



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 8, 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)
- Community Presentations:**
- 7:10 DC Council Chair Kwame Brown - remarks, followed by brief Q & A
- 7:50 Ward 6 Redistricting Committee
- 8:20 **Officer Reports:**
Chair (2 minutes)
Vice-Chair (2 minutes)
Secretary (2 minutes)
Treasurer (2 minutes) *pg. 28*
 1. Treasurer's Report
- 8:30 **Single Member District reports** (2 minutes each)
- Standing Committee Reports:**
- 8:45 **Community Outreach** *pg. 29*
 1. Approve committee report
 2. **Recommendation:** ANC approve full funding (\$1,500) of the grant application from Sherwood Neighborhood Volunteers
 3. Next meeting - 7:30pm, Sept. 19, 2011 (3rd Monday)
- 8:50 **Alcohol Beverage Licensing** *pg. 35*
 1. **Recommendation:** ANC protest an alcohol license for 1242 H St. NE unless there is a signed, approved voluntary agreement before the protest date.
 2. Next meeting - 7pm, Sept. 20, 2011 (3rd Tuesday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 8, 2011**



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

8:55 Transportation and Public Space Committee pg. 40

1. Approve committee report
2. **Recommendation:** ANC 6A send a letter of support for CM Tommy Wells' position that the 14th and H Sts. bus stop be relocated back to the NW corner
3. Next meeting - 7pm, Sept. 19, 2011 (3rd Monday)

9:00 Economic Development and Zoning pg. 54

1. Approve committee report
2. **Recommendation:** ANC 6A write a letter to the BZA supporting the special exception in BZA #18266 (1317 D St NE)
3. **Recommendation:** ANC 6A write a letter to the BZA supporting the requested zoning relief for BZA #18247 (1309-1311 H St NE)
4. **Recommendation:** ANC 6A write a letter to the BZA opposing the requested zoning relief for BZA #18254 (1303 Linden Ct NE)
5. **Recommendation:** ANC 6A write a letter to the Zoning Commission supporting the request to exclude the NW corner of 14th and Maryland from the proposed C-3-A to C-2-A downzoning in the ZC Case #10-19
6. **Nomination of New Members:** Laura Gentile (6A06) and Melissa Boyette (6A05)
7. **Removal of Existing Member:** Arkan Haile (6A02)
8. Next meeting - 7pm, Sept. 21, 2011 (3rd Wednesday)

9:05 Unfinished Business

9:10 New Business

1. Discussion of how the ANC should approach/handle medical marijuana applications (Healy)

9:15 Community Comments Round II, time permitting (2 minutes each)

9:20 Adjourn



Advisory Neighborhood Commission 6A Meeting Minutes for July 14, 2011



Advisory Neighborhood Commission 6A Minutes Miner Elementary School July 14, 2011

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

The meeting was convened at 7 pm

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 Presentation: George Nichols, DC Sustainable Energy Utility (DC SEU)

George Nichols presented information on the DC Sustainable Energy Utility (DC SEU), which provides low-cost energy retrofits for income-qualified multifamily buildings throughout the District. The program, using trained contractors, installs energy-efficient equipment such as efficient lighting, water heater wraps, low flow showerheads and aerated faucets. The program creates benchmarks for energy efficiency and creates green jobs. The goal is to have the work done by CBE, and have the jobs created locally. The program began in March 2011 and will run until September 30.

They also have a commercial program, and a single family program that provides \$500-700 worth of work for a \$100 co-pay. The program is designed to test-market new products and to see what works. The funding for the program is being provided by PEPCO and Washington Gas; it's a set aside of the Sustainable Energy Trust Fund and the money comes from utility bills. The goal of the program is to develop programs to lower energy levels. This program is the result of legislation passed by the DC Council in 2008.

4. Officer Reports

Chair

The Chair reported that on August 20 DCPS would be holding its School Beautification Day, and said that the public was being urged to participate in making the schools ready for students to return. He also said that on July 21 ANCs 6A and 6C were holding a Smart Meter Education Workshop. He also noted that new bike stations were being added in Lincoln Park and Stanton Park.

Vice Chair

The Vice Chair reported that there is illegal construction going on at 1216-1218 H St. NE. The building specs do not follow the H St. Overlay, and DCRA has been unable to find the plans. The situation is being pursued.



Advisory Neighborhood Commission 6A Meeting Minutes for July 14, 2011



Treasurer

Mr. Alberti presented the Treasurer's Report. It showed that the opening balance in the checking account was \$26,522.79 and the savings account balance was \$4,204.88. There was an interest payment to the savings account of \$.18. There were disbursements of \$4,000 to the Washington Musial Center for a grant to the Eastern High School PTSA (check #1516); \$1,000 for a grant for the Friends of Sherwood Rec Garden to the Capitol Hill Garden Club (Check #1517); \$200 to Heather Schoell for the June agenda package (Check #1518); and \$180 to Roberta Weiner for May 2011 minutes (Check #1519, \$204.42 to FedEx Office for June 2011 copying (Check #1520), leaving a balance of \$20,938.37 in the checking account, and \$4,204.88 in the savings account.

Motion: Mr. Alberti moved/Ms. Lawler 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.

Quarterly Report

Mr. Alberti presented the Quarterly Report for the 3th Quarter FY11. **Motion:** Mr. Alberti moved/Mr. Hysell seconded a motion to accept the Quarterly Report as presented. The motion passed without objection.

5. SMD Reports

Dr. Ronneberg reported that Khan's patio is opened, at 12th and H St. He also said that despite the lack of official permission, a spontaneous Father's Day party was held on 10th St. NE. He further reported that XII asked the BZA to reconsider their recent order mandating that XII not distribute promotional flyers and fund a reimbursable detail when it was providing entertainment.

Mr. Alberti reported that 1518 Constitution Ave. was put on a blighted property list last winter, and the neighbors are suspicious at what is happening to it. There is now an 8' sq. hole in the roof, standing water and other damage that makes it a danger to the community.

Ms. Lawler announced "office hours" on July 29 at 7:30 am at Sova H St. NE between 13th and 14th Sts. NE.

6. Committee Reports

Community Outreach

Chair Elizabeth Nelson said that it was important to thank the many individuals and institutions who provide services to the ANC. **Motion:** Mr. Hysell moved/Mr. Alberti seconded a motion to send letters of appreciation to those who have generously given assistance to ANC 6A in the course of the year. The motion passed unanimously.



Advisory Neighborhood Commission 6A Meeting Minutes for July 14, 2011



Alcoholic Beverage Licensing

1200 H St.

This is a request for support of a wine and cheese bar, as yet unnamed, at 1200 H St. NE, with outdoor hookah availability. The owner is the same as Souk. They will soon apply for a CT license. They will seek a public space permit for an outdoor café. They are willing to sign a VA, but have not done so yet. **Motion:** The committee moved/Mr. Healy second a motion that the ANC accept the committee's recommendation and protest the license for 1200 H St. 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 11 pm Sunday through Thursday evenings and 12 am on Friday and Saturday evenings. The motion passed 6-0-1 with Mr. Alberti not voting.

New York Liquor, 1447 Maryland Ave. NE

New York Liquor, 1447 Maryland Ave. NE has requested an exception to the single sales ban. **Motion:** The Committee/seconded by Mr. Healy moves that the full ANC not support an exemption from the Ward 6 singles sales ban for New York Liquor. Dr. Ronneberg said he strongly believes there should be no exemptions to the ban. Mr. Holmes asked if the exemption was just for establishments in 6A and Mr. Healy said he wasn't certain whether the exemption was only for a year. The resolution passed 6-0-1, with Mr. Alberti not voting.

Outdoor Space Hours

Motion: The Committee made/Mr. Healy seconded a motion to request the full ANC to amend the standard voluntary agreement to restrict hours of businesses for outdoor patios on public space to 11 pm for Sunday through Thursday evenings and until 12 am on Friday and Saturday evenings.

Kevin Bombardier of Sticky Rice Restaurant asked why the ban on exemptions was put in place, and asked whether there was record of complaints from residents the Commission was reacting to. Mr. Healy replied that there have been a number of noise complaints, that people have their windows open as well as people with private patios are having problems. Commissioners Hysell and Ronneberg had complaints. He said that they're taking a hard line, but every case is different and there's room to negotiate. He also said that another point is that there is a difference between public space and private space, and there's very little that can be done about private space. It was suggested that the discussion of the restriction be put off until another meeting, after a scheduled PSA meeting on noise, which came out of the ABL committee meeting. Dr. Ronneberg said there is no linkage between the ANC and the PSA meeting.

Mr. Hysell said that lately there has been a lot of difficulty getting ABRA to enforce its regulations, and the VA will provide a template for them. Ms. Mack said she likes the uniformity of having the same regulation apply to everyone. Anwar Saleem of H St. Main St. said that he is concerned about it being blanket and uniform. He said that H St. is a very creative quarter, and the change in the VA will stifle that creativity. He said it should be put off and discussed in the context of the PSA forum. Mr. Hysell said that the forum is not geared to patios, but to noise and the noise law. He said there had been a pretty extensive and robust discussion at the ABL committee last month. Mr. Holmes said he was eager to hear from the H St. restaurateurs how to improve the resolution, David Belcher from Sticky Rice said that it was not a good idea to make it a blanket statement, particularly in a three-



Advisory Neighborhood Commission 6A Meeting Minutes for July 14, 2011



year liquor license. It could be a problem, he said. The motion passed 6-0-1, with Mr. Alberti not voting.

Dangerously Delicious Pies, 1339 H St. NE

This is a request for support of a CR license for Dangerously Delicious Pies, 1339 H St. NE, which is seeking to expand its seating by 99 seats on the 2nd floor, including a summer garden permit off the 2nd floor, with live entertainment. **Motion:** The Committee moved/Mr. Healy seconded a motion to accept the Committee's recommendation to protest the CR license application for Dangerously Delicious Pies unless a voluntary agreement is approved and signed before the protest date. The motion passed 6-0-1, with Mr. Alberti not voting.

Economic Development and Zoning

Special Exception for 213 8th St. NE

This was a request for support of a special exception in a BZA case. Dr. Ronneberg said that the item was moot, that the committees had approved, but that the BZA met before the Commission had the opportunity to act, and a letter was sent conveying the spirit of the Committee's decision. Mr. Alberti said that the ANC could have protested but wasn't allowed the time, and is concerned that BZA didn't provide 45 days' notice as is required. Because of the special circumstances, the 45 days should be required, and the ANC is giving mixed signals to BZA which will come back to haunt the ANC. In 2004 and 2005, he said, the ANC worked diligently for notice and now we're not getting it. Dr. Ronneberg said that the item was on the consent calendar, which was intended to fast-track special exception cases when there were no objections. If there were any objections, it would be removed from the consent calendar and the ANC would have its 45 days to respond. He felt that cases shouldn't be unnecessarily delayed. **Motion:** Mr. Alberti moved/Ms. Mack seconded a motion to write to BZA expressing concern about the lack of timely notification, and requesting that it be given in the future. The motion passed 6-1, with Dr. Ronneberg in opposition.

7. New Business

Redistricting Representation

Mr. Holmes said that a commissioner or more should be designated to represent the ANC before the Redistricting Task Force. Dr. Ronneberg said every commissioner is authorized to show up and speak. Mr. Alberti said that this will insure that at least one commissioner will be present at every meeting. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion that Commissioner Holmes and any other Commissioner/s be appointed to represent ANC 6A before the Redistricting Task Force.

Invitation to Kingman Park to Organize as Part of Ward 6

Motion: Mr. Holmes moved/Ms. Mack seconded a motion to invite Kingman Park (7D 01) to join a Ward 6 ANC in redistricting.

Ms. Nelson said that it would be excellent to have Kingman Park in Ward 6, but it would be a mistake to say they're going to be in 6A, and she suggested that the motion say Ward 6, and that it refer to "the neighborhood known as" Kingman Park. Mr. Healy suggested further that it be referred to the current 7D01. Mr. Alberti asked who gets precedent in terms of inviting Kingman Park to join the Ward. He said he would abstain because he hasn't had the chance to figure all that out. The motion passed 6-0-1, with Mr. Alberti not voting.



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Skateboard Park

Mr. Holmes said that he and Ms. Mack had gone to a meeting about the development of a skateboard park in parking lot 3 at RFK Stadium, and that everyone is enthusiastic about it. He said the 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, and 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, Ms. Veenendaal-Selck said she wants to be involved in it. **Motion:** Mr. Holmes moved/Ms. Mack seconded a motion to write a letter of support for the skateboard park. The motion passed without objection.

H St. Commercial Historic District Funding Allocation

Motion: Mr. Holmes moved/Dr. Ronneberg seconded a motion that the ANC provide an additional \$4000 for outreach, education and the preparation of documents that could lead to the nomination of H St. NE as a commercial historic district.

Mr. Holmes said that H St. is not part of the proposed Capitol Hill Historic District. He feels that H St. is rapidly losing historic buildings—and its branding, like Georgetown and U Street. It makes eminent business sense, but it only can happen if H St. owners agree to it—and that's agreeing to outreach and education, not a historic designation. Ms. Lawler said that it's necessary to get the documentation, and have a history of H Street. She mentioned that the trains ran down K Street, and the Waterworks and Mead's Row. She said it's largely one but has to conform to the legal procedures and has to be done by experts. The total cost will be \$10,000, but grants may be available The ANC can't do it alone, but it can start with a \$4000 allocation. The motion passed without objection.

1216-1218 H St. NE

Dr. Ronneberg raised the issue of illegal construction at 1216-1218 H St. NE. The construction is of a building that is taller than those surrounding it. He said the plans cannot be located, that plans had been found that were not the same, and they disappeared again at DCRA. **Motion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion to appeal the building permits for 1216-1218 H St. NE because they do not comply with the zoning regulations, including the H St. Overlay. The motion passed without objection.

ABRA Protests

Mr. Holmes said that the ANC should appoint Mr. Healy as its agent to deal with any liquor license protests that may emerge during July and August when the commission is not meeting. Mr. Alberti said it would be good to give someone authority to protest licenses on their merits. Mr. Healy said that in the past, ABL changes were signed by the Committee chair. Mr. Holmes said similar motions have been adopted many times in the past, and they have had no practical effect but are needed. **Motion:** Mr. Holmes moved/Mr. Healy seconded a motion to appoint Mr. Healy an agent for the ANC in matters regarding liquor licenses. The motion passed without objection.



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Street Sweeping Petition

Motion: Mr. Holmes moved/Mr. Healy seconded a motion to enable the ANC to transmit a petition from the residents of the 900 block of 12th St. NE regarding street sweeping. The motion passed without objection.

XII

The ABC Board has issued a decision in the matter of XII which prohibits the club from circulating flyers and leaflets about their shows, and which requires that XII hire reimbursable detail off duty police officers. XII is protesting the decision and Mr. Healy has drafted a letter responding to XII's protest. Mr. Healy presented the letter, which says that not only should XII be prohibited from distributing flyers but so should third-party promoters, within a five mile radius of the club. Additionally, it states that the club should have a reimbursable detail every Thursday, Friday and Saturday, and any other evening there is an event at which 50 or more people will be present. The letter states that XII may have already violated their agreement by having entertainment at the establishment without hiring a reimbursable detail.

XII's attorney said they are making a reasonable effort, but they need clear and precise standards, and that ABRA has shifted to the establishment whether it has a reimbursable detail. Mr. Healy said that the Board order reflects the testimony of the police at the hearing.

Mr. Sadat wanted to know what the issue is with passing out flyers, and he was told that it is litter in the neighborhood. The vote was 5-1-1, with Mack in opposition and Alberti not voting.

Tommy Wells Letter

Mr. Holmes said that with Councilmember Wells' loss of the chairmanship of the Transportation and Public Works Committee, Ward 6 has lost a great deal. **Motion:** Mr. Holmes moved/Mr. Healy seconded a motion to send a letter to the Chair of the City Council and its members to reconsider its action in removing Councilmember Wells and to reinstate him immediately. Mr. Hysell said it's never happened before, it's without precedent and he is the most competent person to run the committee. Ms. Mack said she was not voting because she did not know all the facts. The motion passed 6-0-1 with Ms. Mack abstaining.

The meeting was adjourned at 9:05.



Commission Letters of June 9, 2011 Meeting



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



July 15, 2011

Nick Alberti, Interim Chair
Alcoholic Beverage Control Board
2000 14th Street NW, 400S
Washington, DC 20009

Dear Sir:

Please be advised that at the July 14, 2011 meeting of ANC 6A, with a quorum present (five are required for a quorum) at its regularly scheduled and properly noticed meeting, the Commission voted 6-0 (with Commissioner Alberti not present) in opposition to an exemption from the Ward 6 ban on single sales for New York Liquor (1447 New York Avenue, NE).

The Board should be aware that Commissioner Alberti was not:

- 1/. present during the discussion of this case as is his consistent practice;
- 2/. present during the vote as is his consistent practice;
- 3/. nor was he copied on any email exchanges or correspondence related to this case.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcoholic Beverage Licensing Committee, at healyanc6a01@gmail.com or 202.556.0215. Please be advised that Commissioners Adam Healy, David Holmes, and Andrew Hysell are authorized to represent the ANC regarding this matter.

We thank you for your careful consideration, and for giving ANC 6A's position great weight.

On behalf of the Commission,

David Holmes
Chair



Commission Letters of June 9, 2011 Meeting



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Box 75115
Washington, DC 20013



July 15, 2011

Nick Alberti, Interim Chair
Alcoholic Beverage Control Board
2000 14th Street NW, 400S
Washington, DC 20009

Dear Sir:

Please be advised that at the July 14, 2011 meeting of ANC 6A, with a quorum present at its regularly scheduled and properly noticed meeting, the Commission voted (5-1 with Commissioner Alberti not present) to send this response to a motion for reconsideration in the matter of the ABC Board protest order for the CT license renewal of Twelve (License #76366; case number 10-PRO-00138; order number 2011-289), located at 1123-1125 H Street, NE. The Board should understand that Commissioner Alberti was not:

- 1/. present during the discussion of this case as is his consistent practice;
- 2/. present during the vote as is his consistent practice;
- 3/. nor was he copied on any email exchanges or correspondence related to this case.

We agree the Board's order 2011-289 needs to be clarified so that the establishment, ANC, community, and ABRA staff have a clear understanding of what is and is not permitted. It is our hope this clarification will make enforcement of this order easier for all interested parties.

The Board's order is clear that the establishment and its third-party promoters are prohibited from distributing flyers or having them available within the establishment, and the Board should not modify this condition. However, if the Board decides to reconsider this provision, it would be reasonable to explicitly prohibit the establishment or any of its third-party promoters from distributing flyers promoting the establishment or any of its events or specials within a five mile radius of the establishment. Further, the establishment and promoters should be explicitly prohibited from distributing or making available flyers within the establishment.

We agree the Board's second condition related to MPD reimbursable details needs to be clarified. ANC6A strongly rejects the establishment's request to have this provision in force for only six months. All conditions placed on this establishment need to be permanent for the entire license period. Further, we are concerned that the conditions the Board placed on this establishment may have already been violated. In a July 13, 2011 email to Commissioners Healy and Ronneberg, MPD First Police District Lt. Micciche, indicated that Twelve has not employed a reimbursable detail in 2011. A July 13, 2011 email to Healy and Ronneberg from ABRA General Counsel Martha Jenkins indicated that ABRA Investigator Lawson observed entertainment taking place at the establishment. We strongly encourage the Board to gather all the facts, including the investigative history of this establishment since the Board's order dated June 22, 2011. If this establishment has already violated the terms and conditions of this order, the Board should



Commission Letters of June 9, 2011 Meeting



carefully consider whether or not this establishment will comply with the Board's order in the future.

The establishment should be required to hire a MPD reimbursable detail from 10:00 p.m. until closing on every Thursday, Friday, and Saturday that they are open for business. Additionally, the Board should require a MPD reimbursable detail any other day or hours of operation in which the establishment can reasonably assume there will be 50 or more patrons on the premises.

The MPD reimbursable detail conditions will help ensure that the establishment's patrons and the surrounding community are safe.

It appears the establishment has recently conducted preparatory construction of its rooftop. We respectfully ask the Board to restrict the hours of operation of the establishment's rooftop space. We are concerned, given the establishment's record of failing to work with the ANC and to follow provisions in its voluntary agreements, that noise from the rooftop will adversely impact the peace, order, and quiet of the neighborhood. ANC 6A finds it reasonable to require the establishment to close its rooftop at 11:00 p.m. on Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcoholic Beverage Licensing Committee, at healyanc6a01@gmail.com or 202.556.0215. Please be advised that Commissioners Adam Healy, David Holmes, and Drew Ronneberg, as well as former Commissioner Mary Beatty, are authorized to represent the ANC regarding this matter.

We thank you for your careful consideration, and for giving ANC6A's position "great weight".

On behalf of the Commission,

David Holmes
Chair



Commission Letters of June 9, 2011 Meeting



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STICKY RICE

PAGE 01/04

Made this ___ day of August, 2011

by and between

Dangerously Delicious DC

1339 H St, NE

Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

1. **Public Space Cleanliness and Maintenance.** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
 - b. Maintaining regular trash garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster area remain clean.
 - c. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed.
 - d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the



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STICKY RICE

PAGE 02/04

Department of Public Works.

- c. 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 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



Commission Letters of June 9, 2011 Meeting



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: Joey Belder Date: 8/2/11

Signature: [Signature]

Advisory Neighborhood Commission 6A Representative:

By: _____ Date: _____

Signature: _____



Commission Letters of June 9, 2011 Meeting



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



July 15, 2011

To all Councilmembers and the Council Chair:

Advisory Neighborhood Commission 6A (by a vote of 6 – 1 with Commissioner Mack dissenting) protests the abrupt and misguided actions taken on July 12, 2011 to strip Councilmember Tommy Wells of his chairmanship of the Committee on Public Works and Transportation and to remove him from his position on the Washington Metropolitan Area Transit Authority (WMATA) board.

Ward 6 has counted itself fortunate in being represented by Mr. Wells, an experienced public servant who personifies professional stewardship, ethical behavior, and an unswerving commitment to good government.

We urge all Councilmembers who took action against Mr. Wells at the July 12, 2011 Council meeting to reconsider and reject this wrong-headed action. We urge the immediate reinstatement of Mr. Wells to the critical transportation positions – chairmanship of the Committee on Public Works and Transportation and the WMATA board – where he has represented Ward 6 and the entire District so capably.

This extraordinary mid-term action may return as precedent to harm other Councilmembers should they, in the future, fall out of favor with a Council Chair.

The Commissioners of Advisory Neighborhood Commission 6A



Commission Letters of June 9, 2011 Meeting



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



July 21, 2011

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

Dear Sir:

I request that DDoT and Mactec delay the permanent selection of sites for bus stops until the merchants of H Street have had a chance to be consulted about any proposed placement.

Already there have been problems caused by the location of stops where the sidewalk is too narrow; there is no adequate waiting area; and where there is no place for seats for bus patrons. Passengers should not be disembarked directly into the entrances of restaurants and taverns. An additional problem is the narrow sidewalks cause the tobacco smoke of those waiting for the bus to drift into establishments where food is served.

I ask that DDoT and Mactec survey the merchants for the best location for each proposed site. I also request that DDoT meet with the ANC's Transportation committee to present the Department's recommendations after this consultation process with the merchants.

The ANC contact for this matter is Omar Mahmud at familymahmud@yahoo.com. He is the Chair of the ANC's Transportation and Public Space committee.

Sincerely yours,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Commission Letters of June 9, 2011 Meeting



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



July 21, 2011

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

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The ANC contact for this matter is Omar Mahmud at familymahmud@yahoo.com. He is the Chair of the ANC's Transportation and Public Space committee.

Sincerely yours,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Commission Letters of June 9, 2011 Meeting



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



July 15, 2011

Joseph Fengler
Chair
Ward Six Redistricting Committee

At its regularly monthly meeting held on July 14, 2011, ANC 6A voted unanimously to ask that the Kingman Park community, currently organized as ANC 7D01, be invited to join Ward 6 in a cross-Ward ANC.

Kingman Park (KP) is physically adjacent to the current 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 Kingman Park's six blocks extending out to the RFK parking lot.

We sought to keep Rosedale in Ward 6, while Kingman Park fought to rejoin us. We believe we should be together, to work mutually across Ward boundaries. There is good precedent for mixed Ward ANCs including ANC3/4G and ANC 6D (which includes parts of Ward 2)

This joint ANC would allow Kingman Park to have a voice with two Councilmembers, and the rest of us in northeast Ward 6 a chance to ride into the sympathies and concerns of the Ward 7 Councilmember as she tries to help the part of her Ward located west of the River.

We ask that the current 7D01 (known as Kingman Park) become partners with ANC 6A in the 2011 ANC redistricting process. We ask that they be joined with us, the current ANC 6A, as a cross-Ward ANC.

On behalf of the Commission,

David Holmes



Commission Letters of June 9, 2011 Meeting



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



July 15, 2011

National Capitol Parks and Planning Commission
401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20004

For your Hearing record, Advisory Neighborhood Commission 6A supports the construction of a skateboard park in Parking Lot 3 of the RFK Stadium complex. The Commission voted in favor of the project at our regularly scheduled and publicly announced meeting on July 14, 2011. The vote, taken with a quorum present, was unanimous – 7-0.

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

We ask that there be very tight security in lighting, remotely-controlled cameras, and the presence of safety personnel. We also ask that safe restrooms be available, since there are no public facilities within blocks.

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



July 15, 2011


William Howland
Director, Department of Public Works
2000 14th Street, NW, 6th Floor
Washington, DC 20009

Dear Sir,

Advisory Neighborhood Commission 6A on July 14, 2011 at its regular, publicly announced meeting and with a quorum present voted unanimously to support and to convey the two attached petitions for street sweeping.

The first is for the 600 block of 10th Street NE (Block Captain Emily Kuiken), and the second for the 900 block of 12th Street NE (Block Captain Claudia Stefanelli).

Please have your department inform the Block Captains when parking restrictions will become active and street sweeping is imminent.

On behalf of the Commission,

David Holmes

Two petitions attached



Commission Letters of June 9, 2011 Meeting



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



August 16, 2011

Dr. Robert Davila
President
Gallaudet University
800 Florida Avenue, 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



Commission Letters of June 9, 2011 Meeting



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



August 16, 2011

Queen Laney
Manager
Capitol Hill Towers
900 G Street, 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



Commission Letters of June 9, 2011 Meeting



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



August 16, 2011

Minister Thompson
Church of the Lord Jesus Christ of the Apostolic Faith
1235 C Street, 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



Commission Letters of June 9, 2011 Meeting



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



August 16, 2011

Lavonne Taliaferro-Bunch
Principal
Miner Elementary School
601 15th Street, 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.

Thanks also for allowing the Ward Six Redistricting Task Force to meet in your school. This allowed local residents a chance to make voice and preferences heard.

On behalf of the Commission,

David Holmes
Chair



Commission Letters of June 9, 2011 Meeting



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



August 16, 2011

Mr. Raphael Marshall
Director, Sherwood Recreation Center
640 10th Street, NE
Washington DC, 20002

Dear Mr. Marshall,

For over eight years Sherwood Recreation Center has provided a meeting place for Advisory Neighborhood Commission 6A activities, especially 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 and your staff have provided to help us hold these monthly public meetings, which are crucial to the functioning of our ANC.

On behalf of the Commission,

A handwritten signature in black ink that reads "David Holmes".

David Holmes
Chair



§ 22-1321(d). Noise at Night:

CJIS: Disorderly (Noise at Night).

It is unlawful for a person to make an unreasonably loud noise between 10:00 p.m. and 7:00 a.m. that is likely to annoy or disturb one or more other persons in their residences.

First, it is loud noise that is prohibited by this statute. The content of speech, music or other communications is not relevant here. This law addresses the volume (loudness) of the conduct, not its content or meaning.

Second, the noise must occur between 10:00 p.m. and 7:00 a.m. (2200-0700). You should confirm the time with the dispatcher when making an arrest under this provision.

Third, the noise must be likely to annoy or disturb one or more persons in their residences. Here, members must articulate how the noise occurred in an area that was likely heard by at least one person in his or her residence (not offices, stores, cars, etc.). If the arrest is in response to complaints, it would be useful to articulate this. However, it is not required that the noise was heard by people in their homes, only that it was likely to be heard.

Also note that for the purpose of this statute, it is not required that the noise occur on public space. The noise can occur anywhere it is likely to annoy or disturb people in their residences, including in other people's homes.

When the complaint involves a loud party, officers should try to identify the resident(s) of the place the party is happening and explain the situation. The resident(s) should then be given a reasonable amount of time to quiet down the party. If they fail to comply with the request, an official should be contacted to make the determination if an attempt should be made to shut down the party or if arrests of the residents are warranted.

When a complaint of noise involves a business that is regulated through the city, such as a bar, restaurant or store, the first step for a noise complaint should be addressed through the regulatory agency for that business. An arrest should only be considered after significant efforts have been made to resolve the complaint through the other regulatory agencies and prior consultation with the District Commander.



Officer Reports - Treasurer



ANC 6A Treasurer's Report July/August 2011

Period Covered 07/01/11 - 08/31/11

Checking Account:

Balance Forwarded \$ 20,938.37

Receipts:

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

Total Receipts \$ -

Total Funds Available \$ 20,938.37

Disbursements:

FedEx Office (July 2011 Statement) Ck #1521 \$ 140.96
Roberta Weiner (Minutes June '11) Ck #1522 \$ 180.00
Heather Schoell (Agenda Package July '11) Ck #1523 \$ 200.00
FedEx Office (August 2011 Statement) Ck #1524 \$ 207.30

Total Disbursements \$ 728.26

Ending Balance \$ 20,210.11

Savings Account:

Balance Forwarded \$ 4,205.06

Receipts:

Interest (06/30/11) \$ 0.17
Interest (07/29/11) \$ 0.18
Transfers from Checking Account

Total Receipts \$ 0.35

Total Funds Available \$ 4,205.41

Disbursements \$ -

Ending Balance \$ 4,205.41

Prepared August 31, 2011



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

August 22, 2011 Minutes

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

Meeting called to order at 7:30 pm

Committee members present: Elizabeth Nelson (Chair), Jean Kohanek, Necothia Bowens, Mark Roy, Rose Williams, Pat Joseph (quorum)

Committee members absent: Louis Barbash

Community members present: Phil Toomajian

- I. Agenda
 - Adopted.

- II. Status report on ANC/COC activities
 1. COC recommendations from June meeting were approved at July ANC meeting.
 2. Commissioner Healy, Chair of the Alcohol Beverage License Committee, requested assistance with publicizing the series of meeting that will be held to weigh the pros and cons of a possible cap on liquor licenses on H Street NE. The ANC 6A Hill Rag ad has been modified to include the information, notes are being made on the website calendar and an article ran in the September issue of The Buzz. Copy has been sent to the Rag for a possible article.

- III. Consideration of a grant application from Sherwood Neighborhood Volunteers (SNV)/Capitol Hill Garden Club (CHGC)
 1. Mr. Toomajian presented the application. He noted that the Sherwood Neighborhood Volunteers (formerly Sherwood Recreation Center Garden) organization has implemented the plans outlined in their 2010 grant application. In addition, they planted 16 trees with Casey Trees. They kept all those trees, plus the new street trees provided by UFA, watered throughout the summer. They have moved forward organizationally as well, having acquired 7 board members and bylaws. They are getting ready to apply to DPR as Park Partners. They have also worked out an agreement with DPR to have the field renovated. The field is currently unsafe because a lot of construction debris is partially buried. DPR will remove this as part of the renovation. They have said they are willing to do so because they trust the SNV to water and maintain the grass. As in the past, the Capitol Hill Garden Club will administer the funds, should the grant application be approved.
 2. The current grant request is primarily for funding plantings just outside the fence on the 10th St. side of the property. At one time, there was a row of bushes but they were not maintained and very few are left. They will also plant spring bulbs. They have requested daffodils and crocus through the CHGC as they did last year but they also wish to plant tulips which aren't provided by that program.
 3. Ms. Nelson remarked that they were clearly good stewards of the resources they have received since all plantings have been completed and all trees and other plants survived the summer, which attests to the level of care they received. That DPR has agreed to the field renovation is further proof of their reliability as partners.



Committee Reports

Community Outreach Committee (COC)



4. Ms. Bowens asked when the renovation would take place. It will be done in September and the field will be unusable while underway. Some concern was expressed that it might impact youth wanting to have football practice there but it seems that is not happening and DPR needs to have the work done by the end of the fiscal year. Ms. Kohanek observed that the results (a safer playing surface) will be worth the inconvenience.
 5. Ms. Williams noted that part of the area that would be planted is currently used for illegal activities. She asked what would be done to protect the plants from damage while they are getting established. Mr. Toomajian explained that the timbers and top soil will be used to create raised beds to protect the plants. The plants they will select will be very hardy and of a type to deter misuse of the area. They may also add low fencing.
 6. **Motion: Ms. Bowens moved that the COC recommend that ANC 6A approve full funding of the grant application from Sherwood Neighborhood Volunteers. Seconded by Mr. Roy. Vote 6 in favor none opposed.**
- IV. Meeting adjourned at 8:10 pm
- V. The next meeting will take place Mon., Sept. 19, at 7:30 pm at 1235 C St. NE



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
8 / 14 / 2011	ongoing Oct. 2011 - March 2012
3. APPLICANT ORGANIZATION NAME AND ADDRESS	
Sherwood Neighborhood Volunteers funds administered by the Capitol Hill Garden Club	
646 9 th St NE, Washington, DC 20002	
4. CONTACT NAME	5. TITLE
Edna Jane Truax	President
6. ADDRESS (IF DIFFERENT FROM ABOVE)	
7. TELEPHONE	8. FAX
(202) 546 - 7638	(202) 698 - 3397
9. E-MAIL ADDRESS	
Truax1934@verizon.net & ptoomajian@gmail.com	
10. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY	
We will plant a series of bushes along the exterior fence of the entrance at the Sherwood Recreation Center (640 10 th St NE). The project will add a raised bed just outside the gate on the north side of the entrance and decorative shrubs on the south side of the entrance, likely to include a dozen bushes, grasses, mulch, fencing/timbers, top soil and a sprinkler.	
11. PROJECTED TOTAL COST	12. AMOUNT REQUESTED
\$ 1500	\$ 1500
13. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)	
Capitol Hill Community Foundation, Frager's, Ginko Gardens, individual contributions.	
14. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)	
The Recreation Center provides physical & educational programs for children and adults. It is located in ANC6A and heavily used by ANC6A residents. The new plantings will help beautify the Center & its surrounding neighborhood for those who use the Center and will make the entrance more welcoming to those who walk by it. The will also reduce the carbon footprint of the grounds.	



Committee Reports

Community Outreach Committee (COC)



The **Sherwood Neighborhood Volunteers** have been developing the grounds & gardens at the Sherwood Recreation Center over the past two years. We have removed old clay and trash, turned the soil, added bulbs, small perennials, trees, and bushes near the entrance to the Center over the course of our involvement. Our work has involved dozens of local volunteers from the neighborhood and we have partnered with other local organizations including the Capitol Hill Garden Club and Casey Trees to bring more investment to our neighborhood Recreation Center.

We have successfully maintained the new plants and the improvements we have made to the landscaping on the grounds have received rave reviews. In particular, we've overseen the planting of 16 new trees on the grounds, 4 new trees on the street in front of the building, and 3 new beds of perennials and bushes on the grounds.

We are now seeking ANC6A funding to pay for additional materials to create and populate additional planting areas. We have particularly targeted the area along the fence near the entrance to the Center. This area is currently devoid of any growth, but should be one of the most attractive areas in light of its visibility to all who enter the Center. These improvements are outside the scope of the Center's groundskeeping plan and are not included in DPR's budget.

Budget for ANC6A funding:
These or similar items cost approximately:

Spring Bulbs	\$75
Hose	\$25 (to water trees outside the fence)
Sprinkler	\$25 (to ease watering burden)
Timbers	\$300 (to protect the new bed)
Grasses	\$250
Bushes	\$475
Top Soil	\$150
Mulch	\$200
Total:	\$1500

Durable items including the sprinkler, hose or other tools would be stored in the Recreation Center's storage room.



Committee Reports Community Outreach Committee (COC)



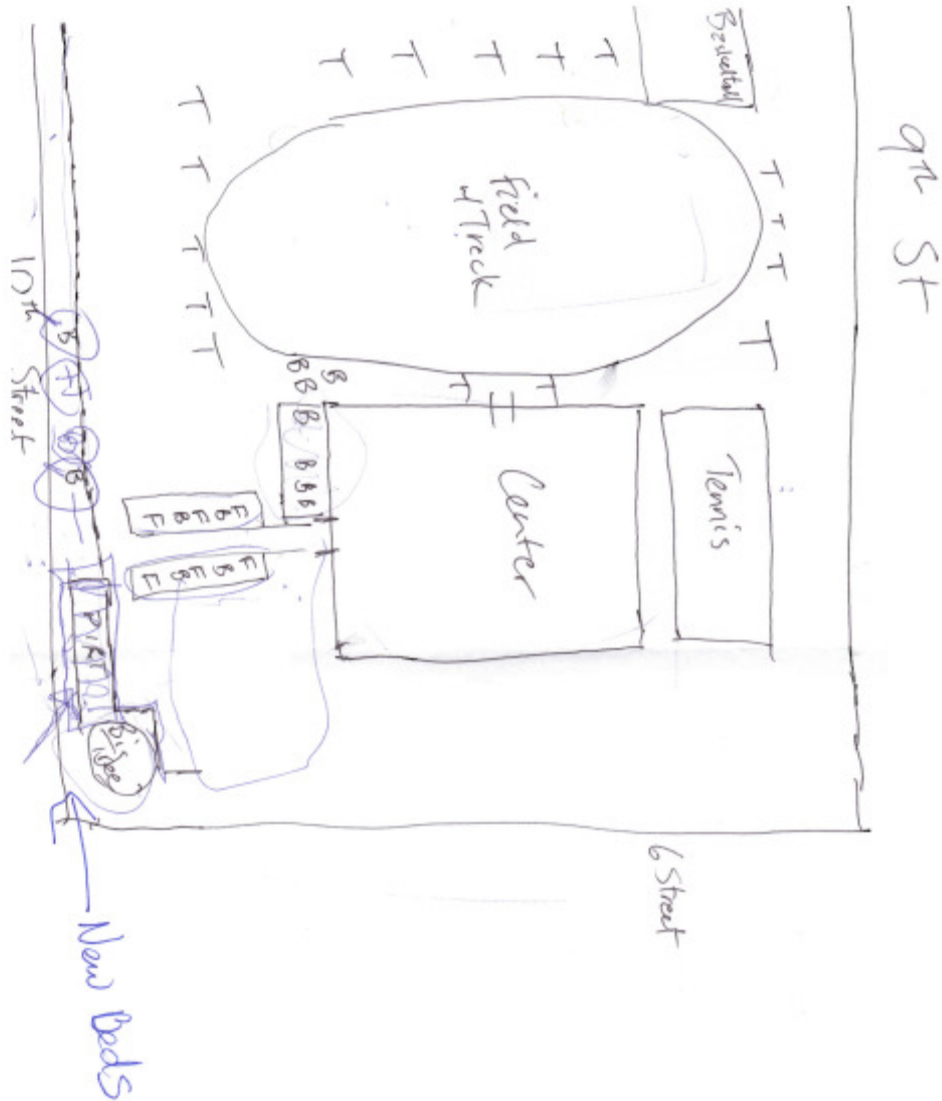
View of planting beds. Bulbs planted last year.





Committee Reports

Community Outreach Committee (COC)





Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee ANC 6A July 19, 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 Tuesday, July 19, 2011 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002. Introductions made:

Committee Members Present: Adam Healy and Michael Herman
Committee Members Absent: Katy Thomas and Anne Marie Koshuta
Commissioners Present: Drew Ronneberg
Community Members Present: 18 community members present

Call to Order

Mr. Healy called the meeting to order at 7:20 pm EST and Mr. Herman recorded the minutes. 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.

I. Community Comment

None

II. Review of ANC6A Actions

ANC approved motion to update the standard VA to limit the public space patio hours to 11:00 pm Sundays through Thursdays and 12:00 am Fridays and Saturdays.

III. Old Business

1. Dangerously Delicious Pies (Jason Martin and Joey Belcher) at 1339 H St. NE is seeking a CR license for their existing business and will expand upstairs with a small bar and acoustic entertainment, plus a second-story outdoor space. There will be a twenty patron maximum on the patio. The site is between R&R Hotel and Biergarten and backs up to commercial properties. Noise mitigation will be done by the same company as at Chupacabra, using fencing and acoustic panels. Live entertainment will be indoors only.

A community member expressed concern that the new establishment will amplify noise already coming from Biergarten and R&R Hotel.

A community member from Linden Court, near to the auto body shop asked for details on the location of the outdoor patio. Response: it will be within the limits of the existing structure.

Another neighbor indicates that DDP has been a good member of the community but as concerns about parking issues and roving patrons later at night looking for their cars. Mr. Healy reminds that under DC law, valet services cannot park vehicles in residential spaces. Mr. Belcher reminds that there are parking metering and parking enforcement changes coming next year through the H Street performance parking program.

A resident testifies that there are quality of life problems over the weekends when all of the businesses close and patrons become disruptive in residential areas. He asks for better signs asking patrons to be



Committee Reports

Alcohol Beverage and Licensing (ABL)



respectful of the surrounding community. Mr. Healy asked for input on how to communicate these ideas to the clientele.

A nearby resident states that delivery trucks block the alley and cause access problems not seen with the auto body shops and other businesses in that immediate area.

A community member asks if DDP would foresee transferring its license within the next 5 to 10 years. Mr. Martin replied that their intent is to stay on H Street long term.

Mr. Healy reported that the ANC has already voted to protest the license unless a VA is signed and approved before the protest date.

2. Chupacabra (Jason Martin and Joey Belcher) at 822 H St NE (behind Stan's Pants at 9th and H NE) is interested in applying for a CR license. Essentially, the kitchen will be in the garage of the building and all of the seating will be outside. There will be no indoor seating. The first choice of business is not carryout, but small outdoor eating venue.

A nearby resident expressed concern that this establishment would be pushing commercial activity into a residential area. Mr. Healy reports that the ANC is making a distinction between what is allowable on outdoor private space and on outdoor public space as far as the hours of operation for a patio.

Another nearby resident states that she believes the business would contribute to a lack of parking for residents.

Question from a resident: What is happening with the moratorium on licenses on H Street? Mr. Healy stated that there will be discussions in the fall, with participation of ABRA and representatives from other areas of the city. Other item to keep in mind is that there are stricter disorderly conduct laws coming online, which will not solve late night noise problems, but hopefully help keep them in check.

Community question: would Mr. Martin still pursue this business if there is no alcohol license for the location? He answered that it would be a possibility, given that they are also considering stocking a food truck to drive around to various locations.

Mr. Herman remarked that if there were no liquor license associated with this business, then there would not be a community discussion at this committee with regards to the merits of the business and any problems it may cause.

A neighbor made a point about where trash from this business would be collected and stored, and how a large trash truck might handle something potentially in an alley that can barely accommodate an SUV.

This is advance notice of a proposed business. The application has not yet been filed with ABRA. Since there is not a formal application, there has been no decision on the utilization of public space for this business and the committee didn't take any action. Mr. Ronneberg recommends that the public space issues be resolved before looking at the alcohol aspects.

IV. New Business

1. Ideas on late night sound mitigation initiatives requested. According to the standard VA, businesses with outdoor spaces need to have two signs posted requesting patrons to respect the surrounding residents. Mr. Healy has noticed that these signs are not always evident or present. Ideas from the



Committee Reports

Alcohol Beverage and Licensing (ABL)



audience included:

- Reminder signs when approaching residential areas.
- Signs at exit doors of establishments.
- Spoken reminders from bouncers, whenever possible.
- PA announcements to patrons at closing time.
- Police presence at the G Street end of the Atlas alley (Linden Court).
- Continue to call MPD when there are disturbances.

2. Due to the lack of time, discussion about possible changes to the standard VA regarding operating hours for patios on private space was deferred.

3. Khan's BBQ's request for an entertainment endorsement. This was just received on Friday and will be deferred until August because they have not been formally invited to attend a committee meeting.

V. Adjourn

There being no further business to come before the committee, the meeting was adjourned at 8:44 pm EST. The next committee meeting is scheduled on Tuesday, August 30, 2011.



Committee Reports Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee
ANC 6A
August 30, 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 Tuesday, August 30, 2011 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002. Introductions made:

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

Committee Members Absent: None

Commissioners Present: David Holmes, Drew Ronneberg

Community Members Present: Coralie Farlee, Angel Richards, Margaret Holwill, Murray Kivitz, Paul Ijisti, Sylvia Brown, Nicholas Stefanelli

Call to Order

Mr. 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.

I. Community Comment

Ms. Farlee provided a comment regarding the recent noise meeting relative to limitations of noise between 10:00 pm and 7:00 am.

II. Review of ANC6A Actions

ANC approved motion to protest Dangerously Delicious Pies’ liquor license.

III. New Business

1. Approval of VA with Dangerously Delicious Pies for CR License at 1339 H St., NE - Mr. Healy moves to recommend ANC6A approve the VA and remove the protest. Mr. Herman seconded. Approved 5-0.

2. Review entertainment endorsement for Khan’s BBQ at 1125 H St., NE - Mr. Healy moves to recommend ANC6A not protest substantial change to Khan’s VA and withdraw placeholder protest submitted to ABRA. Ms. Thomas seconded. Approved 5-0.

3. Review June 2011 altercation at Fruit Bat/Church and State - Ms. Richards provided a complete report of the altercation. Discussion held.

4. New alcohol license at 1242 H St., NE - Mr. Healy moved to recommend ANC6A protest the license unless a signed and approved VA is established with the proprietor. Ms. Koshuta seconded. Approved 5-0.

Establishment Summary: “Da Luft” to be a primarily seafood-based restaurant owned by Paul Ijiti. A CR license has been applied for; the lease is contingent upon receipt of CR license. Establishment will occupy two levels with a patio deck on the second level. Overall maximum capacity of 100, including 25-30 on the patio. An entertainment endorsement for live music also sought by proprietor for live music, not dancing/nightclub. The license has not yet been put out for placarding and the ANC has not been notified by ABRA.



Committee Reports

Alcohol Beverage and Licensing (ABL)



5. Atlas Room at 1015 H St., NE - VA currently not on file with ABRA. ANC6A Commission Chair David Holmes will submit the VA to ABRA.

6. XI protest case - ABRA board rejected motion for reconsideration on August 12, 2011. ABRA board changed the order to allow flyering within ½ mile radius of establishment and requirement to obtain reimbursable detail at any time a DJ or live music is offered. Discussion held.

IV. Adjourn

There being no further business to come before the committee, the meeting was adjourned at 8:00 pm EST. The next committee meeting is scheduled on Tuesday, September 20, 2011.



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes

Capitol Hill Towers (900 G St. NE)

July 18, 2011

- I. Call meeting to order at 7:05 pm
- II. Introductions - ANC 6A Commission Chair David Holmes and Commissioners Adam Healy and Nick Alberti; Committee members DeLania Hardy and Omar Mahmud (Chair); Damon Harvey with the DDOT Policy Planning and Sustainability Administration; Danny Roberts, owner of Rose's Dream; Jason Martin with business partner, owners of new restaurant near 9th St. NE and H St. NE behind Stan's to be called Chupacabra; community members Michael Herman, EJ Truax, Anwar Saleem and Margaret Holwill.
- III. Community Comment
 - A. Ms. Hardy informed the Committee that there is a survey out regarding pedestrian concerns along Maryland Ave. NE. She has heard positive comments about the outreach related to this effort.
 - B. Commission Chair Holmes informed the Committee that he has received an email indicating newly installed drainage grates on H St. contain large gaps going longways (*i.e.* parallel to the direction of bike traffic), which pose a safety hazard for bicyclists because bike tires can get stuck in the grates. Mr. Holmes has sent an email to DDOT Director Terry Bellamy and Mactec Construction representative Margaret Gentry regarding this concern. Mr. Harvey suggested forwarding the email along to Jim Sebastian of DDOT as well.
 - C. Ms. Holwill reported that she has noticed an increasing number of people riding motorized and non-motorized bicycles on the sidewalk along H St. and wondered if this is illegal. Ms. Hardy indicated she has noticed this as well. Discussion ensued regarding the legality of riding bicycles on the sidewalk along H St. Mr. Harvey indicated in certain portions of the city, including along H St., it is his understanding that it is legal to ride a bicycle (including motorized bicycles up to a certain maximum cc engine size) on the sidewalk. Mr. Harvey also confirmed it is legal to ride Segways on city sidewalks.
- IV. New Business
 - A. Performance Parking program presentation by Damon Harvey of DDOT: Mr. Mahmud thanked Mr. Harvey for attending the meeting and provided a brief introduction for Mr. Harvey. Mr. Harvey then provided a presentation to the Committee regarding the Performance Parking program.
 - i. Councilmember Tommy Wells has pushed for this program in Ward Six.
 - ii. The program has been in the DDOT "toolbox" since 2008 as a method to mitigate parking congestion along retail thoroughfares.
 - iii. In Ward Six, the program is currently being implemented around Nationals Stadium in a 3500 parking spot zone. DDOT is now thinking about expanding the size of that zone. The program is also being implemented in Columbia Heights with about a 1000 parking spot zone.
 - iv. Along the retail corridors in the Performance Parking zoned areas, curbside parking meters can be modified to vary hours of operation and rates according to time of day. This has the effect of increasing curbside parking spot turnover during high demand parking times. The program also enhances priority parking for residents on residential streets by imposing "zero tolerance" parking in favor of residents only,



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not like the residential parking permit (RPP) option which allows non-residents to park for some period of time (usually two hours). Ahead of implementation of the full Performance Parking program in our ANC, DDOT is currently installing the zero tolerance resident parking only restrictions on certain streets.

- v. DDOT intends to implement Performance Parking along the H St. corridor in 2012.
- vi. Mr. Hardy is working with an internal DDOT team to determine meter rates for the H St. program. Rates will be fixed at first, then they will vary in the second phase of implementation. Mr. Hardy indicated he would like input from our ANC on appropriate meter rates, meter and resident only parking locations, and boundaries of the Performance Parking zone. Mr. Hardy recommends the entire H St. corridor, north to Florida Ave. and south to Maryland Ave. as a possible zone.
 1. Mr. Mahmud suggested possible variations to the zone given those northern and southern borders do not run parallel to H Street, but indicated community input would be sought regarding appropriate boundaries.
- vii. Mr. Hardy recommended getting ANC input to DDOT prior to the fiscal year end on September 30.
- viii. Revenue from the meters goes directly to the community for streetscape enhancements, pedestrian enhancements and bike enhancements. Anywhere from 20% to 80% of meter operations revenue can be used for these purposes. Mr. Hardy also clarified that bike improvements would include funds for Capital Bikeshare infrastructure and improvements.
- ix. Mr. Hardy recommended having monthly or bimonthly meetings with community representatives starting in September 2011 to work out program details like meter rates, zone boundaries, etc., then have program operations begin in the spring around March 2012.
- x. Boundaries and meter rates (including whether there will be time of day varied rates or not) are the key issues he wants input on.
 1. Ms. Holwill pointed out that the daytime retail merchants suffered a great deal during construction. She therefore asked about extremely low parking rates during the day (as low as \$0.25 per hour) until the retailers rebound. She doesn't want merchants to lose business because of high parking rates. Mr. Harvey responded that DDOT is not interested in putting retailers out of business. However, DDOT is probably not going to be interested in going below \$0.75 per hour for any parking spots at any time, which is comparable to other tier 1 parking minimums in other big cities studied by DDOT like Chicago, New York and Los Angeles. Mr. Harvey also pointed out that rates set too low will frustrate one of the main purposes of the program, which is to guarantee turnover for parking spots along high-demand corridors such as H St. Mr. Harvey also acknowledged there are pitfalls with charging too much per hour so a balance will have to be arrived at with community input.
- xi. Ms. Truax pointed out that her block abuts G St. and that she's now having parking problems. Mr. Harvey indicated that inside of the program boundaries all streets will be treated equally, not just the blocks that abut H Street. This is done to mitigate the "ripple effect" caused by shifting parking problems to the next block when restrictions are put in place on one block adjacent to high-demand retail/entertainment corridors. So, for example, if you implement midnight RPP enforcement, it should be done in a comprehensive way so there isn't a ripple effect which impacts adjacent non-RPP streets disproportionately.



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- xii. Mr. Roberts asked about the type of meters to be installed on H Street, wondering if H St. will be saddled with poor quality meters that easily break down. Mr. Harvey indicated DDOT is going in a new direction with meters, preferring pay by phone (virtual parking) options as well as the new “green monster” multi-spot meter machines for H Street. Each multi-spot machine covers about 7 parking spots, but it will not enable payments by cash since dollar bills have been found to jam the machines causing DDOT to lose out on revenue. DDOT is no longer in the business of installing “dumb meters” that only take coins.
- xiii. Mr. Hardy pointed out three important data points included in his performance parking analysis: 1) occupancy rate - for each block in the performance park zone; 2) turnover rate for each zone; and 3) capture rate - how much revenue is pulled from the curbside.
- xiv. Commissioner Alberti asked for clarification regarding how the resident only parking restriction works. For example, is the restriction put in place for only one side of the St. or on both sides? Mr. Harvey indicated the resident only restriction can only be installed on one side of any given street, with normal RPP restrictions typically installed on the other side. In addition, resident only parking is only during the hours of RPP enforcement.
- xv. Commissioner Healy indicated he thinks the boundary for the performance parking zone has been defined in the law introduced by Councilmember Wells, but that he’s not sure if DDOT can change the boundaries to increase or decrease the size of the zone. Mr. Harvey responded that DDOT can make changes to the zone since there is flexibility allowed for changes in the law. The boundaries defined only provide context for the proposed zone area, but they can be changed. DDOT was able to do this before in the Capitol Hill performance parking pilot.
- xvi. Commissioner Alberti asked how often changes can be proposed to the performance parking system once it is set up. Mr. Harvey responded that changes can be proposed by the advisory committee that the ANC can establish. Mr. Harvey strongly recommended our ANC set up such an advisory committee, and then have annual public meetings where all aspects of the program can be reviewed. Chairman Holmes asked what to do if the ANC needs to request changes sooner than a year out. Mr. Harvey indicated DDOT has experienced this issue with the Capitol Hill program. In that case, DDOT and the community were able to implement changes after getting complaints about variable rates on Pennsylvania Ave., for example, and they were able to change dates/times of enforcement. Mr. Harvey believes DDOT has the ability to be nimble in terms of making modifications if the community demands it.
- xvii. Chairman Holmes asked if our ANC would get its own pool for the funds collected in our ANC. Mr. Harvey confirmed our ANC will get its own pool of money and not have to split with adjacent ANCs.
- xviii. Commissioner Alberti asked where the money for program costs like signage comes from. Mr. Harvey indicated funds for these costs will come from revenue generated from the meters. Any money generated in our zone will stay in the budget until the money gets spent down. DDOT will separately keep account of a “meter account” for this purpose.
- xix. Commissioner Healy asked when our ANC can implement the visitor parking pass program. He also asked about the installation of previously promised RPP signs, which Mr. Harvey asked him to send a follow up email about. Regarding the visitor parking pass program, DDOT is looking to do an electronic system so we’ll be one of



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the first areas to get the electronic visitor parking passes for our ANC. The electronic visitor parking pass system will be on the “pay-by-phone” platform, similar to the “pay-by-phone” meters. Mr. Harvey hopes this new program will be available in the spring, about the same time as the performance parking program. Commissioner Healy asked for additional details regarding how the visitor parking pass system will work. Mr. Harvey indicated he is not certain of the details yet, but he envisions there will be an electronic pay-by-phone system (“e-pass”) that will work with a user-assigned pin number. When a guest comes to visit a resident, all the resident would have to do is access the system online, access their account and input the visitor’s license plate number so the parking enforcement cameras on cars will automatically know which cars are parked legally. Mr. Harvey also indicated DDOT is still working through some important issues, including, how to accommodate people who don’t have computers and those who want hard copies of the passes, how to make the system secure, and how to differentiate between residential and business addresses which are not eligible for the program.

- xx. Chairman Holmes asked about how loading zones on H St. will be set up post construction completion. Mr. Harvey responded that DDOT is trying to put loading zones on side streets as much as possible in order to free up parking and room for the streetcar on H Street, but there are places where they can’t do this along the corridor so the issue is being explored further. Mr. Harvey asked that the ANC email him for DDOT’s final plan on H St. loading zones.
 - xxi. Ms. Holwill again expressed concern about the loss of business because of parking costs. Mr. Harvey responded that he doesn’t believe curbside parking costs impact business as much as she believes. If our ANC runs into a situation where businesses are negatively impacted by parking rates, Mr. Harvey promised that DDOT will work with the businesses to mitigate any negative impacts (i.e. lower rates), but he doesn’t believe low rates should be the starting point. Commissioner Alberti suggested DDOT will know by the vacancy rates whether the rates are too high and are discouraging parking, and keeping customers away from businesses along the corridor.
 - xxii. Mr. Harvey encouraged people to email him with questions, including questions about loading zone locations.
 - xxiii. Mr. Mahmud asked about the need to coordinate with ANC 6C on H St. performance parking program details like rates and boundaries. Mr. Harvey will contact our ANC in September about getting a working group established that will work jointly with ANC 6C. Mr. Harvey prefers that this working group have no more than five stakeholders, which should include a retail interest, one ANC representative, a resident, a civic/church representative, etc.
 - xxiv. Mr. Mahmud closed the discussion and thanked Mr. Harvey for attending the meeting.
- B. Outdoor Seating Proposal for New Restaurant (behind Stan’s near 9th and H Sts. NE) to be called Chupacabra: Mr. Mahmud introduced the topic of discussion, thanked the proprietors for attending and asked them to provide a presentation of their proposal.
- i. The proposed restaurant wishes to use a strip of public space abutting 9th St. NE at H St. NE for a 40-50 seat outdoor seating area (shown in red on the attached site plan provided to the committee). The restaurant will have a simple menu including fresh salsas, guacamole, tacos, etc.



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- ii. The team is working with a sound engineer who has done a study on sound generation for the outdoor seating area (a preliminary sound report provided to the committee is attached).
- iii. Mr. Mahmud asked about the proximity of this public space seating area to the nearest residence. The owners indicated it would be just across the alley, but that the sound engineer recommends putting in a wall to block the nearby residence from sound generated by the seating area, which they will do. In addition, there will be no outdoor music and the owners indicated they have already spoken to nearby residents who they say are in support.
- iv. Chairman Holmes asked what the time schedule is for opening. The owners are looking to open about six months out from now.
- v. Mr. Mahmud raised a concern about hours of operation given all seating is outdoors, which may disturb nearby residents in the later hours. He asked that Commissioner Healy and the ABL committee address this concern in any voluntary agreement with the restaurant, suggesting the same hours of operation for outdoor seating as is used for other businesses with outdoor patio seating space.
- vi. Mr. Mahmud also asked what will be done with outdoor seating area furniture after hours. The owners indicated they are thinking about storing it in a nook which can be seen on the site map.
- vii. The owners have no public space application ready to be filed yet, but that they are looking to file one in the next thirty days. They just wanted to come to the committee to give a preliminary presentation ahead of that time.
- viii. Mr. Mahmud suggested the owners come back to the committee for a recommendation on the public space application once it is ready to be filed. Absent an application, there is nothing for the ANC to approve at this time. Mr. Mahmud also expressed concern about possible trash at the site given all seating will be outdoors. The owners agree to return for approval of the application once it is ready for filing with DDOT.

C. Discuss Residential Parking Permit Zoning for all of ANC 6A

- i. Commissioner Healy indicated he is having trouble getting some blocks designated RPP in our ANC and that he is wondering if we could just designate the entire ANC (or even city) RPP. He indicated he has discussed this idea with Councilmember Wells. Councilmember Wells thought there would be pushback to the city-wide proposal so he suggested making the designation ANC-wide.
- ii. Mr. Mahmud expressed concern with the ANC-wide proposal given there are some blocks that may not want RPP designation. He indicated he prefers the current system where individual blocks can choose this designation. The problem is not with the system, but with the ability of DDOT to implement RPP restrictions and install signs once the block petition has been completed.
- iii. Ms. Truax expressed frustration with the current process given she has had petitions in for RPP designation on her block for months. She indicated that is why she came to the meeting, to discuss the matter directly with Mr. Harvey. Ms. Truax is therefore not certain residents can get the RPP signs even with a petition. Commissioner Healy indicated he believes the signs are being printed for her block.
- iv. Mr. Herman indicated he believes it is important to have RPP in the whole ANC, but stressed the key is enforcement. He reports seeing ineffective enforcement in his neighborhood.



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Transportation and Public Space (TPS)



- D. Location of X Line Bus Stops in the 1200 and 1300 Block of H St. NE: Mr. Mahmud introduced the topic by indicating he has heard complaints of late from residents and business owners about changes to bus stop locations along H Street. Mr. Mahmud invited discussion on the topic.
- i. Mr. Saleem indicated that he has lived near H St. since he was a kid and the bus stop on the 1300 block of H St. has always been on the NE corner of 14th St. and H Street, and that the bus transfer point is on the SW corner of this intersection. He doesn't know why there was a change of the stop location from the NE side to the NW side of the St. and never heard anything of this coming change. If he had heard of the change, he would have raised a concern because of the narrowness of the sidewalk at the new location and the negative impact on local businesses. People waiting for buses at this stop have been reported to interfere with businesses such as Caribbean Best and Rose's Dream by harassing customers and entering the businesses to loiter. Mr. Saleem thinks WMATA and DDOT may have made this location change to minimize the walk between bus transfer points without considering the space available for a bus stop at the new location and the negative impact on businesses which share this narrow sidewalk. Mr. Saleem would like the ANC to recommend putting the stop back where it was before.
 - ii. Commissioner Alberti indicated he completely understands the concerns raised by Mr. Saleem, but that he wants to point out that the car lot where the stop was previously located will someday be the location of another establishment that will encounter the same problem. Mr. Mahmud pointed out that the concern may be different at that location given that Mr. Saleem indicated the sidewalk at that location is wider and better able to accommodate passengers waiting for a bus without interfering with the adjacent business.
 - iii. Mr. Roberts indicated he came to the meeting to get support from the ANC on this issue as a current business owner, as opposed to a business that may come in the future at the old car lot. He took the current configuration of bus stops into consideration (i.e. that there was not one directly in front of his business) when choosing his current business' location. Mr. Roberts indicated changing the bus stop now after thirty years was not fair to him as a long time business owner. He has waited patiently for construction to end and now he's negatively impacted by this new action which he believes may be part of an effort to push out long time business owners along the corridor. He is also concerned that this new bus stop eliminates parking right in front of his business that his customers regularly rely on. Mr. Roberts asks that the ANC support his effort to get the bus stop moved back to where it was before. Mr. Roberts believes DDOT is now in the process of finalizing the bus stop locations along H St. so this is the time to address the situation. The stop is temporarily there now, but he fears it will be put there permanently. He also indicated Councilmember Wells' office is in full support of the bus stop going back to its old location in any final bus stop location plan.
 - iv. Chairman Holmes pointed out that the practical consideration for the ANC at this point is that the decision on bus stops is happening soon, but that the ANC does not meet again until September. Mr. Roberts again stressed that he is seeking some kind of support now nonetheless. If it rains, according to Mr. Robinson, bus riders "camp out" in his business, cause problems, harass customers, etc. He has called MPD about this problem in the past.



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Transportation and Public Space (TPS)



- v. Commissioner Healy expressed frustrated that there isn't much community input sought when making decisions to locate or relocate bus stops.
- vi. Ms. Holwill indicated this is not a good spot for the bus stop given the bulb outs.
- vii. Mr. Mahmud told the committee he believes there should be a comprehensive look at all bus stop locations that will be finalized in our ANC post construction along H St. and Benning Road. The ANC should ask for a delay on this decision so the community can weigh in.
- viii. Commissioner Alberti also recommends asking for more time to for the ANC to weigh in given we have heard concerns from the neighborhood.
- ix. Mr. Saleem indicated he has contacts for making this request. Chairman Holmes may have some contacts as well.
- x. ***Mr. Mahmud made a motion that the ANC send a letter of support for Councilmember Tommy Wells' position (communicated via an email dated July 14, 2011 from Councilmember Wells' Chief of Staff, Charles Allen) that the bus stop be relocated back to the NW corner of 14th and H Streets NE. (Note: this action may be moot depending on if the ANC is able to get a delay on the decision to finalize bus stop locations.) The motion was seconded and passed without objection.***

E. Discuss Possible Capital Bikeshare (CaBi) Station Locations in ANC 6A

- i. Mr. Mahmud explained that he put this item on the agenda so that people could start thinking about new location sites in our ANC. This way we can have a list of recommended sites to provide to DDOT the next time a CaBi expansion is planned.
- ii. Chairman Holmes expressed concern that current CaBi locations are situated in a "donut" which causes huge location gaps. He recommends asking for a location at 8th and E. Capital or 8th and Massachusetts.
- iii. A question was asked about the proposed location at 11th/10th and H Street. Mr. Mahmud believes that location is still at the top of the list for proposed expansion in our ANC and may be included in the next roll out this year. Commissioner Ronneberg has sent an email to DDOT indicating he supports this location too.
- iv. Commissioner Alberti suggested the station at Lincoln Park is overly used so he suggests adding another one at Lincoln Park, possibly at the triangle traffic island location adjacent to the park which DDOT initially passed on, or at 15th and E. Capitol where there is a big corner with a lot of public space. Mr. Mahmud will report these suggestions at the next ANC meeting and indicate we will solicit additional recommendations at a future meeting.

V. Old Business

- A. Follow up regarding request to make information related to public space usage requests available on the ANC website (*i.e.* modeled on the new construction guidance provided by the ANC's Economic Development and Zoning Committee) - tabled due to time constraints.

VI. Additional Community Comment - None.

VII. Meeting adjourned at 9:10 pm.



Committee Reports

Transportation and Public Space (TPS)



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chupacabra





Preliminary Noise Study for Chupacabra Restaurant
822 H Street NE Washington, DC 20002.



- 1.0 Project Description
- 2.0 Environmental Impact- Neighborhood Noise Analysis
- 3.0 Preliminary Recommendations- Construction and Design Phase
- 4.0 Recommendations- Operational Phase
- 5.0 Certification
- 6.0 Sound Management Plan
- 7.0 Sketches With Acoustic Panels

Prepared By
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Job# CHU1
July 18, 2011



Committee Reports

Transportation and Public Space (TPS)



1.0 Project Description

The proposed restaurant Chupacabra is to be developed at 822 H Street, NE.

From discussions with the developers we understand that a one floor building at the northwest corner of 9th Street, NE at the first alleyway off H Street, NE will be used as a kitchen and walk up service window with a patio seating area running up the sidewalk towards H Street, NE. The patio area will have a proposed capacity of 50 persons.

The developers contracted Acoustisonics LLC on July 15th, 2011 to make design recommendations at pre-construction for noise abatement.

This report is our preliminary study of acoustical issues based on available architectural drawings, a site survey conducted on July 15th, 2011 and interviews with the developers.

2.0 Environmental Impact- Neighborhood Noise Analysis

Google maps estimates the nearest residential properties at fifteen feet from the site of the proposed kitchen. The proximity of the patio area to several residential properties to the north and north-east of the building creates a risk of noise transmissions from human voice if no barrier walls or targeted acoustical treatments are implemented.

3.0 Preliminary Recommendations- Construction and Design Phase

1. A wall of minimum 8 foot height, composed of material such as CMU (Concrete Masonry Unit) shall be built at the north side of the property adjacent to the kitchen to act as a sound barrier to the closest properties to the north on Ninth Street.
2. East-facing wall surfaces should include acoustical treatments to absorb noise from human voices. Design and construction of custom sound absorption panels with a high NRC value shall be completed by Acoustisonics LLC during construction. These panels will be affixed to the masonry walls within the patio area to prevent any hard reflections of sound to properties east and northeast of the patio area.
3. Additional sound absorption panels shall be mounted under any awning or canopy above the patio area to further absorb and mitigate noise from propagating upwards and outwards off the property.
4. If music is to be featured on the patio the sound system shall be low power with speakers of limited size (8 ") and frequency range. Music volumes shall be set beneath the level of conversation and be monitored by managers and staff.
5. Community Noise Testing shall be performed by Acoustisonics LLC to determine if additional noise abatement improvements will be necessary. Testing using a calibrated sound source shall be conducted before the design and construction phase to identify potential pathways for noise propagation.



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6. If noise associated with normal operations is found to be verifiably disturbing to the neighborhood the developers should be prepared to apply reasonable resources towards further noise improvements such as additional wall treatments, acoustic barriers, and HVAC enclosures.

4.0 Recommendations- Operational Phase

1. Developer shall provide training to managers and staff on proper operation of sound systems, if any, to ensure compliance with local noise ordinances.
2. A Sound Management Plan shall be distributed to the staff and management. It is proactive managerial playbook on monitoring sound levels inside the restaurant, and at nearby residential properties during hours of operation. It shall also describe proper logging of noise complaints, including the recording of property line dB measurements. This Sound Management Plan is included in this report in **Section 6.0**.

5.0 Certification

This preliminary study represents a true and factual analysis of the acoustical issues associated with the proposed restaurant located at 820 H Street, NE Washington, DC 20002.

Geoff Turner- Principle
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Bethesda, MD 20817

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Committee Reports

Transportation and Public Space (TPS)



6.0 Sound Management Plan

1. Publish the restaurant's phone number to the neighborhood and prepare managers to receive any complaints about noise levels.
2. Purchase a type 2 Sound Pressure Level Meter such as this model from Radio Shack. This device is used to measure sound levels in decibels (dB) both inside and outside of the restaurant should the manager receive a complaint from a neighbor.

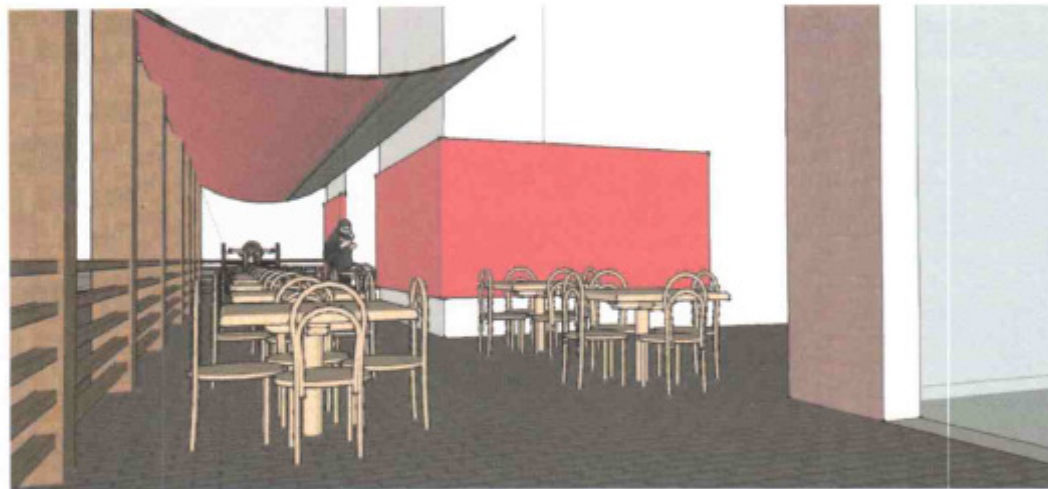
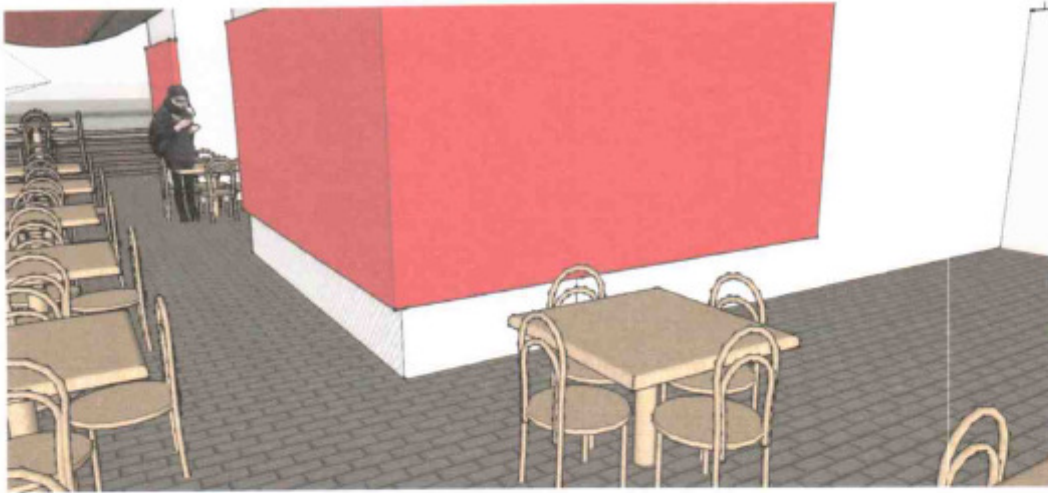


<http://www.radioshack.com/sm-buy-the-7-range-analog-display-sound-level-meter-on--pi-2103668.html>

3. Provide training to managers, security and staff on use of the in-house sound systems if any, and on techniques for measuring music levels with the Sound Pressure Level Meter. Managers should monitor sound levels outside the club throughout the evening business hours.
4. Keep a Sound Management Logbook of date and time of complaints. Take a dB measurement at the time of complaint at these following locations and note these readings in the logbook.
 - A. Inside the restaurant
 - B. At the restaurant property line in front, and in back.
 - C. At the nearest residential property in front of the restaurant.
 - D. At the nearest residential property behind the restaurant.
5. Provide additional training to managers on crowd-noise control and establish restaurant's policy on excessive noise from patrons.



7.0 Sketches with Acoustic Panels



Acoustic Panels are in red.



Committee Reports Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A July 20, 2011

Present: Members: Phil Toomajian, Dan Golden, Charmaine Josiah
Commissioners: Drew Ronneberg, David Holmes

Drew Ronneberg chaired the meeting

Community Comment

None

Status Reports

Resolution of Previously Heard BZA/HPA Cases: David Holmes reported that the BZA case for 213 8th St. NE was approved through the consent calendar and that the BZA application for 1245 G St. NE was withdrawn by the applicant.

Vacant Properties: Phil Toomajian reported that the tax sale ended today and that some of the business properties on H St. were removed from the tax sale by OTR. However, properties that were categorized as vacant were not removed.

Zoning Rewrite: None

H Street Business Liaison Report: None

Old Business

BZA #18266 (1317 D St NE). The applicants, Joseph and Melissa Boyette, would like to create a 3-story addition to their property and remove an existing garage. The addition would include an expansion of a bedroom on in the basement, the expansion of a kitchen on the 1st floor, the expansion of a bedroom on the 2nd floor and the creation of a new bedroom on the 3rd floor. Because the owner would be demolishing an existing garage at the rear of the property, the total lot occupancy would be reduced from 77.5% to 67.2% and the rear lot setback would be increased from one foot to 18 feet. The applicant submitted a letter of support from the owner of the adjacent properties (1315 and 1319 D St NE are owned by the same person.)

The Committee felt that the changes met the burden of proof for the requested special exception because it would increase the air, light and privacy of the neighboring properties and would not intrude upon the character, scale and pattern of houses along the street frontage.

The committee passed the following recommendation on a 5-0 vote.

Recommendation: The ANC write a letter to the BZA supporting the special exception in BZA #18266 (1317 D St NE).

BZA #18247 (1309-1311 H St. NE). This case was continued from the previous month. Mr. Kyrus Freeman, the developer's representative reported that 1) the requested commercial FAR has been reduced from 3.0 to under 2.7, 2) the developer had obtained an easement from the church at 13th and H



Committee Reports

Economic Development and Zoning (EDZ)



to allow trash pickup, and 3) the design of the façade had been substantially changed since the previous meeting to address the Committee's concerns.

Mr. Freeman said that trash would be picked up from the rear of the building through the easement provided by the church. He also stated that if there was any overflow trash they had contracted with a business on the north side of 1300 block of H Street for storage and trash removal.

Changes to the façade: The bays were altered to better mimic the original configuration. A new 3rd floor design of 1311 was developed that incorporated slate on the roof. The color of the trellis on 1309 was darkened to blend in better with the building's design. The articulation of the cedar wood band and windows was enhanced. The glass railing was changed to an iron railing on 1309. The committee commended the developer for making these changes and thought that the design had improved. It stated that it had 3 additional concerns: 1) That the façade be made of brick rather than stone, 2) that sashes or mullions be used on the 2nd floor windows and 3) that the central section (presently cedar wood) be extended across the entire façade of 1311. The developer agreed to #3.

The committee passed the following recommendation on a 4-1 vote.

Recommendation: The ANC write a letter to the BZA supporting the requested zoning relief for BZA #18247 (1309-1311 H St. NE).

BZA #18254 (1303 Linden Ct. NE): This case was continued from the previous month. Mr. Ahmann, the owner's architect, showed revised drawings which removed the penthouse - thereby lowering the structure's height to 3 stories -- except for a small "popup" stairway access to the roof. This change removed 10 feet of height off the back of the structure. The owner stated that the utilities for the new structure would tap into the utilities from 1320 G St. NE, which was the owner's current residence. He also reiterated that the Fire Marshall did not have any issues with the residence in the alley.

Several neighbors spoke in opposition to the structure because it would affect the light and air of their property, including the neighbor on MD Ave. who directly abutted the property and a resident of Linden Ct. In addition, the residents were concerned that a residence was not a permitted use for the property and that it should continue to be utilized as an artist studio.

Dan Golden and Charmaine Josiah felt that the proposed use and did not meet the requirements for a variance because the property could be used for other productive uses.

The committee passed the following recommendation on a 3-2 vote.

Recommendation: The ANC write a letter to the BZA opposing the requested zoning relief for BZA #18254 (1303 Linden Ct. NE).

New Business

1350 Maryland Ave.: Valor Development is in the process of purchasing the 1350 Maryland Ave. property, which is one of the properties that is set to be downzoned from C-3-A to C-2-A as part of the rezoning requested by ANC 6A. Valor asked the ANC to consider excluding some properties on the NW corner of 14th and Maryland if Valor built a residential structure that was only slightly larger than permitted as matter-of-right in a C-2-A zone in exchange for working with the ANC on the building's design and community amenities. The Zoning Commission delayed final action on the proposed rezoning to permit negotiations between the ANC and Valor.



Committee Reports

Economic Development and Zoning (EDZ)



Jeff Goins of PGN Architects presented the current set of plans for 1350 Maryland Ave. to the ED&Z committee. Mr. Goins had previously worked with the ANC on the design of the Comstock PUD across from Eastern High School.

The building would be 3.4 FAR and be 61 feet. In a C-2-A zone with the inclusionary zoning bonus and the 5' bonus height from the H Street Zoning Overlay, a matter-of-right project could build to 3.0 FAR and 55 feet. In a C-3-A zone (with IZ and under the Overlay), a matter-of-right project could build to 4.8 FAR and 70 feet. The project would have 49 units and underground parking accessed from the alley.

The developer had incorporated several rounds of feedback on the design from ED&Z committee members and planned to refine the design further. The developer committed to come to the August ED&Z committee with further refinements.

In addition to design changes, the developer agreed to pay for the cost of preparing and submitting an application to expand the Capitol Hill Historic district based on the previous survey conducted by EHT Tracerics. In addition, the agreed to fund a CaBi bike station.

The feedback from the committee and community members was very positive on the proposed development

**Next Scheduled ED&Z Committee Meeting:
Wednesday, August 17, 2011
7-9pm
640 10th St. NE
Sherwood Recreation Center, 2nd Floor**



Committee Reports

Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A August 17, 2011

Present: Members: Phil Toomajian, Dan Golden, Jeff Fletcher, Charmaine Josiah, Cody Rice
Commissioners: Drew Ronneberg, David Holmes, Nick Alberti

Drew Ronneberg chaired the meeting

Community Comment

Phil Toomajian reminded the committee that the Chalk Walk Art Project would take place on September 10 and the H Street Festival would take place on September 17.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: David Holmes reported that the AppleTree appeal would be heard by the BZA in September. In addition, he will be meeting with DCRA to discuss the procedures for addressing reasonable accommodation requests.

Vacant Properties: Phil Toomajian reported that 914 H St NE was the only H St. property that went to tax sale, despite the fact that only occupied properties were supposed to be excluded from the tax sale. He also said that DCRA has added 8 new H St. properties to their vacant property list.

Zoning Rewrite: None

H Street Business Liaison Report: None

Old Business

1350 Maryland Ave.: Jeff Goins of PGN architects presented revised drawing for the proposed development at 1350 Maryland Ave. The Committee felt that the revised drawings addressed the massing and design concerns raised at the July meeting and that the project would fit very nicely into the architectural fabric of the Eastern End of Maryland Ave.

In order to ensure that the project would be built, Valor committed to a deed restriction (for approximately 10 years) that would restrict any development to 3.4 FAR (the density of the proposed structure). In addition, Valor would enter into contract with the ANC that would ensure that the proposed design would be built. Because the building will be made out of wood, it physically won't be able to be enlarged by adding more floors after it is constructed. Will Lansing of Valor also stated that they were committed to funding the installation of a CaBi bike station and an application to extend the Historic district to the commercial properties on H St.

The following recommendation was pass on a 7-0 vote.

Recommendation: The ANC write a letter to the Zoning Commission supporting the request to exclude the NW corner of 14th and Maryland from the proposed C-3-A to C-2-A downzoning in the ZC Case #10-19.

New Business



Committee Reports

Economic Development and Zoning (EDZ)



ANC Redistricting: The committee discussed whether it would be beneficial from a zoning and economic development perspective if H Street was within the boundaries of a single ANC. The committee discussed whether it would be better to have a uniform approach to the H Street Overlay, how an H Street ANC could be created (extending ANC 6A west, having properties north of Maryland Avenue be part of ANC 6C and moving 3 ANC 6A SMDs to 6C). It was also discussed whether it was good for the ANC to have more than 8 or 9 commissioners and whether such a large change in the boundaries would create an overwhelming workload. Jeff Fletcher said that he was opposed to having the one ANC for H Street.

Next Scheduled ED&Z Committee Meeting:
Wednesday, September 21, 2011
7-9pm
640 10th St NE
Sherwood Recreation Center, 2nd Floor



Committee Reports Economic Development and Zoning (EDZ)



September XX, 2011

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

RE: BZA Case 18247 (1309-1311 H St NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on September 8, 2011, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for variance from the floor area ratio requirements under §§771.2, a variance from the rear yard requirements under §774, a variance from the off-street parking requirements under §§2101.1, and a variance from the loading requirements under §§2201.1.

The Commission believes that the variances from the off-street parking and loading requirements is justified because the rear of the lot does not have alley or side-street access and the H Street NE Zoning Overlay specifically prohibits creating curbcuts on H Street that would be needed to provide parking and loading. The loading issues will be partially mitigated by an easement provided by Church at 13th and H, which will allow deliveries to be made to and trash removed from the rear of the building.

The Commission supports the variance for the rear yard setback requirements because the current structure occupies 100% of the lot and a portion of the building would need to be demolished in order to comply with §774.

Finally, the Commission supports the variance from the floor area ratio requirements under §§771.2 to allow a non-residential FAR of 2.67 because the "core" part of the building (stairways, bathrooms, kitchens, storage and trash receptacles) will comprise more than 50% of the floor area. Given the small size of the structure, the additional non-residential FAR will be necessary to make the proposed restaurant viable.

Please be advised that David Holmes and Drew Ronneberg are authorized to act on behalf of ANC 6A for the purposed 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, Advisory Neighborhood Commission 6A

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



Committee Reports Economic Development and Zoning (EDZ)



September XX, 2011

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

RE: BZA Case 18254 (1303 Linden Ct NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting² on September 8, 2011, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to oppose the applicant's request for: 1) a variance from § 2507.2 to permit the erection of a single family dwelling abutting an alley less than thirty feet in width; 2) a variance from §§403.2 and 772.1 to permit the erection of a single family dwelling detached structure that does not comply with maximum lot occupancy requirements in R-4 and C-2-A; 3) a variance from §§ 404.1 and 774.1 to permit the erection of a single family dwelling detached structure that does not comply with minimum rear yard requirements in R-4 and C-2-A; 4) a variance from §§ 405.1 and 775.2 to permit erection of a single family dwelling detached structure that does not comply with minimum side yard requirements in R-4 and C-2-A; 5) a variance from § 2514.1(d) to allow the required floor/area ratio (FAR) to be exceeded for a single family dwelling detached structure located on a lot divided by a zone district boundary line; and 6) a special exception pursuant to §2514.2 to allow a transfer of density the lesser restrictive use zone to the more restrictive zone district.

The Commission believes that the requested variances do not meet the standard for zoning relief set forth at § 3103.2. The property owner has identified no physical characteristics of the property that make it difficult for the property to be used in compliance with the zoning regulations. As indicated in the property owner's application for zoning relief, the property has been in use as a private garage since 1947 and that use may continue consistent with the zoning regulations. In addition, granting the requested variances would represent a substantial detriment to the public good and be inconsistent with the general intent and purpose of the zoning regulations and map. Specifically, the Commission finds that the proposed development of the property would infringe substantially on the light and privacy of neighboring properties. Because the Commission finds that the property owner has not demonstrated that he is entitled to the variances at issue, the Commission need not reach the issue of whether the property owner is entitled to the requested special exception.

Please be advised that David Holmes and Drew Ronneberg are authorized to act on behalf of ANC 6A for the purposed 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,

² ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv and through print advertisements in the Hill Rag.



Committee Reports
Economic Development and Zoning (EDZ)



David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Economic Development and Zoning (EDZ)



September XX, 2011

Ms. Sharon S. Schellin
Secretary of the Zoning Commission
Office of Zoning
One Judiciary Square
441 4th Street NW, Suite 210S
Washington, DC 20001

RE: ZC Case 10-19 - ANC 6A Support Maintaining C-3-A Zoning for Lots 141,142,143 and 848 on Square 1027.

Dear Ms. Schellin,

At a regularly scheduled and properly noticed meeting³ on September 8th, 2011, our ANC voted X-X-X (with 5 Commissioners required for a quorum) to support the Office of Planning's request to keep Lots 141,142,143 and 848 on Square 1027 zoned C-3-A in Zoning Commission Case #10-19.

The ANC supports this request because Valor Development has the proposed a well-designed residential development on Square 1027 Lot 848 that implements the H Street Overlay's Design Standards and Guidelines. We believe that this development nicely fits into the architectural fabric of surrounding rowhouses on Maryland Ave NE.

Valor is proposing a structure with a FAR of approximately 3.5, which is only slightly greater than what is permitted as a matter of right in a C-2-A zone (3.0 FAR with IZ bonus) and much less than what is permitted in a C-3-A zone (4.8 FAR with IZ bonus). In addition, the proposed height of 63 feet is significantly less than what is permitted as a matter of right in a C-3-A/HS-A zone (70 feet).

We are confident that the proposed structure will be constructed because the developer has committed to placing a 10-year deed restriction on the property that will restrict building the building's density to no greater 3.5 FAR. In addition, Valor has entered into a binding agreement with ANC 6A to construct the proposed design.

Although there will be no similar deed restriction for Lots 141, 142 and 143, these properties do not front on Maryland Avenue and abut the C-3-A properties fronting H Street immediately to the North. As such, we do not believe that keeping these properties zoned C-3-A will negatively impact the predominately residential rowhouse character of Maryland Ave NE.

On the other hand, ANC 6A strongly believes that lots 840, 841 and 804 should be downzoned from C-3-A to C-2-A as in the proposed Final Order. The downzoning of these lots will permit a smoother density transition from the C-3-A zoned Lot 848 to the R-4 zoned Lot 32, which are separated by approximately 60 feet.

³ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv and through print advertisements in the Hill Rag.



Committee Reports Economic Development and Zoning (EDZ)



Please be advised that Commissioners Drew Ronneberg, David Holmes and Andrew Hysell are authorized to represent the ANC for the purposes of this case. Commissioner Ronneberg can be reached at 202 431-4305 or ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

cc: Harriet Tregoning, Office of Planning Director
Jennifer Steingasser, Office of Planning
Joel Lawson, Office of Planning



Committee Reports Economic Development and Zoning (EDZ)



September XX, 2011

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

RE: BZA Case 18266 (1317 D St NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting⁴ on September 8, 2011, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for a special exception under §223.1 from the lot occupancy of §403, rear yard setback requirements of §404 and nonconforming structure requirements of §2001.3.

The Commission believes that the special exception is justified because the owner will reduce the property's non-conformity by lowering the lot occupancy from 77.5% to 67.2% and increase the rear yard setback from one foot to 18 feet. These changes will positively impact the light, air and privacy of adjacent properties and will not intrude upon the character, scale and pattern of houses along the street frontage. In addition, the Commission notes that the owner of both adjacent properties has written a letter of support for the application.

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, Advisory Neighborhood Commission 6A

⁴ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv and through print advertisements in the Hill Rag.