy)
6. Discussion of Twelve's petition for reconsideration of the Alcohol Beverage Control Board's recent protest order and consideration of an ANC letter responding to the petition (Healy)
7. To appeal building permits for 1216-1218 H St NE is they do not comply with the zoning regulations including the provision of the H Street Overlay (Ronneberg)

8:25 **Community Comments Round II, time permitting** (2 minutes each)

8:30 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes for June 9, 2011



Advisory Neighborhood Commission 6A Minutes Miner Elementary School June 9, 2011

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

The meeting was convened at 7pm

1. Agenda

Dr. Ronneberg asked that two resignations be added to the Economic Development Committee report. The agenda as amended was approved by unanimous consent.

2. Minutes

The minutes were accepted by unanimous consent.

3. Community Comment

There was no community comment.

4. Officer Reports

Chair

The Chair reported that the community was successful in its fight to retain Rosedale in Ward 6, and the efforts of the residents of Rosedale, the ANC Commissioners and the residents of Kingman Park reporting on their bad experience were enormously helpful.

Treasurer

Mr. Alberti presented the Treasurer's Report. It showed that the opening balance in the checking account was \$22,329.83 and the savings account balance was \$4,204.71. There was an allotment from the District of Columbia government of \$4,836.27, and an interest payment to the savings account of \$.17. There were disbursements of \$200 to Heather Schoell for the May agenda package (Check #1512); a voided check (Check #1513); \$263.31 to FedEx Office for May 2011 copying (Check #1514); and \$180 to Roberta Weiner for April 2100 minutes (Check #1515), leaving a balance of \$22,329.83 in the checking account, and \$4,204,8i8 in the savings account.

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

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

5. Single Member District Reports

Mr. Healy reported that there had been a walk-through of Wylie Street, H and 14th Streets, to assess the state of the alley, and it had been very productive.

Dr. Ronneberg said he had met with owner of Smith Commons to discuss complaints of noise and street activity on their patio and they had agreed on shutting down the patio at 11pm on weekdays and at midnight on weekends.



Advisory Neighborhood Commission 6A Meeting Minutes for June 9, 2011



He also reported on a transportation study of Maryland Avenue, and they are putting stop signs at 10th Street and 7th street where there are problems.

He also said he has received more petition signatures from residents who want residential parking regulations on their street.

Mr. Hysell reported that there are delivery trucks blocking 13th and H St., and he is working with Mr. Healy and DPW on solutions. He is also working on the abandoned gas station to find solutions for that problem.

Mr. Alberti reported on a June 23rd walk-through on 17th Street and Constitution Avenue which had been good.

He reminded people that the trees are thirsty and should be watered. He also mentioned that there are street repairs going on, and while the signs read No Parking for 60 days, in reality they will be shut down in small sections and for a short while over the 60-day period.

Ms. Veenendaal-Selck reported that she had been working on fighting to remain a part of Ward 6, and is excited that it's happening.

Ms. Lawler reported that the Options School was having its first graduating class and Mayor Gray would be there.

Mr. Holmes offered thanks to Councilmember Wells for keeping the east end of the ward in Ward 6. He also reported that the dead trees in his SMD had been removed.

6. Transportation and Public Space Committee

Mr. Holmes reported that the Transportation and Public Space Committee did not have a quorum at its last meeting and motions will have to come from the full ANC.

Entrance to H Street Connection

Mr. Mahmud said a resident, Randy Brandt, brought to the committee the idea of an 8th Street driveway entrance to the H Street Connection development at 8th and H Streets. Mr. Brandt has a preference for "option two" of those presented, which moves the driveway a little further from the side of his home, which is directly adjacent to the site. Councilmember Wells has already written a letter of support for the option. Mr. Mahmud said that option two does not seem to have a substantial impact on the design or traffic flow at the site. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to send a letter of support similar to Councilmember Wells 'to DDOT and the developers of the project. The motion passed by unanimous consent.

Sidewalk Patio at Khan's Barbeque

Mr. Mahmud reported that Khan's Barbeque, 1125 H Street NE, is seeking an outdoor dining patio on the wide sidewalk adjacent to its property on 12th Street. He said that the space is specifically designated in the H Street plan and streetscape redesign to be used for that purpose and it is very appropriate use. He said the Committee had seen the plans. **Motion:** Mr. Hysell moved/Mr. Alberti seconded a motion to support the public space application for Khan's Barbeque. It passed by unanimous consent.



Advisory Neighborhood Commission 6A Meeting Minutes for June 9, 2011



Mr. Alberti asked how it will be used; and Mr. Mahmud said he would suggest incorporating a closing time for the patio. Mr. Holmes asked whether it is in the VA for Khan's. Mr. Hysell responded that it is in VAs for rooftop patios, with a three-month trial period. Mr. Holmes said he had asked for a list of public space requests on H Street, as well as valet parking permits.

Another issue that arose is the overnight storage of the tables and chairs, and whether they can be left outside. Elizabeth Nelson said that she doesn't like the idea of storing furniture outside, but Mr. Hysell mentioned that many places don't have the space to store street furniture indoors overnight and it's very complicated.

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

7. Economic Development and Zoning Committee

818 C Street NE

This is a request for support for a historic preservation review for a two-story addition to a property at 818 C Street NE in the Capitol Hill Historic District. The architect of the project had presented plans and letters of support from neighbors to the Committee and Dr. Ronneberg reported that the motion to support the project had passed the committee 5-0. **Motion:** Dr. Ronneberg moved for the Committee that the full Commission accept its recommendation and send a letter of support to the HPRB for the addition to 818 C Street NE. The motion passed 7-0.

1231 F Street NE

This is a request for support of a BZA application for a special exception for lot occupancy requirements to construct a new garage with a basement and "pop-up" stair structure for roof access. The variance is required because the height of the garage exceeds the 15' specified in the code. The grade in the back yard is 6.7 feet lower than the grade in the alley, and the structure will cause an increase in the lot occupancy from 59.2% to 65.9%. They presented letters of support from their neighboring properties.

Mr. Alberti said that he did not believe the "pop-up" meets the conditions for a special exception, and he doesn't see anything that creates uniqueness—and a roof deck, he said, does not meet the standards. **Motion:** Dr. Ronneberg moved/Mr. Hysell seconded a motion to send a letter to the BZA in support of the garage and a pop-up staircase. The motion passed 6-1, with Mr. Alberti in opposition.

701 10th Street NE

This is a request for support of a BZA application for a variance from the requirement that two-unit structures (flats) have one on-site parking space. The site does not have alley access, but was granted a curb cut and driveway by DDOT in 2005 over the strenuous objection of the ANC. If the variance is granted, the curb cut will be removed. The discussion was tabled until next month at the request of Dr. Ronneberg.

Historic District Expansion Meetings

Dr. Ronneberg said that the committee has been planning to have two public meeting regarding whether the ANC should seek to have the Capitol Hill Historic District extended to H Street in the



Advisory Neighborhood Commission 6A Meeting Minutes for June 9, 2011



north, 15th Street to the east, and East Capitol Street to the south. This would not include any commercial properties on H Street.

The committee agreed that a series of two or three public meetings in quick succession, and they should take place in September. The early meeting(s) would focus on public officials and provide factual information; the later meeting (s) will allow residents to express their views. **Motion:** The Committee moved/Ms. Lawler seconded a motion to allocate up to \$600 for fliers to disseminate information as broadly as possible. Dr. Ronneberg, responding to a question from Mr. Alberti, said there were approximately 2,000 households. He said they would leaflet for both meetings and not pay anyone to do it. The motion was adopted without objection.

Committee Resignations

Motion: Dr. Ronneberg moved for the Committee to accept the resignations of members Bill Schultheiss and Julie Santoboni. He thanked them for their service to the Committee and the ANC. The motion passed without objection.

The report of the Economic Development and Zoning Committee was accepted without objection.

8. New Business

Raze Permit for 1310 East Capitol Street

Mr. Holmes said that 1310 East Capitol Street, a former stable, is located within the historic district. A request for a raze permit has been filed and was scheduled to come before the HPRB later in June. The ED&Z Committee had discussed the issue last year, but no action was taken because nothing was pending at that time before the HPRB or DCRA. He said there has been outrageous owner neglect of a contributory structure, and the lack of maintenance should not be rewarded, and that the HPRB staff and the CHRS ha both recommended against the permit. Reconstruction and repair is the appropriate remedy. Elizabeth Nelson added that it is an egregious example of demolition by neglect. **Motion:** Mr. Holmes moved/Dr. Ronneberg seconded a motion to ask the HPRB and DCRA to deny the raze request and require the owner to stabilize the structure and return it to habitable condition. The motion passed 7-0.

Cap on H Street Liquor Licenses

Motion: Mr. Healy moved/Mr. Holmes seconded a motion to allocate up to \$600 to produce fliers for ABL Committee meetings to consider whether or not to impose a cap on the number of alcohol licenses on H Street. First, dates had to be locked in.

There was a discussion on how broadly the fliers should be distributed. Dr. Ronneberg suggested they should be circulated at least to F Street on the south, and two blocks north of H Street. Mr. Holmes said he agreed with that, and that he doesn't have a dog in this hunt. Ms. Lawler said that her SMD should be included, and a lot of people are interested in the issue. Ms. Nelson said that the topic is of interest to anyone in the ANC, and it really an economic development issue. Certainly people who live more than two blocks away need information on the issue. Mr. Alberti asked whether there had been any discussion of alternative means of getting the word out—e.g. the Hill Rag, listservs, etc. Mr. Holmes said the Committee was having that conversation. The motion passed without objection.



Advisory Neighborhood Commission 6A Meeting Minutes for June 9, 2011



Street Sweeping for 10th Street NE

Mr. Holmes said that there was a street sweeping request for the 600 block of 10th Street and that they had gotten enough signatures on petitions to forward the request to DPW. **Motion:** Dr. Ronneberg moved/Mr. Holmes seconded a motion to convey the petitions for street sweeping in the 600 block of 10th Street to DPW. The motion passed without objection.

9. Community Presentation

Carolyn Albert-Garvey, principal of Maury Elementary School, gave a presentation on the renovation of the school that is taking place over the summer. She apologized for being late, which is why the presentation was at the end of the meeting.

Ms. Albert-Garvey enthusiastically announced that the school is finally getting a do-over, and that it had already gotten new doors. They have started a major renovation, and the school offices are being moved to Eastern High School for the duration. They are re-doing the classrooms, hallways, and providing a new entrance. The offices will be totally glass-enclosed, and they are tearing down walls and widening the entrance. Another significant component of the entrance will be that there will be steps on two sides, and there will be an off-street seating space where children will be able to wait for pick-ups.

The early childhood classrooms, which are currently not in compliance with regulations, will be brought into compliance—they will have bathrooms and new furniture. Each classroom will have its own library, and there will be an outdoor classroom on the second floor. She said the basketball court will be closed for the summer, as it is being used as a staging area for construction materials. The entire campus will be shut down for the summer. They are planning to use the blacktop for worker parking.

In answer to a question from Mr. Holmes, she said there were 241 people on the out-of-area wait list and 81 on the in-boundary list. She said that 60% of the parents are currently members of the PTA and her goal for next year is 75%.

Finally, she said that in three years there will be a Phase 2 of the renovation, which will provide an ADA-compliant elevator, among other things.

10. Community Comment

Charmaine Josiah made a plea for including Kingman Park in Ward 6. Mr. Holmes said that the ANC should ask that SMD 7D01 be included in 6A. He said that currently there are three other similar situations, and we could try to do it. Mr. Alberti asked whether it would be better to reach out to them and ask if they want to do that, and added that appears presumptuous to include them without discussing it with them first. Mr. Holmes said he would attend the ANC 7D meeting and ask what their views are.

Gottlieb Simon of the ANC Office gave a brief run-down of the redistricting process, saying that once the Mayor signs the legislation, he starts a 90-day clock running to have Ward committees develop plans. There will be hearings in October and final ANCs by the end of the year.

The meeting was adjourned at 8:10 pm.



Commission Letters of June 9, 2011 Meeting



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



June 12, 2011

Mr. Clifford Moy
Secretary, Board of Zoning Adjustment
Office of Zoning
441 Fourth Street, NW, Suite 210 S
Washington, DC 20001

Re: BZA Case 18241 (1231 F Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on June 9, 2011, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the applicant's request for a special exception from the lot occupancy requirements of §223.1 and a variance from the 15' maximum height for garage structures specified in §2500.4.

The Commission believes that a special exception is justified because the small increase in lot occupancy at the rear of the property will not negatively impact the light, air or privacy of adjacent properties, nor will the garage visually intrude upon the character, scale and pattern of houses along the street frontage.

The Commission also believes that the variance is justified because of the project meets the three tests specified in §3103.2. First, the site has unusual topological conditions because the alley sits almost 7 feet higher than the back yard. Second, without zoning relief, the applicant would not be able to construct a garage with height sufficient to accommodate taller vehicles. Finally, the replacement garage is of comparable scale and character with the current garage and surrounding structures.

Finally, the Commission notes that the surrounding property owners have written letters in support of the application.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com group and the ANC6A and Hill East listservs and through print advertisements in the Hill Rag and the Washington Informer.



Commission Letters of June 9, 2011 Meeting



Please be advised that David Holmes and Drew Ronneberg are authorized to act on behalf of ANC 6A for the purposes of this case. Commissioner Ronneberg can be reached by phone at 202-431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair



Commission Letters of June 9, 2011 Meeting



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



June 12, 2011

Ms. Catherine Buell, Chair
Historic Preservation Review Board
1100 Fourth Street, SW, Suite E650
Washington, DC 20024

Re: HPA #11-288 (818 C Street, NE)

Dear Chairperson Buell:

At our regularly scheduled and properly noticed meeting on June 9, 2011, our Commission voted 7-0-0 (with 5 required for a quorum) to support the above referenced application.

Given that the project will not adversely affect the air and light of the neighboring properties, is supported by the adjacent landowners, and abides by the guidelines set forth by Historic Preservation Office, the Commission supports the application.

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

On behalf of the Commission,

David Holmes
Chair



Commission Letters of June 9, 2011 Meeting



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



June 12, 2011

Ms. Catherine Buell, Chair
Historic Preservation Review Board
1100 Fourth Street, SW, Suite E650
Washington, DC 20024

Re: Raze at 1310 East Capitol Street, NE

Dear Chairperson Buell:

At our regularly scheduled and properly noticed meeting on June 9, 2011, our Commission voted 7-0-0 (with 5 required for a quorum) to oppose the proposed raze of the rear structure at 1310 East Capitol Street, NE.

We believe that the owner instead should be required to stabilize the structure and return it to habitable conditions. There has been outrageous owner neglect of this contributory structure within the Capitol Hill Historic District. The lack of maintenance, so long prolonged, should not be rewarded.

Reconstruction is the appropriate remedy. The historic resource should be preserved.

If you have any questions, please contact me at Holmes6A3@gmail.com.

On behalf of the Commission,

David Holmes
Chair

cc: Amanda Molson



Commission Letters of June 9, 2011 Meeting



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



June 12, 2011

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

Anthony J. Hood
Chair, Zoning Commission
One Judiciary Square
441 Fourth Street, NW, Suite 210 S
Washington, DC 20001

Re: H Street Connection development driveway entrance along 8th Street NE

Dear Director Bellamy and Chairman Hood,

At ANC 6A's publicly noticed and regularly scheduled meeting on June 9, 2011, the Commission voted unanimously (7-0-0, with 5 required for a quorum) to send a letter to you following up on Councilmember Tommy Wells' October 25, 2010 letter (attached) indicating support for Option #2 ingress in the H Street Connection plan designs (as described on the attachment).

As Councilmember Wells indicated in his letter, we feel Option #2 minimizes the impact of traffic on nearby residents while supporting the site's traffic flow requirements.

Thank you for considering this recommendation. Should you have any questions about this matter, please feel free to email Omar Mahmud of our ANC's Transportation and Public Space Committee at familymahmud@yahoo.com.

On behalf of the Commission,

David Holmes, Chair

Cc: Councilmember Tommy Wells
Mr. Randall Brandt
Mr. Gary Rappaport



Commission Letters of June 9, 2011 Meeting



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

TOMMY WELLS
Councilmember - Ward 6
Chairperson
Committee on Human Services

Committee Member
Health
Government Operations & Environment
Public Works & Transportation

October 25, 2010

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

Anthony J. Hood
Chairman, District of Columbia Zoning Commission
Office of Zoning
One Judiciary Square
441 4th Street NW, Suite 210S
Washington, DC 20001

Dear Director Klein and Chairman Hood,

I am writing to ask for your assistance in an issue related to the proposed development of the current H Street Connection, pending Z.C. Case No. 10-03 (Parcel Seven Associates, LLC- Consolidated PUD @Square 912, Lot 55).

The pending plans include two options for ingress of vehicular traffic off of 8th Street, NE into the proposed development. As you know, I strongly support the overall project, but I ask that you consider support and approval for ingress Option #2 in the designs. Option #2 separates the car traffic from the trash and delivery truck traffic entering the property in order to minimize the noise and safety burden placed on the neighboring homeowners rather than Option #1 which combines the traffic flow next to the nearest residence.

It is a modest accommodation to the concerns of those living immediately adjacent to the property considering that current access to the property for car traffic is entirely from H Street, NE. The adjacent residence will already experience a significant increase in truck traffic in the alley to service the hundreds of new proposed housing units in the development, but current DC law will provide the neighboring residences some degree of predictability that truck and delivery traffic will not disrupt them during overnight hours.



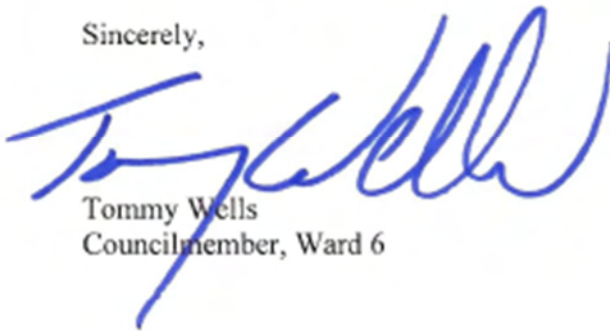
Commission Letters of June 9, 2011 Meeting



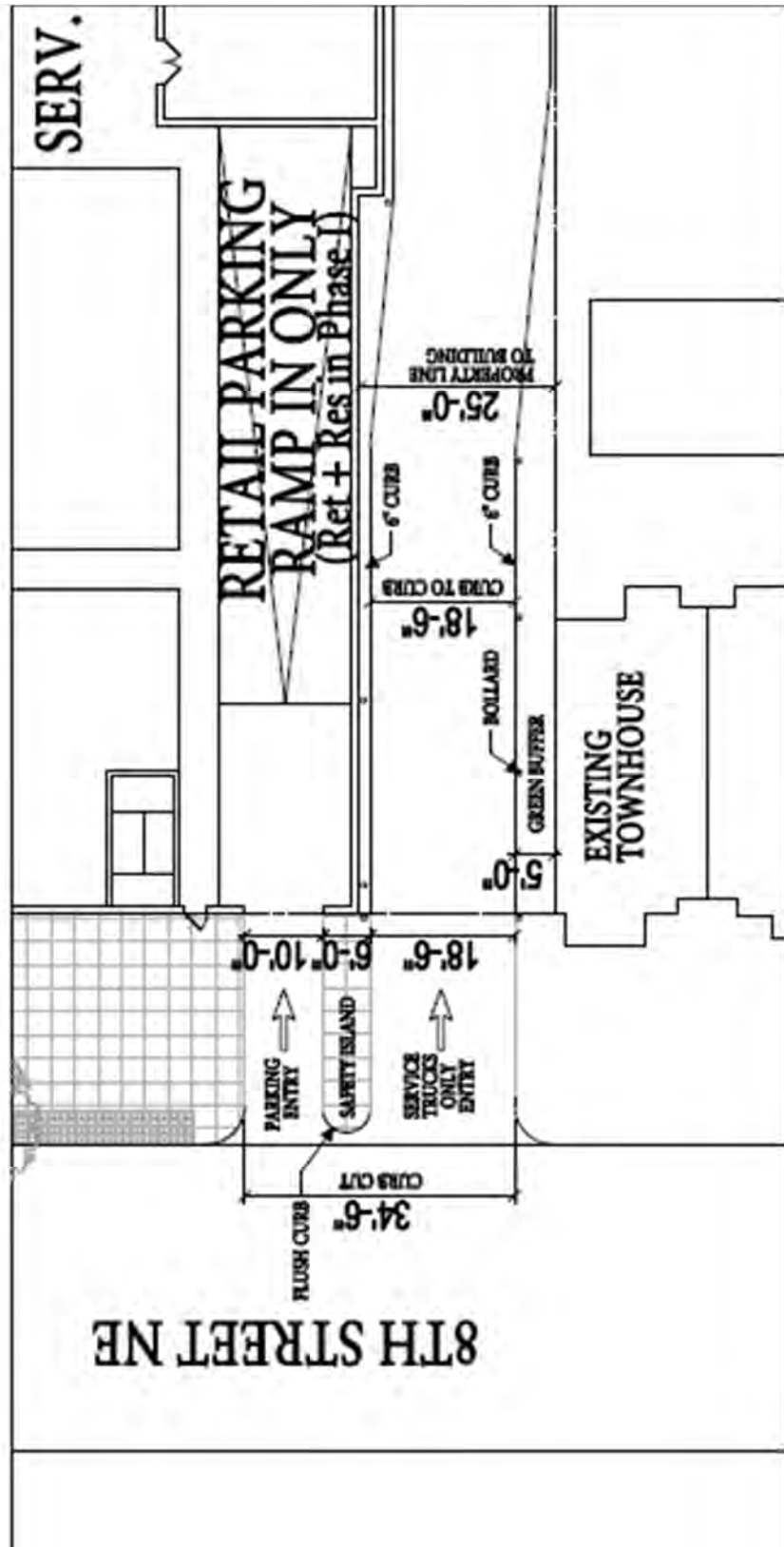
I have also been alerted to a concern that the change to an earlier version of Option #1 prior to the Zoning Commission's initial consideration of the proposal did not include community consultation in a manner consistent with the rest of the project. Moreover, assuming that the project progresses as planned, a significant curb cut will be eliminated from H Street which should be credited to the developer to allow for an expanded curb cut on 8th Street to minimize the impact on neighboring residences.

Thank you for your consideration and I would be happy to discuss the concerns with you in greater detail.

Sincerely,



Tommy Wells
Councilmember, Ward 6





Officer Reports - Treasurer



ANC 6A Treasurer's Report June 2011

Period Covered 06/01/11 - 06/30/11

Checking Account:

Balance Forwarded \$ 26,522.79

Receipts:

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

Total Receipts \$ -

Total Funds Available \$ 26,522.79

Disbursements:

Washington Musical Center
(Grant - Eastern HS PTSA) Ck #1516 \$ 4,000.00
Capitol Hill Garden Club
(Grant - Friends for Sherwood Rec Garden) Ck #1517 \$ 1,000.00
Heather Schoell (Agenda Package June '11) Ck #1518 \$ 200.00
Roberta Weiner (Minutes May '11) Ck #1519 \$ 180.00
FedEx Office (June 2011 Statement) Ck #1520 \$ 204.42

Total Disbursements \$ 5,584.42

Ending Balance \$ 20,938.37

Savings Account:

Balance Forwarded \$ 4,204.88

Receipts:

Interest (05/31/11) \$ 0.18
Transfers from Checking Account

Total Receipts \$ 0.18

Total Funds Available \$ 4,205.06

Disbursements \$ -

Ending Balance \$ 4,205.06

Prepared June 30, 2011



Officer Reports - Treasurer



ANC 6A Treasurer's Report June 2011

PETTY CASH SUMMARY

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

Prepared June 30, 2011



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 3rd Quarter FY11

Quarterly Report Period Covered 04/01/11 - 06/30/11

ANC 6A

Summary of Receipts and Disbursements: Checking Account

Balance Forwarded		\$ 23,163.80
Receipts:		
District Allotments	\$ 4,836.27	
Interest Income	\$ -	
Other Deposits	\$ -	
Transfers from Saving Accounts	\$ -	
Total Receipts		\$ 4,836.27
Total Funds Available		\$ 28,000.07
Disbursements:		
1. Net Salary and Wages	\$ -	
2. Workers Compensation	\$ -	
3. Insurance:		
4. A. Health	\$ -	
5. B. Casualty/Property	\$ -	
6. Total Federal Wages Taxes	\$ -	
7. Tax Penalties	\$ -	
8. Local Transportation	\$ -	
9. Office Rent	\$ -	
10. Telecommunication Services	\$ -	
a. Landline Telephone		
b. Cellular Telephone		
c. Cable/Internet Services		
11. Postage and Delivery	\$ -	
12. Utilities	\$ -	
13. Printing and Copying	\$ 821.70	
14. Flyer Distribution	\$ -	
15. Purchase of Service	\$ 1,240.00	
16. Office Supplies	\$ -	
17. Office Equipment	\$ -	
a. Rental	\$ -	
b. Purchase	\$ -	
18. Grants	\$ 5,000.00	
19. Training	\$ -	
20. Petty Cash Reimbursement	\$ -	
21. Transfers to Saving Account	\$ -	
22. Bank Charges	\$ -	
23. Website/Webhosting	\$ -	
24. Other	\$ -	
Total Disbursements		\$ 7,061.70
Ending Balance:		\$ 20,938.37

Approval by Commission: _____

Treasurer

Chairperson

Secretary

Secretary Certification _____

Date _____

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



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 3rd Quarter FY11

Summary of Receipts and Disbursements: Savings Account

Balance Forwarded		\$ 4,204.71
Receipts:		
Transfers From Checking Account	\$ -	
Other (Interest Earnings, etc.)	\$ 0.52	
Total Receipts		\$ 0.52
Total Funds Available		\$ 4,205.23
Disbursements:		
Transfers to Checking Account	\$ -	
Other	\$ -	
Total Disbursements		\$ -
Ending Balance:		\$ 4,205.23

CHECKING AND SAVINGS ACCOUNT DEPOSITS		
Deposits to Checking Account (Including transfers from savings account)		
Date	Amount	Source
	\$ 4,836.27	1st Quarter FY11 Allotment
Total	\$ 4,836.27	
Deposits to Savings Account (Including transfers from checking account)		
Date	Amount	Source
04/29/11	\$ 0.17	Interest
05/31/11	\$ 0.18	Interest
06/30/11	\$ 0.17	Interest
Total	\$ 0.52	



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL
ACTIVITY
Listing of Checks Issued
3rd Quarter FY11

Check #	Date	Payee	Amount	Expense Category	Purpose of Expenditure	Date Approved (1)
1508	04/01/11	DC Access	\$ 100.00	15	Web Ad Apr. '11	11/11/10
1509	04/14/11	FedEx Office	\$ 353.97	13	Apr. '11 Statement	Budget Approved 10/08/10
1510	04/14/11	Roberta Weiner	\$ 180.00	15	Minutes - Mar. '11	10/14/10
1511	04/14/11	Heather Schoell	\$ 200.00	15	Agenda Package - Apr. '11	10/14/10
1512	05/12/11	Heather Schoell	\$ 200.00	15	Agenda Package - May '11	10/14/10
1513	05/12/11	Void	\$ -			
1514	05/12/11	FedEx Office	\$ 263.31	13	Apr. '11 Statement	Budget Approved 10/08/10
1515	05/12/11	Roberta Weiner	\$ 180.00	15	Minutes - Apr. '11	10/14/10
1516	02/15/11	Washington Mucical Center	\$ 4,000.00	18	Grant Eastern HS PTSA	05/12/11
1517	03/05/11	Capitol Hill Garden Club	\$ 1,000.00	18	Grant Friends fo Sherwood Rec Gardent	09/09/10
1518	06/09/11	Heather Schoell	\$ 200.00	15	Agenda Package - Jun. '11	10/14/10
1519	06/09/11	Roberta Weiner	\$ 180.00	15	Minutes - May. '11	10/14/10
1520	03/10/11	FedEx Office	\$ 204.42	13	Jun. '11 Statement	Budget Approved
Total			\$ 7,061.70			

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



Officer Reports - Treasurer



Petty Cash 3rd Quarter FY11

PETTY CASH SUMMARY

Period Covered 04/01/10 - 06/30/10

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



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

June 20, 2011 Minutes

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

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

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

Committee members absent: Necothia Bowens, Mark Roy, Rose Williams, Pat Joseph,

Community members present: Lilia Abron and George L. Nichols (DC SEU)

- I. Agenda
Adopted.
- II. Status report on ANC/COC activities
COC recommendations from April meeting (grants and advertising) were approved at May ANC meeting. The ANC voted to oppose the proposed Father's Day event at Sherwood Recreation Center, consistent with the COC's recommendation to deny support.
- III. Thank-you letters to organizations providing support to ANC 6A
 1. Ms. Nelson provided draft letters based on those sent out in the summer of 2009. None were sent out in 2010 - an oversight on the part of the COC.
 2. All agreed that sending such letters is the appropriate thing to do and that they should be sent to those organizations providing meeting space for ANC meetings and committee meetings: Miner ES, Capitol Hill Towers, the Church of the Lord Jesus Christ of the Apostolic Faith and the Sherwood Recreation Center. A letter should also be sent to Gallaudet University in recognition of their hosting of the website and related technical support.
 3. **Motion: Ms. Barbash moved that the COC recommend that ANC 6A send thank- you letters to Miner ES, Capitol Hill Towers, Church of the Lord Jesus Christ of the Apostolic Faith, Sherwood Recreation Center and Gallaudet University. Seconded by Ms. Kohanek. Vote 3 in favor none opposed.**
- IV. Presentation by the District of Columbia Sustainable Energy Utility (DCSEU) Program Management Contract
 1. Ms. Abron and Mr. Nichols explained the program (a summary is in the attached email sent by Ms. Abron to Ms. Nelson). They are contractors hired by DDOT to administer the program, which is funded by fees assessed on DC utilities consumers. They were referred to the COC by CM Wells' office. They are seeking assistance in community outreach to identify low income housing units, small businesses and occupants of single family homes that might be interested in participating in the program.
 2. COC members provided contact information for The Hill Rag, The Hill Is Home, the Rosedale Citizen's Alliance, the pastors of local churches. Arrangements were made to run a short notice in The Buzz newsletter. The offer was made to post public service announcements to the local listservs (if provided by the SEU). Recommendations were also made with regard to contacts in the business community.



Committee Reports

Community Outreach Committee (COC)



3. The COC further agreed to request that the ANC allow them to make a brief presentation at the beginning of the July ANC meeting.
 4. **Request: COC requests that ANC 6A invite representatives of the DCSEU to make a presentation at the July 14 meeting.**
- V. Discussion of summer meeting schedule for COC
1. In the past, the COC has only met once in July/August, since any recommendations made during that time frame will not be considered by the commissioners until the September ANC meeting.
 2. All COC members present agreed that it would be better to meet in August than in July so that organizations contemplating grant applications would have more time to prepare.
 3. There is some question of being able to achieve a quorum on the third Monday in August so the committee members present agreed to meet instead on the 4th Monday. As there are 5 Monday in August, that will still give sufficient time to prepare minutes prior to the deadline for the September agenda package.
 4. Ms. Nelson will ask the COC members not present if this date will work for them but the tentative plan is to meet on August 22.
- VI. Meeting adjourned at 8:40 p.m.
- VII. The next meeting will take place Monday, Aug. 22 at 7:30 p.m. at 1235 C St. NE



Committee Reports Community Outreach Committee (COC)



EMAIL FROM DCSEU

Dear Commissioner Knits,

The District of Columbia's Sustainable Energy Utility is up and operating and we need the help and support of ANC6-A. I am writing you in your capacity of Chairperson of the Outreach Committee for ANC6-A to transmit this timely information and seek your ANC District's help and support.

On behalf of the District of Columbia's Sustainable Energy Utility Program Management Contract, working under the leadership, guidance and management of the District's Department of the Environment (DDOE), I am seeking your assistance in Ward 6 and in particular ANC6-A in identifying:

- 1) low income, multi-family buildings and their contacts, if applicable,
- 2) commercial and institutional businesses employing less than 15 persons such as barber and beauty salons, piazza parlors, restaurants and other small eateries, convenience stores, dry goods, etc., and
- 3) single family, owner-occupied homes for our quick start programs described below and in more detail at www.dcseu.com.

I am sending this email request to you seeking recommendations for buildings, businesses and homes in Ward 6 and your ANC District as candidates for these programs, and an appointment to speak at one your ANC6-A meetings to discuss with the commissioners how your Ward and single member districts should and could benefit from this program. I see from your website you are having a meeting on the 3rd Monday in June. Maybe I could attend that meeting and speak to the commissioners and attendees about the sustainable energy utility at that time. This is a 5 year + program that is being funded directly by our contributions to the sustainable energy trust fund (a line item on your PEPCO and Washington Gas bills) and we should benefit.

As you are aware, The Clean and Affordable Energy Act (CAEA) became law on October 22, 2008. CAEA establishes the following overarching goals for energy efficiency and renewable energy in the District:

- Reduce per-capita energy consumption
- Increase renewable energy generating capacity
- Reduce the growth in peak electricity demand
- Improve the energy efficiency of low-income housing
- Reduce demand growth for the District's largest energy users
- Increase the number of green-collar jobs

CAEA created an entity then identified as the sustainable energy utility and designated it to be the primary vehicle by which to attain these goals. The law charged the Mayor, through DDOE, to contract with a private entity to conduct sustainable energy programs on behalf of the District of Columbia. The intent of the law is for this program/contract to be the one-stop resource for energy efficiency and renewable energy services for District residents and businesses.

The SEU contract has been awarded to a partnership called the District of Columbia Sustainable Energy Partnership (DCSEP) with Vermont Energy Investment Corporation (VEIC) as the prime contractor. VEIC is a non-profit organization committed to reducing the economic and environmental costs of energy use. The company has 25 years of experience designing and implementing effective and efficient energy programs for states, municipalities, and utilities and is known for developing and delivering the nation's first energy efficiency utility. The DCSEP consists of a team of experienced, national and local, well-known organizations and individuals that collectively bring together national and local leadership in energy efficiency, renewable energy, program planning and implementation, and local community networks.

Initially, for the first year (March 24, 2011 through September 30, 2011) we will focus on three sets of mini-programs we call "quick starts". These are:

1. Low-income, multifamily, residential energy efficiency projects
2. Residential energy efficient projects
3. Commercial and Institutional Direct Install Projects



Committee Reports

Community Outreach Committee (COC)



The DCSEU contract and each of the “quick starts” are explained in more detail on our website, www.dcseu.com. When you visit the website you will read about all services being provided currently. There are many more to come. All services under the low income, multifamily, and commercial and institutional direct install, quick starts are provided free of charge. For the residential, single family retrofit quick start we will provide \$500.00 to \$800.00 worth of services for a co-pay of \$100.00. Again, this is all explained in detail at www.dcseu.com.

Commissioner Knits, we need your help now, immediately, in identifying potential projects in Ward 6 in general and ANC6-A in particular. Additionally, if there are community groups and organizations that we should reach out to in 1D for additional help, and to get the word out that the program is operating, please let me know about those as well. We are under DDOE mandate to have to all of our quick start programs completed and all the first year allocated funds (\$6.5 M) money spent by September 30, 2011.

Low Income, Multi-family (LIMF) Quick Start

We intend to provide services to about 6,000 units under the LIMF quick start. That works out to around 750 units to 1,000 units per ward, give or take a few here and a few there. I am requesting that ANC6-A nominate some buildings in your ward and/or district that might meet the income restrictions and are thus eligible for this program. The income restrictions are given on our website, www.dcseu.com. We need buildings now.

Single Family, Owner-Occupied Retrofit Quick Start

For the single family, owner-occupied retrofit quick start, we need recommendations for tight knit communities that might want to participate. ANC6-A has a mix of residential and commercial/retail properties so I suspect that you might have some tight-knit communities in your district that would be interested in participating in this program. I looked at the website for the neighborhood and civic associations in Ward 6 and there are not that many, but you have several in your ANC such as Lincoln Park, Stanton Park and Rosedale that seem to fit the criteria below. I am sure there are more and we need your help. We really need your input for this quick start program for Ward 6. We need the names of communities that you would recommend and a contact person for that association. We want to start with the contact for that neighborhood/civic/community association and then let them make recommendations for home owners that might want to participate. We do not want to, nor do we have time to go door to door looking for participants. We will provide about \$500.00 to \$800.00 of services to each home and are only requesting a \$100.00 co-pay. There is no income restriction on the single family home quick starts. The other criteria are:

1. Neighborhood should contain a cluster of owner-occupied, single family homes sufficient to support program goals (75-100 per ward).
2. Neighborhood homeowners should be able to afford the \$100.00 co-pay requirement.
3. Target neighborhood home clusters should be situated such the contractors can easily schedule several home installations for one day with minimal driving.
4. Target neighborhood housing stock should be at least 15 years old.
5. Neighborhood should host existing social network, community group, or homeowner's association.
6. Neighborhood participation should have support from appropriate ANC chair.
7. Neighborhood housing stock that characteristically will have significant opportunities for efficiency improvements

We anticipate that with the money available we can do about 25 homes to 30 homes per ward, thus the need to identify cluster with 75 homes to 100 homes per community. This is the reason why we are asking for referrals from the ANC Commissioners and the Ward Council Persons. We cannot advertise this in a big splash yet, because many will be left out and we do not misrepresent ourselves and the program and disappoint. We can get to all during the rest of the 4+ years of the program.

Commercial and Institutional Direct Install Quick Start

With respect to the commercial and institutional direct install quick start program, we plan to provide free services to about 75 businesses to 100 business in each ward. Again, we need these businesses in clusters, so the contractor can walk up and down the street of a business corridor, provide the services efficiently, and not have to drive all



Committee Reports Community Outreach Committee (COC)



over the ward each day to meet the goal. The businesses should be small, one floor, retail operations, that employ less than 15 people and are not chains. I know there are several such business corridors in Ward 6 and perhaps in your District. Please recommend those that might be good candidates in your ANC District. Some of the services we will provide under this quick start are given, yes, on our website, www.dcseu.com.

Summary

When we start work in all programs we want to take pictures of the contractors, the business owners, the ANC Commissioner and the Ward Council person observing our money and residents at work and helping other residents and businesses to become more energy efficient and responsible citizens.

I am Lilia Abron and I have responsibility initially for community outreach and education. George Nichols, who resides in 6-A, will be assisting me with follow-up to this email. For the DCSEU he has responsibility for governmental affairs and outreach.

Thank you so much for your time and attention to this email. I look forward to hearing from you. Just hit "reply to" to respond to me by email.

Very truly yours,

Lilia Abron

Lilia A. Abron, Ph.D., PE, BCEE
DCSEU
202 352 7812



Committee Reports
Community Outreach Committee (COC)



Draft Thank-you letters begin here:

August xx, 2011

Lavonne Taliaferro-Bunch, Principal
Miner Elementary School
601 15th St. NE
Washington DC 20002

Dear Ms. Taliaferro-Bunch,

For over eight years Miner Elementary School has provided a meeting place for Advisory Neighborhood Commission 6A. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these public meetings, which are crucial to the functioning of our city.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



August xx, 2011

Minister Thompson
Church of the Lord Jesus Christ of the Apostolic Faith
1235 C St. NE
Washington DC 20002

Minister Thompson,

For the past eight years you have provided a meeting place for the Community Outreach Committee of Advisory Neighborhood Commission 6A. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these public meetings, which are crucial to the functioning of our city.

Please extend our thanks to the members of your church family who have been so gracious in opening the building for us.

Once again, thank you.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



August xx, 2011

Mr. Raphael Marshall, Director
Sherwood Recreation Center
Corner of 10th and G Sts. NE

Dear Mr. Marshall,

For over eight years the Sherwood Recreation Center has provided a meeting place for Advisory Neighborhood Commission 6A activities – the meetings of the Alcohol Beverage Licensing Committee and the Economic Development and Zoning Committee. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these monthly public meetings, which are crucial to the functioning of our ANC.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



August xx, 2011

Queen Laney, Manager
Capitol Hill Towers
900 G St NE
Washington, DC 20002

Dear Ms. Laney,

For over seven years Capitol Hill Towers has provided a meeting place for Advisory Neighborhood Commission 6A activities, in particular the meetings of the Transportation and Public Space Committee. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these monthly public meetings, which are crucial to the functioning of our ANC.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



August xx, 2011

Dr. Robert Davila, President
Gallaudet University
800 Florida Ave. NE
Washington DC 20002

Dear Dr. Davila

For the past eight years Gallaudet University has hosted a website for Advisory Neighborhood Commission (ANC) 6A. This website (www.anc6a.org) is an essential component in our efforts to provide the greatest possible public access to our proceedings. Non-ANC related information of community interest is available as well. We want to express our sincere appreciation for the time and effort your staff has contributed to this endeavor.

Please share our thanks with Mr. Jon Mitchiner, Director, Information Technology Services, who has gone out of his way to provide the best support possible. His colleagues have been enormously helpful as well, especially Hatim Vali who shepherded us through a recent server upgrade. We also appreciate their renewing the domain name on our behalf.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee
ANC 6A
June 21, 2011

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 June 21, 2011 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 Ronnenberg

Community Members Present: Manish Choudhary, Driss Ouadrhiri, Young Woo, Margaret Holwill, Phil Toomajian, Mike Pappas, Joey Belcher, Jason Martin, Ryan Gordon, Aaron McGovern, Troy Hickman, and Mark Busby.

Call to Order

Chairman Healy called the meeting to order at 7:05 pm EST and Ms. Thomas recorded the minutes as meeting secretary. The meeting having been duly convened was ready to proceed with business.

Approval of Agenda

After review and discussion, Mr. Healy asked for acceptance of the agenda.

Approval of Minutes

After review and discussion, the April 19, 2011 meeting minutes were approved without objection.

I. Community Comment

None

II. Review of ANC6A Actions

Mr. Healy reported the ANC approved a budget of \$600 for copying fliers announcing ABL meetings to consider alcohol license cap for H Street.

IV. New Business

1. Proprietor of 1200 H Street, NE to establish a wine and cheese bar with outdoor hookah availability; proprietor to soon apply for CT license. Expects less than 100 patrons for both inside and outside; seeking public space permit for outdoor patio. After review and discussion, upon motion duly made by Mr. Healy and seconded by Ms. Koshuta, it was unanimously:

RESOLVED: the ANC protest license for 1200 H Street, NE unless a voluntary agreement is approved and signed prior to the protest date with the stipulation that the hours of service for the outdoor patio on public space be limited until 11pm Sunday through Thursday evenings and 12am on Friday and Saturday evenings.



Committee Reports

Alcohol Beverage and Licensing (ABL)



2. New York Liquor at 1447 Maryland Ave., NE requests exemption from singles ban. After review and discussion, upon motion duly made by Mr. Healy and seconded by Ms. Thomas, it was unanimously:

RESOLVED: the ANC not support an exemption from the Ward 6 singles ban for New York Liquor.

3. Standard VA amendment re: outdoor space hours. After review and discussion, upon motion duly made by Mr. Healy and seconded by Ms. Koshuta, it was unanimously:

RESOLVED: the ANC amend the standard voluntary agreement to restrict hours of business for outdoor patios on public space to 11pm for Sunday through Thursday evenings and until 12am on Friday and Saturday evenings.

4. Dangerously Delicious Pies at 1339 H Street, NE to soon submit application for CR license to expand seating by 99 seats on 2nd floor, including a summer garden permit. The summer garden patio would be off the 2nd floor with seating for 20; remaining 69 seats would be on 2nd floor; live entertainment to be scheduled on 2nd floor. After review and discussion, upon motion duly made by Mr. Healy and seconded by Mr. Herman, it was unanimously:

RESOLVED: the ANC protest the CR license application for Dangerously Delicious Pies unless a voluntary agreement is approved and signed before the protest date.

5. Proprietors of 822 H Street, NE to establish taco, margarita and beer concept; soon to apply for CR License. Location of business to be in the carriage house/garage directly behind Stan's Pants, with the front door facing residential 9th Street. Application will include outdoor seating with a semi-permanent awning on public space. After review and discussion, upon motion duly made by Mr. Healy and seconded by Mr. Herman, it was unanimously:

RESOLVED: the ABL Committee defers action until the July 2011 meeting to allow for input of residents living near this location.

Adjourn

There being no further business to come before the committee, the meeting was adjourned at 8:35 pm EST. The next committee meeting is scheduled on Tuesday, July 19, 2011.



Committee Reports Alcohol Beverage and Licensing (ABL)



Draft Changes to Standard Voluntary Agreement

Made this _____ day of _____, 20 ____

by and between

[Name of Establishment]

Street Address, 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 ___ 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 ___ Liquor License at the subject premises; and,

The Parties Agree As Follows:

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

Voluntary Agreement between [Name of Business] and ANC6A

Page 1 of 4



Committee Reports Alcohol Beverage and Licensing (ABL)



Draft Changes to Standard Voluntary Agreement

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 of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
- g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that ID's will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects.
 - v. Request that customers do not contribute to panhandlers.
- h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment,
 - ii. Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
 - iii. Calling the Metropolitan Police Department if illegal activity is observed,
 - iv. Keeping a written record of dates and times (a call log) when the MPD is called for assistance.
 - v. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.

- i. Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. After receiving complaints and/or observing problems with this establishment, ANC Commissioners and/or the ABL Committee chair may ask the D.C. Metropolitan Police Department (MPD) for records and data regarding calls for service or other necessary police presence around this establishment.
 - i. If data from MPD indicates that this establishment has caused or is significantly contributing to additional crime or criminal activities in the neighborhood, including disorderly conduct and/or reoccurring

Voluntary Agreement between [Name of Business] and ANC6A

Page 2 of 4



Committee Reports

Alcohol Beverage and Licensing (ABL)



Draft Changes to Standard Voluntary Agreement

public disturbance, the ANC 6A ABL Committee will hold a public meeting to discuss the problems and ways in which to mitigate them. The Applicant, MPD, and an ABRA representative will be invited and encouraged to participate, as well as concerned residents. MPD will be asked to recommend to the Committee the days of the week and hours when the reimbursable MPD detail should be necessary to maintain peace, order, and quiet at and around this establishment and the costs that would be associated with such reimbursable detail. If the Committee recommends the use of a reimbursable MPD detail at this establishment to mitigate these problems, the recommendation will then be considered by ANC 6A at their next scheduled meeting.

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

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

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

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

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

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

3. Music / Dancing / Entertainment:

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

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

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

1) Applicant shall not offer any type of live or pre-recorded music on the patio.

2) A fence or other barrier will enclose the entire perimeter.

3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.

4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.

5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.

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

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,

Voluntary Agreement between [Name of Business] and ANC6A



Committee Reports Alcohol Beverage and Licensing (ABL)



Draft Changes to Standard Voluntary Agreement

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.

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

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

6. Miscellaneous:

a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.

b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.

b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.

c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: _____ Date: _____

Signature: _____

Advisory Neighborhood Commission 6A Representative:

By: _____ Date: _____

Signature: _____

Voluntary Agreement between [Name of Business] and ANC6A

Page 4 of 4



Committee Reports
Transportation and Public Space (TPS)



NO REPORT



Committee Reports Economic Development and Zoning (EDZ)



REPORT OF THE ECONOMIC DEVELOPMENT AND ZONING COMMITTEE OF ANC 6A June 15, 2011

Present: Chair Drew Ronneberg, Dan Golden, Phil Toomajian, Jeff Fletcher, Cody Rice, Charmaine Josiah, Commissioner David Holmes

Drew Ronneberg chaired the meeting.

Community Comments

None.

Status Reports

Vacant Properties: Phil Toomajian reported 1000 C St NE was included in a list of properties which would be on the July 18 tax sale that is conducted by OTR for properties that have not paid their property taxes in prior years. Several other properties within ANC6A, including a number of H Street properties are also on the current list. <http://newsroom.dc.gov/show.aspx/agency/otr/section/2/release/22060/year/2011>

H Street Business Report: Charmaine Josiah reported that she had attempted to attend the last two H Street Main Street public meetings, but they did not seem to have been held, so she had been unable to do so.

New Business

1. BZA #18253 (213 8th St NE). The owner seeks a special exception to allow a rear addition to a one-family row dwelling under section 223, not meeting the court (section 406) and non-conforming structure (subsection 2001.3) requirements in an R-4 District. (10 minutes)

The Committee & ANC previously supported a HRBP application, but the applicants had been told that they need a special exception here as well. Dru Tallant presented plans for the alternation, which would actually result in a reduction in lot coverage, even though it is increasing the size of the building. The Committee agreed that the proposed changes make it less out of line with the Zoning Code and was not concerned with the slight side court and lot coverage variations. The project has the full support of the nearby neighbors.

Cody Rice moved and Charmaine Josiah seconded a motion to write a letter to BZA in support of the application, which passed unanimously.

2. BZA #18247 (1309-1311 H St NE). The applicant seeks a variance from a) the floor to area ratio (FAR) requirements under subsection 771.2, b) a variance from the rear yard requirements under section 774, c) a variance from the off-street parking requirements under subsection 2101.1, and d) a variance from the loading requirements under subsection 2201.1 to allow the development of a new restaurant in the HS/C-2-A District. (45 minutes)

The building's new owner was present and would like to open a restaurant in these two pieces of the historic Meads Row buildings. The property lacks alley access and the owner would like to expand the 1309 building to include 2 additional floors (it's currently only one story). The applicant reported that he



Committee Reports

Economic Development and Zoning (EDZ)



is working on an agreement with the church at the corner of 13th & H to allow an easement for deliveries and for trash pick up, but that the agreement had not been finalized.

Committee members raised some concerns about the proposed plans. The FAR sought was an issue of discussion, as were the plans for managing services. Committee members were also concerned about the proposed designs, which would dramatically alter the historic facades of the two buildings. The Committee alerted the property owner to the ANC's past advocacy to have the Meads Row properties designated historic. The Committee and the applicant agreed to discuss the matter further to work on design concerns and to finalize plans for service delivery via an easement from the neighboring church. Accordingly, the resolution of the case was deferred until the Committee's next meeting in July, which would allow adequate time for the ANC to weigh in prior to the September 20 BZA hearing date.

3. BZA #18254 (1303 Linden Ct. NE). The owner seeks multiple variances and a special exception to construct a 3-story residence and roof deck in the alley of Linden Ct. The lot is split zoned C-2-A/R4.

The property owner and the architect were present to discuss the proposed conversion of an alley lot holding a one story garage into a residence. Discussion of the application was limited due to time constraints. Also present were the owners of the property immediately behind the lot on G Street. They were concerned about having such a large structure sharing its back wall with their back yard. The Committee received correspondence in support and in opposition to the application from other nearby neighbors. After brief discussion of the plans and concerns of the neighbors, the Committee postponed action until its next meeting as the June meeting needed to adjourn with the closing of the building.

Next Scheduled ED&Z Committee Meeting:
Wednesday, July 20, 2011
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor



New Business



REDISTRICTING:

Kingman Park (KP) is physically adjacent to ANC 6A. Its citizens share our problems and possibilities. They were part of ANC 6A before the last census.

They are now and will remain part of Ward 7, but there's a community of interest and opportunity that we share with Kingman Park. Like us, they will have to deal with the upcoming development of Benning Road. The streetcars will pull new apartment/condo buildings and new businesses east towards the River. We need jointly to keep this growth livable rather than massive. It makes sense to join our four blocks of Benning Road, close to Hechinger Plaza, to KPs 6 residential blocks out to the RFK parking lot.

We sought to keep Rosedale in Ward 6, while Kingman Park fought to rejoin us. I, and Tommy Wells, said that we would welcome KP back. I believe we belong together, across Ward boundaries. There is good precedent for mixed Ward ANCs including ANC3/4G and ANC 6D which includes parts of Ward 2. The redistricting committee has received a petition from KP residents that they be allowed to join with ANC 6A.

This joint ANC would allow Kingman Park a voice with two Councilmembers, and the rest of us a chance to ride into the sympathies and concerns of Councilmember Alexander as she tries to help the part of her Ward that is west of the River.

Please join me in asking that 7B01 (Kingman Park) become partners with ANC 6A in the ANC redistricting process. It should be called ANC 6/7A.

I move that Kingman Park (7B01) join with ANC 6A as a cross-Ward ANC.

SKATE PARK:

I move that ANC 6A support the construction of a skateboard park in Parking Lot 3 of RFK Stadium.

This project will offer significant recreation possibilities to our children and young adults. It is close to Eliot-Hine and Eastern. There are no nearby residences to be affected by noise. The construction will be funded by a private business and will become a public park.

We encourage very tight security in lighting, TV security cameras, and the presence of safety personnel. We also ask that toilet facilities be available, since there are no public facilities within blocks.

David Holmes



H ST FUNDING:

I move that the ANC provide an additional \$4,000 for outreach, education and the preparation of documents that could lead to the nomination of H Street NE as a commercial historic district (CHD).

The intention is that this would be a stand-alone commercial HD, not annexed to the current Capitol Hill Historic District. It seems more likely to be approved if H Street is in control of its own HD.

H Street has a distinct pattern of development, dominated, first, by transportation and, second, by being a primary shopping destination for the District of Columbia. It is rich in history related to the many iterations of rail development, different versions of streetcars, and as the direct access route to Bladensburg Road, continuing north to Baltimore, and to Benning's toll road, ferry and bridge east to the shire town of Upper Marlboro. H Street was very important to the African-American population of the District in the early and middle part of the 20th Century. Its shops were available to all during the time of segregation, so for decades H Street was the most important shopping district in the city. Its moribund state for so many years in the late 20th century, and its current rise and rebirth from the burn-out of the 1968 riot gives it a compelling story.

It is clear that a significant part of the success of the east end of H Street has been the funky, historic look and feel of the buildings. It has its own distinctive charm. The most successful business corridors in the District are in the clusters of old commercial buildings found in Barracks Row, Georgetown, Adams Morgan, and now U/14th Street. It is good business sense for the currently operating business owners to preserve and enhance that aspect of H Street. If we want thriving business, if we want to attract new business, we need to avoid looking like suburban Prince Georges County; we need to know our history and build on it.:

Before a commercial historic district can be formed, there must be an informational and educational outreach to the businesses on H Street, explaining the financial and business reasons for the formation of a commercial historic district. The tax advantages for rehabilitation of contributing buildings in a historic district are substantial and need to be discussed. The increased possibility of grants from HUD and EDA may help our merchants and owners as well. The reasons for branding the look, feel and character of the historic buildings for the current and future business success of H Street will be presented.

The survey of all H Street structures and their history (built, modified, change of use) has already been completed by Tracerics, a DC firm specializing in surveys of historic properties. A summary of this survey was presented to a crowd at the Atlas Theater in November of 2009. It should be understood that a nomination will require a buy-in from the merchants and owners of H Street. It will also require positive support from the ANC.

Donna Hanousek, who has helped us so much in the past, is working with Tracerics to develop a scope of



New Business



work to include writing the nomination, assistance with community outreach, and shepherding the nomination through the nomination process. A reasonable estimate of the cost would be \$10,000. I've requested that CHRS cover half of that cost with the rest to be raised from grants, contributions and ANC funds. The ANC has already allocated \$1,000 to fund outreach for a H Street Commercial Historic District. We did this while Kelvin was Chair. So, I ask that we will allocate \$4,000 more. If a large enough grant is obtained to cover the cost of the Traceries contract, then the CHRS/ANC funds will not be needed.

I think this is important to protect our H Street businesses. What we absolutely don't want is a transplant of the look of US 1 north of the beltway or Alt. US 1 outside the District. We have the historic style, character, and look to make this a successful shopping/dining area. Let's preserve it. Remember, developers wanted to tear down the French Quarter in New Orleans. Now it's the main reason people visit the city. It makes good financial sense.

David Holmes



**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

_____	:	
In the Matter of:	:	
BEG Investment, LLC	:	
t/a Twelve Restaurant & Lounge	:	
	:	
Application to Renew a	:	Case Number: 10-PRO-00138
Retailer's Class CT License	:	License Number: 076366
	:	Order Number: 2011-289
	:	
At Premises	:	
1123-1125 H Street, N.E.	:	
Washington, D.C. 20002	:	
_____	:	

MOTION FOR RECONSIDERATION

Pursuant to 23 DCMR §1719.1 COMES NOW the Licensee, by AND through Counsel, Makan Shirafkan, and respectfully asks the Alcoholic Beverage Control Board to reconsider its June 22, 2011 order's contingencies on granting Licensee's renewal of license. It is our position that the contingencies set forth in June 22nd order are vague, when interpreted in plain meaning could cause extreme hardship on the licensee, and therefore need clarification and/or modification. It is our prayer that this board finds our reasoning as good cause to stay its order and reissue its order more specifically. Set forth herein are the relevant facts and our reasoning.

RELEVANT FACTS

1. BEG Investment, filed an Application to renew its Retailer's Class CT License (Application) at premises 1123-1125 H Street, N.E., Washington, D.C.
2. This Application was protested by ANC 6A on October 19, 2010.
3. A Protest Hearing was held on March 16, 2011.



New Business



4. The Licensee was monitored by ABRA investigator from January 5, 2011 to January 26, 2011. ABRA investigator did not observe loitering, excessive noise, criminal activity, excessive trash, or any violations of the alcoholic beverage control laws while monitoring the establishment.
5. The Metropolitan Police Department (MPD) has received numerous calls for service at the establishment's address, but only three being directly related to activities at the establishment. In its June 22nd order the Board noted that MPD has increased patrols near the establishment because many of the people that leave the AREA are "intoxicated and ... become the targets of crime".
6. The establishment was part of a group between 1100 block and 1600 of H Street N.E who jointly funded hiring of MPD Reimbursable Detail from 11:00 p.m. until 4:00 a.m. However, the MPD Detail for the neighborhood was terminated after OTHER establishments found the program too costly.
7. On June 22, 2011 the Board ordered that the Application for Renewal of Licensee's Class CT License filed by BEG Investments, be Granted subject to the following contingencies:
 - a. The Applicant and its third-party promoters shall not use flyers to promote event at the establishment.
 - b. The Applicant shall hire the MPD Reimbursable Detail WHENEVER the establishment provides ANY entertainment permitted by the establishment's entertainment endorsement; and
 - c. (Intentionally omitted as not being relevant to this motion)
8. The Licensee received the June 22nd order via mail on June 27, 2011.



REQUEST FOR RECONSIDERATION AND/OR CLARIFICATION

The first contingency that the board has set in its order states *“The Applicant and its third-party promoters shall not use flyers to promote event at the establishment.”* We are unclear as to the application and scope of this contingency. Does this mean that the Licensee cannot use flyers for any of its events? Does this mean that a promoter across town and outside H street area cannot pass flyers promoting an event at the Licensee’s establishment?

If so, how can the licensee promote its event besides unaffordable radio adds? As the Board is aware, flyers, e-vites, and other print channels of promotion are the number one source of promotion for many establishments. Print marketing is used for many businesses as the primary source of marketing due to its low cost and mobility. Many businesses advertise on the local paper and ask the reader to tear the coupon and present it at the store. Some send out flyers or promotional material to addresses provided by marketing firms. Some use what is known as “Gorilla Marketing”, which is personally handing flyers or coupons to the potential end users. Therefore, to prohibit any business from ever being able to use print promotional material is a recipe for downfall of that business.

It is our understanding that the Board issued this contingency with intentions to remedy conditions such as Amy Dunn’s testimony that *“the establishment’s promotional flyers are creating large amounts of litter”*. However, when you review the transcript more carefully you will notice that Ms. Dunn stated *“there’s a lot of litter coming from ALL the businesses on H Street really. But, the litter that can be specifically associated with Twelve is little postcards that they put on all the window shield of all the cars and you find it all over the streets and in tree boxes for advertising specific shows at Twelve AND OTHER CLUBS that promoters put out on the weekend nights.”*



New Business



As the board is also aware, one of the hardest tasks is convincing customers to attend an establishment. Once a customer is in one's establishment, the business should take every effort to have these customers return. Most bars and clubs survive on repeat customers for it is 10 times harder to attract new customers. Therefore, establishments always make every attempt to inform their attendees on future events.

In order to comply with the neighborhood's concern and ensure that this Licensee can survive, we propose the following wording to be replaced with the Boards' June 22nd order. "The Applicant and its third-party promoters shall not pass out flyers in the H street quarter and neighborhood. It shall not leave any flyers on any cars in the H street quarter and neighborhood. It shall not place any flyers in any tree boxes in the H street quarter and neighborhood. It can however, pass flyer to its attendees on premises, but shall make reasonable effort to ensure that such flyers are not left on sidewalks, tree boxes, and or other visible areas of the H street quarter and neighborhood."

This wording would allow the Licensee to promote its business via use of flyers on college campus and/or some remote location that is not within the scope of H street neighborhood. This would also allow the licensee to educate its attendees who he has worked so hard to attract to return. At the same juncture, this wording would prevent the Licensee or it's promoters to leave flyers on any cars, doors, or tree boxes. It would also require the Licensee to make reasonable efforts to clean the surrounding area and ensure that the attendees are not littering by throwing these flyers in the neighborhood.

The second contingency that the board has set in its order states that "*The Applicant shall hire the MPD Reimbursable Detail WHENEVER the establishment provides ANY entertainment permitted by the establishment's entertainment endorsement.*" We are also unclear as to the



New Business



application and scope of this contingency. Does this mean that anytime that the licensee opens its doors it must hire MPD officers? DJ, Live bands, and Dancing are examples of Entertainment endorsement as defined by Title 25 of the DC Code. Does this contingency require the Licensee to hire MPD officers for its comedy nights, where the event is a standup comedy and there are usually less than 30 attendees?

As the Board is aware, MPD charges the Licensees \$55 per hour for each officer that is hired as overtime detail. There is also an MPD policy that does not allow any single officer to work the overtime shift. Therefore, any licensee who wishes to hire MPD overtime officer is required to hire at least two officers at the cost of \$110 per hour. Therefore to hire two MPD officers from 11:00pm- 4:00am could cost \$550 dollars. To require this Licensee to spend \$550 dollars on any night that it opens its doors would yet be another guarantee for closure of this business. This Licensee has comedy nights on Mondays with attendees of close to 30 per night. The gross revenue on such a night is less than \$500 dollars. (This is the Gross not Net) On Tuesdays the Licensee hosts an "Open mic" event, which invites local poets and lyric writers to perform and read. This night usually has attendees of less than 40.

There is also the scheduling issue to be considered. MPD requires one month in advance scheduling. How can the Licensee reasonably know what event they will have scheduled a month in advance? Most small businesses such as the Licensee survive week by week and look for the opportunity to make ends meet. They are not in a position to execute contracts and reserve shows well in advance.

As the Board is also aware and stated in its finding, the rest of the businesses in H street quarter have terminated in fee sharing of overtime officers because of the cost. It is also true that if the MPD is present on H Street and an incident outside the Licensee's premise takes place,



New Business



MPD is required to respond to other venues as well. In other words, this Licensee is being forced to provide MPD detail for the entire neighborhood at its own cost.

It is our understanding that the Board issued this contingency with intentions to remedy the concern as to number of violent incidents that have occurred. In order to comply with the neighborhood's concern and ensure that this Licensee can survive, we propose the following wording to be replaced with the Boards' June 22nd order.

"For Six months starting entry of this order, The Applicant shall hire the MPD Reimbursable Detail whenever the establishment provides Live bands or DJs whereby expectancy of attendees is more than 200; In addition the Licensee shall hire MPD Detail on every Saturday night that the Licensee is open for business. The Applicant shall make reasonable effort to confirm such scheduling with MPD. The Board will revisit this requirement after 6 months."

The history of incidents shows that most incidents at this establishment were on Saturday nights. This solution would ensure that the neighborhood is protected by presence of MPD when necessary and allows the Licensee to keep his business. This also gives the board a chance to review this issue in 6 months and make a determination as to whether such requirement is still necessary.

WHEREFORE, this Licensee, BEG Investment LLC, having fully explained its reasoning for its request prays that this Board would reconsider its June 22nd 2011 order and issue a modified order. We are also willing to appear before this board to clarify any concern.

Respectfully Submitted,

LAW OFFICE OF SHIRAFKAN
By: Makan Shirafkan
Makan Shirafkan, # DCB989555

Law office of Shirafkan
8300 Greensboro Drive Suite 800
McLean VA 22102
(703) 828-4LAW(4529)
Attorney for Licensee



New Business



- (2) For Six months starting entry of this order, The Applicant shall hire the MPD Reimbursable Detail whenever the establishment provides Live bands or DJs whereby expectancy of attendees is more than 200; In addition the Licensee shall hire MPD Detail on every Saturday night that the Licensee is open for business. The Applicant shall make reasonable effort to confirm such scheduling with MPD. The Board will revisit this requirement after 6 months.
- (3) Copies of this Order shall be delivered to the Applicant and the Protestants.

District of Columbia
Alcoholic Beverage Control Board

Nick Alberti, Interim Chairperson

Donald Brooks, Member

Herman Jones, Member

Calvin Nophlin, Member

Mike Silverstein, Member



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing motion was sent via Certified mail
this 5th day of July 2011, to:

Martha Jenkins (General Counsel)

Nick Alberti, Interim Chairperson

Donald Brooks, Member

Herman Jones, Member

Calvin Nophlin, Member

Mike Silverstein, Member

Alcoholic Beverage Regulation Administration
Reeves Center
2000 14th Street N.W.
400S
Washington, D.C. 20009

Makan Shirafkan



1 really. But, the litter that can be
2 specifically associated with Twelve is little
3 postcards that they put on all the window
4 shields of all the cars and you find it all
5 over the streets and in tree boxes for
6 advertising specific shows at Twelve and other
7 clubs that promoters put out on the weekend
8 nights.

9 So, I'm going to end my testimony
10 there because I'm sure you'll have other
11 testimony about the noise and litter.

12 MS. BEATTY: Thank you.

13 CHAIR BRODSKY: Mr. Gibson, any
14 questions?

15 MR. GIBSON: Yes.

16 CROSS EXAMINATION

17 MR. GIBSON: Can you tell me
18 exactly where you live on 12th Street?

19 MS. DUNN: Um-hum. I live at 1213
20 12th Street. I live -- the corner of Linden
21 and 12th. Just like half a block down from
22 you all. I live not on the corner, but right



New Business



Page 114

1 Street, Mr. Johnson and his family, found a
2 gun in their front yard while living in the
3 home with a toddler.

4 I have two children myself and
5 expecting a third. These concerns are very
6 concerning to me.

7 And then with the noise
8 disturbance, we still continue to hear the
9 baseline and the vibrations in the house at
10 late hours in the morning, 2:00/3:00 in the
11 morning and then sometimes, we also notice
12 noise on Monday -- Monday and Tuesday nights
13 when they would have special events on those
14 nights. Like they used to have a coffee night
15 on Monday. I'm not exactly sure. I don't
16 attend events there because I have two small
17 children.

18 Anyway, the other thing I'd like
19 to mention is that there's -- and I actually
20 had samples, but they left them in my car.

21 But, there's a lot -- there's a lot of litter
22 coming from all the businesses on H Street

Neal R. Gross & Co., Inc.
202-234-4433