



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 12, 2013**



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

7:00pm **Call to order, Approve July Meeting Minutes, Adopt Agenda**

7:03 **Community Comments** (2 minutes each)

7:05 **Community Presentations:**

1. DDOT report on the Streetcar project (5 min)
2. Andrew Oetman of DDOE, Watershed Protection Div., Planning & Protection (5 min)
3. Frank White, Ben's Chili Bowl regarding their H St. construction process (7 min)

7:25 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 27*

1. Approve Treasurer's Report

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

Standing Committee Reports:

7:45 **Community Outreach** *pg. 29*

1. Approve committee report
2. **Recommendation:** ANC send thank you notes to the same organizations who received them last year
3. **Recommendation:** ANC approve grant funding as follows: \$2,720 to Serve Your City; \$900 to Sherwood Neighborhood Volunteers; \$250 to Capitol Hill Village
4. Next meeting - 7:30 pm, September 16, 2013 (3rd Monday)

7:50 **Alcohol Beverage Licensing** *pg. 43*

1. Approve committee report
2. **Recommendation:** ANC grant a limited exemption to Section 1(b) and (c) of the November 17, 2009 Addendum, and Section 1 of the April 12, 2012 Addendum to the H Street Country Club Settlement Agreement, and that such exemption apply only from 12:00pm to 7:00pm on Saturday, September 21, 2013, provided that H Street Country Club agrees to comply with the rules and regulations set by the H Street Festival.



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3. **Recommendation:** ANC grant a limited exemption to Section 2 of the May 28, 2007 Addendum to the Vendetta Settlement Agreement (previously known as the Red and Black), and that such exemption apply only from 12pm to 7pm on Saturday, September 21, 2013, provided that Vendetta agrees to comply with the rules and regulations set by the H Street Festival.
4. **Recommendation:** ANC grant a limited exemption to Section 3(c)(6) of the Dangerously Delicious Pies Settlement Agreement, and that such exemption apply only from 12:00pm to 7:00pm on Saturday, September 21, 2013, provided that Dangerously Delicious Pies agrees to comply with the rules and regulations set by the H Street Festival.
5. **Recommendation:** ANC formally protest the request for an entertainment endorsement by Sahra at 1200 H Street NE (License Number ABRA-087557).
6. **Recommendation:** ANC formally protest the license application of Chupacabra at 822 H Street NE (License Number ABRA-092662) unless a signed Settlement Agreement is submitted to the ANC and the establishment change from a CT to a CR license prior to the protest date, and that if these conditions are met, the ANC support a stipulated license.
7. Next meeting - 7pm, September 17, 2013 (3rd Tuesday)

7:55 **Transportation and Public Space Committee** pg. 62

1. Approve committee report
2. Next meeting - 7pm, September 16, 2013 (3rd Monday)

8:00 **Economic Development and Zoning** pg. 65

1. Approve committee report
2. **Recommendation:** ANC support the request for a variance at 620 9th Street, NE (BZA Case 18514)
3. **Recommendation:** ANC support the requests for a special exception and two variances at 1120 Park Street, NE, only on the condition that prior to the applicants' presentation to the full ANC, they will have obtained letters of support from both adjoining property owners that expressly acknowledge that the applicants' proposal contemplates construction of a deck atop the proposed garage. (BZA Case 18595)
4. **Recommendation:** ANC support the proposed design for 1325-1327 Constitution Avenue, NE (HPA 13-509)
5. Next meeting - 7pm, September 18, 2013 (3rd Wednesday)



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8:05 **Unfinished Business**

8:10 **New Business:** *pg. 70*

1. Response to the Report from DDOT's Public Space Committee (Holmes)
2. Discuss DPR/Options basketball court (Holmes)
3. Accept requested change to zoning order for 901 D Street NE (Holmes)
4. 1102 H Street NE, to clarify that previously adopted motion for this address applies to any subsequent BZA case (Holmes)

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

8:10 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of July 11, 2013



Advisory Neighborhood Commission 6A Minutes Miner Elementary School July 11, 2013

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

The meeting was convened at 7pm.

1. Minutes

The minutes for June 2013 were approved by unanimous consent.

2. Agenda

Mr. Holmes asked to have discussion about 20 14th Street NE added to Unfinished Business; items dealing with Red Rocks, Miner principal Lavonne Bunch, and a letter of support for an Atlas Theater CDBG letter of support added to New Business; and a discussion of 1365 H Street added to Economic Development and Zoning Committee. The items were added by unanimous consent.

Mr. Holmes announced that during discussion at the meeting, he would enforce a two-minute rule on debate, and that Commissioners will only be able to speak twice unless they are presenting a motion.

3. Officers' Reports

Chair

Mr. Holmes reported that Khan's has attempted to revoke its Settlement Agreement but the ABC Board refused the request. He said that the Cusbah protest is still going on, and the XII hearing on various violations was postponed until late in June.

Vice-Chair

Mr. Mahmud reported that the Public Space Committee has developed an on-line program to enable people to track public space applications, and training will be available for ANC Commissioners in its use.

Treasurer's Report

Mr. Alberti presented the Treasurer's Report. He reported that the opening balance in the checking account was \$16,033.35, and the savings account balance was \$13,715.98. There was an interest payment to the savings account of \$.23. There were disbursements of \$200 to Heather Schoell for the June '13 agenda package (Check #1604); and \$180 to Roberta Weiner for transcription of the April '13 ANC minutes (Check #1605, leaving a balance of \$13,716.21 in the checking account, and \$13,716.21 in the savings account.

Motion: Mr. Alberti moved/Mr. Williams seconded a motion to accept the disbursements. The motion passed without objection.

Motion: Mr. Alberti moved/Mr. Williams seconded a motion to approve the Treasurer's Report. The motion passed without objection.



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Quarterly Report

Mr. Alberti said that a summary of the Quarterly Report was included in the packet and the complete report had been circulated to the Commissioners. **Motion:** Mr. Alberti moved/Mr. Mahmud seconded a motion to accept the Quarterly Report for the 3rd Quarter FY 13 as presented. The motion passed unanimously.

5. SMD Reports

Ms. Nauden reported that people on Linden Court are having problems with their alley.

Mr. Alberti reported that he still has ongoing concerns about the use of pocket parks. He said he plans to bring the issue to the Transportation and Public Space Committee.

Mr. Mahmud reported that Ben's has started construction, and the build-out on the street is just temporary. He also reported that there has been an uptick in crime on Alton Place, and that Commander Hickson has been very responsive.

Mrs. Phillips-Gilbert reported that DDOT held a meeting on 17th and 19th Streets, and work will begin in spring 2014. Pilgrim AME Church has a free Summer Camp for children in the Rosedale Community and surrounding area offering free breakfast and lunch. All children in the area are welcome to participate.

6. Community Presentation

Mr. Holmes introduced project manager Tina Fink of Toole Design Group, consultants being used by DDOT on plans for traffic calming on Maryland Avenue NE. All of the proposed changes when implemented will be accomplished by paint and pylons so they will be easy to modify if changes are needed. A more permanent construction will wait a year for analysis and feedback. Mr. Holmes said there have been a series of meetings, both at joint meetings between the Transportation and Public Space Committee and ANC 6C and meetings held by DDOT and their consultants. Full community participation was sought and obtained.

Ms. Fink gave a history of the project going back to 2011. Construction of the pilot project will take place during the fall. The plan includes turning the 800 block of E Street NE into a one-way street; the removal of the double traffic lights at 9th and E Streets; and the closure of the north and south stubs of E Street NE at 9th and 10th Street NE.

7. Community Outreach Committee

The report of the Committee was accepted without objection.

8. Alcohol Beverage Licensing Committee

The report of the Committee was accepted without objection.

Langston Bar and Grille - 1831 Benning Rd. NE

Motion: The Committee moved/Mr. Williams seconded a motion to take no action on the request to ABRA by the Langston Bar and Grille to change its license from CR to CT. Mrs. Phillips-Gilbert expressed her concern about the noise coming from the bar. The motion passed 7-0-1, with Mr. Alberti not voting.



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RedRocks

Motion: The Committee moved/Mr. Hysell seconded a motion to accept the Committee's recommendation to accept the ABC Board's changes requested for the previously adopted Settlement Agreement for RedRocks and to amend the ANC's standard Settlement Agreement to reflect the changes required by the ABC Board. The motion passed 7-0-1, with Mr. Alberti not voting.

9. Transportation and Public Space Committee

The report of the Committee was accepted without objection.

Bicycle Lane Infrastructure

DDOT presented to a joint meeting of the committee and the ANC 6C Transportation Committee four options for bicycle infrastructure being considered for G Street and I Street NE. At that meeting Chairman Omar Mahmud took an informal vote, and Option 2 - a contra-flow bicycle lane with parallel parking on both sides of the street - received significantly more votes than any other option.

Motion: The Committee moved/Mr. Mahmud seconded a motion that the ANC support the Committee's recommendation to send a letter to DDOT expressing support for Option 2. The letter will also express an interest in having the city prohibit sidewalk bicycling along the commercial corridor portion of H Street, request that DDOT develop additional hazard warning signs and street markings on and around H Street NE, and request street repaving where needed along portions of G and I Streets NE prior to striping for bike lanes.

Mr. Holmes said that ANC 6C had passed the resolution the previous evening. Mr. Alberti said that his preference would be a shared bike lane, which is Option 1. Mr. Mahmud said DDOT recommended Option 2, and not a single person at the committee meeting preferred Option 1. He said this will change the culture of riding bikes on the street. There will be signage and if it's not working, he said he is confident they'll change it. Mr. Holmes said that the reason they've taken this option is to slow the traffic down. The motion passed unanimously, 8-0.

Chupacabra

According to Mr. Holmes, the Chupacabra Public Space application was returned to the ANC by Public Space Committee (PSC) asking that the ANC negotiate with the applicants about the hours for use of the public space. The TPS and the full ANC both voted unanimously to require the standard hours for sidewalk cafes, found in the ANC's Settlement Agreement. Mr. Holmes and Mr. Mahmud both asked PSC staff whether Chupacabra was on the agenda. No phone call was returned, no e-mail was sent. The public agenda on the PSC website had no mention of Chupacabra. So neither Mr. Holmes or Mr. Mahmud, or interested neighbors were at the meeting. But Chupacabra was added to the agenda without public notice or communication with the ANC. Because he thought he still had time to negotiate with Chupacabra, Mr. Holmes didn't send the ANC's letter of opposition until the morning of the hearing, and it was sent only because they hadn't heard from the PSC. He introduced Matthew Marcou of the DDOT Public Space Committee.

Mr. Holmes said that the owners of Chupacabra asked that 90-120 minutes be set aside for a discussion of the issue, but, he said, he set aside as much time for discussion as the Commissioners wished to consider the issue. He pointed out that the ANC had already voted to oppose the application in the absence of any limitation on hours, because of the proximity of the public space dining area to nearby residences: the nearest home is across a ten-foot alley



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Mr. Marcou pointed out that there was agreement on all the points of the agreement except the hours, and the Public Space Committee had tabled the discussion about the hours in the hope that consensus could be reached. Mr. Holmes pointed out again that he had asked whether it would be coming up at the PSC, it was not posted on the web site, and re-iterated that the ANC was excluded, and that neighbors who wanted to be there because of an interest in the hours were excluded, and expressed the hope that the PSC could do better in the future.

Chupacabra's owner said that one-third of the neighbors supported the hours. He said there are four sidewalk cafés on H Street and half are open late. He said there are no reports of violations on any of them, and Chupacabra has none either. He suggested that that they be allowed a probationary period to assess the degree of noise. None of the other cafés have any ambient noise.

Mr. Mahmud responded that the issue is the potential for noise at a sidewalk café. He said that the statement that there is no ambient noise cannot be true, and the neighbors came to the meeting to say they don't want noise until 2am. He said he could not support a probationary period. The owner said that it would be nice for the neighborhood to have the full hours for a public space. Mr. Holmes said he loved their restaurants—Dangerously Delicious Pies—but the ABL Committee is trying to be consistent and make the rules the same for all the sidewalk cafés.

Mr. Marcou said that the PSC is changing its processes and posting everything online. He also said that they have night inspectors who can do walk-throughs. He said, however, that hours are not completely within the purview of the PSC.

Mr. Holmes announced that the ABRA hearing on the use of alcohol in public space would be held in mid-July.

10. Economic Development and Zoning Committee

The report of the Committee was accepted without objection.

1255 H Street NE

The applicant asked for support for several zoning variances he requires for this property: FAR, parking requirements and loading requirements, and the committee voted unanimously to support the request, despite the fact that the applicant purchased windows for the building that are not consonant with the other buildings on the block. Subsequent to the meeting, according to Mr. Holmes, it came to the attention of Commissioners that no appropriate place has been provided for trash. A substitute motion was offered:

Motion: Mr. Holmes moved/Mr. Ward seconded a motion that the ANC support the request by 1255 H Street NE for relief from the following provisions: FAR, parking requirements and loading with the proviso that space be set aside within the properties' boundaries for trash and recycling receptacles so these are not on public space; that there be a loading area preserved at the back of the southern lot; and that the owner hire an exterminator who will make monthly visits from this point forward for the control of rodents and other vermin. The motion passed unanimously, 8-0.

1102 H Street NE

This is a request for support of the installation in the front of the building of a Bank of America ATM machines. **Motion:** The committee moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to not support the application of the Bank of America to construct two ATMs in a



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building at 1102 H Street NE. The committee felt that the use of the building was not in keeping with the H Street Overlay. The motion passed 6-0-2, with Mr. Williams and Mr. Hysell abstaining.

New Committee Member

Motion: Mr. Holmes moved/Mr. Mahmud seconded the nomination of Stephanie Frang-Zimny to be a member of the Committee. The motion passed unanimously.

New Committee Chairs

Motion: Mr. Holmes nominated/Mr. Mahmud seconded a motion to elect Dan Golden and Andrew Hysell to be co-chairs of the Economic Development and Zoning Committee. The motion passed unanimously.

Yes! Organic Market - 1365 H Street NE

Mr. Holmes said that Yes! Organic Market has been to the committee twice about their proposed location at 1365 H Street NE, the former H Street Playhouse. He presented a history of the building: Like the Atlas Theatre and the Convent, this building is on the Register of Historic Properties and subject to oversight by the Historic Preservation Review Board with respect to exterior changes. The property is about 5000 sq. ft. and was originally a car dealership. Its interior is open, without supporting beams.

The Mott Motors and Plymouth Theater building is a rare survivor of the small-scale, inner city automobile dealerships that served a vital but largely overlooked role in the transformation of the urban and exurban landscape and American way of life through the transportation revolution made possible by the automobile. The building is also a fairly intact example of a World War II-era theater that primarily catered to African Americans, the first such facility in the Near Northeast neighborhood. As such, it remains as a reminder of the long era of legal segregation of public facilities in Washington, DC and many parts of the nation—while also having been a primary recreational venue for a generation of African American residents of Near Northeast.

At the time of its nomination, it was one of only six such early car dealership buildings in the country. The idea of dealerships itself was new at the time the building was constructed. Obviously the character of the auto showroom at 1365 is very different from showrooms now. But then, extensive display rooms weren't necessary—there were few car models.

The building was remodeled in 1943 as the new Plymouth Theater. From 1914 to 1929, the Empire Theater had operated on H Street between 9th and 10th Street NE. The Apollo Theater at 624 H Street had also opened in 1914 and remained until after World War II. And the Atlas Theater opened in 1938. But these were all “whites only”.

The Plymouth Theater became the first integrated movie theater and, therefore was the first theater to accept African American patronage in the Near Northeast section of the District. During World War II, its inner city location was particularly convenient in light of the contemporary gasoline rationing. The Atlas Theater desegregated in the early 1950s, and with its larger space and better appointments probably drew away much of the crowd from the Plymouth. A conversion to live performance was contemplated, but the Plymouth closed in 1952.

The applicant originally appeared before the Committee in May and was requested to extend its planned third floor penthouse across the entire rear of the roof, which it has done. The alley neighbors do not appear to have any objections to the additional height. **Motion:** The Committee



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moved/Mr. Hysell seconded a motion that the full ANC accept the Committee's recommendation to support the application of Yes! Organic Market before the HPRB with the provisos that the street aspect of the building be unmodified with the exception of a sign over the entry, which should be as small as possible in order to advertise the store's presence while avoiding overwhelming the historic façade. Additionally, any added floors should not be visible from H Street (normal for a designated historic property). The motion passed unanimously 8-0.

11. Unfinished Business

20 14th Street NE

This is a request for support for a HPRB application for a project replacing a garage structure with a parking pad for several cars. Neighbors expressed concern about ability of garbage trucks to enter the alley on which the pad will sit and about potential increased noise and traffic. There was a question as to whether there were any zoning issues involved. Pending answers to their questions about any zoning issues and a description of the lot, the EDZ Committee took no action at its meeting. It turns out, from discussions with the Zoning Administrator, that there are no zoning issues. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to approve the plans for a parking pad at 20 14th Street NE, subject to setbacks from the property line shown on the plans dated June 7, 2013 and shared with the ANC, satisfying concerns that trash trucks will have insufficient turning room, that the present apron from the city alley to the parking facility be replaced with smooth pavement, and that any dividing walls be parked or stuccoed. The motion passed unanimously, 8-0.

12. New Business

Maryland Avenue Traffic Calming Measures

This is a request for a vote of support on the plan for traffic calming measures on Maryland Avenue NE presented early in the meeting. **Motion:** Mr. Mahmud moved/Mr. Holmes seconded a motion to approve the plan that includes the conversion of the 800 block of E Street NE to one-way traffic; the removal of the doubled set of traffic lights at 9th and E Streets NE; and the closure of the road stubs of E Street between 9th and 10th Streets. The motion passed unanimously, 8-0.

Reaffirm Support for One-Side Zone 6 Resident Parking for the 600 Block of 9th Street NE

Ms. Nauden presented a request for support of a letter to DDOT reaffirming ANC support for the request by Zone 6 residents of the 600 block of 9th Street NE for two-hour parking. Commissioner Nauden said DDOT apparently does not want to implement that plan, despite the emails that have been sent by residents. The street is also home to the Sherwood Rec Center, and the residents are willing to share the spaces with Sherwood. **Motion:** Ms. Nauden moved/Mr. Holmes seconded a motion to send a letter to DDOT reaffirming support for the plan to implement two-hour resident parking on the 600 block of 9th Street NE. The motion passed unanimously, 8-0.

RedRocks

Mr. Holmes read an email from Jack Priestley, the contractor for RedRocks: "...we are being required to supply 12 parking spaces to 'cover' the second floor space, which was previously apartments...many restaurants have opened on H Street without fulfilling this requirement. At the present time, we have been signed off on by Zoning, but only for the first and third floors. We would like the same accommodation afforded the Anacostia Playhouse, which was permitted to open pending an appeal to BZA for rescue from the parking regulation. Precedent has been set. ...We received the Zoning comments on September 24 of last year. NO mention of parking requirements was made at that time."



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Mr. Holmes said it will be impossible to meet the twelve car parking minimum. When BZA considers it, we should support a waiver of this requirement as we have in the past for other H Street buildings. In the meantime, they have a problem with a question of whether or not the second floor was ever used for commercial purposes. If not, then it must go to BZA for approval. That would postpone the opening of the second floor for months. The second floor is where seating will be for pizza service.

A letter from Zoning Administrator Matt Le Grant says he met with the owner and contractor. The problem, he said, is that the Certificate of Occupancy for the building referenced only the first floor for retail use, and he hasn't received any requested documentation to the contrary. He also said the third floor was built without lawful permits, and that the owner did not conduct any due diligence in leasing the property. He said he worked out a compromise with the owner that will allow the use of the first, third and roof garden, with the second floor blocked off, which will allow the opening of the restaurant while they apply for BZA relief to open the second floor.

James O'Brien, the owner, said that while there have been several owners of the building since 1901, there is no record of use for the second floor.

Motion: Mr. Hysell moved/Mr. Mahmud seconded a motion to support a request for a temporary waiver of the parking minimum and the Certificate of Occupancy requirement until the BZA rules on the matter. Mr. Alberti said he hated the way the system is working in this case, but there is little that can be done. Mr. Holmes added that while this is the largest restaurant on H Street, he has a problem with the fact that the owner did not do due diligence which would have avoided this situation. Mr. Mahmud said they were talking about a technicality. The vote was 6-0-2, with Mr. Alberti and Mr. Holmes in abstention.

1120 Park Street NE

This is a BZA application for construction of a garage with deck at 1120 Park Street NE that was withdrawn from consideration, then revived, but not presented to the EDZ Committee. There was some discussion about opposing the application because it had not been submitted. **Motion:** Mr. Hysell moved/Mr. Alberti seconded a motion to request a delay in judgment on the issue until the ANC has had an opportunity to act on the issue. The motion passed unanimously, 8-0.

Principal Bunch

Mr. Holmes said that he thinks that DCPS should be clear on the exact reasons for the release of Lavonne Bunch, principal at Miner School, and to date, he said, he has not received any satisfactory answer from DCPS, and he requested support for a letter to School Chancellor Kaya Henderson, stating that Ms. Bunch has been an extremely competent principal, a source of strength to the community and one who has added depth to her students' education, stating that "Her departure will be a major loss to the community and to the ANC. You should not let her go," and asking for specific reasons for her release. **Motion:** Mr. Holmes moved/Mrs. Philips-Gilbert seconded a motion to send a letter of support for Miner Principal Lavonne Bunch, urging her retention and asking specifically why she is being released. The motion passed 7-0-1, with Mr. Mahmud not present.

Support for Atlas Theater CDBG Loan

The Atlas Theater needs a letter of support for an application for a \$6.5 million Community Development Block Grant (CDBG) loan from the Department of Housing and Community Development



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to help repay an existing debt. The conditions of the loan require the Atlas to continue its community outreach, reduced price ticket program and occasional use of the physical plant by community groups. **Motion:** Mr. Holmes moved/Mr. Hysell seconded a motion to send a letter of support to the DC Department of Housing and Community Development in support of a CDBG loan to the Atlas Theater. The motion passed 7-0, with Mr. Mahmud not present.

The meeting was adjourned at 9:10 pm.



Commission Letters of July 11, 2013 Meeting



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



July 12, 2013

Ms. Kaya Henderson
Chancellor
District of Columbia Public Schools
1200 First Street, NE
Washington, DC 20002

Dear Chancellor Henderson,

Advisory Neighborhood Commission 6A has found Principal Lavonne Taliaferro-Bunch to be extremely competent, a source of strength for our community, able to bring about increasing neighborhood involvement, a woman who adds depth to her students' educational experience, a supporter of the ANC, a firm disciplinarian of her students, and in command of her staff. She has encouraged the growth of the PTO, helped create positive experiences for her students with the police, and has been fiercely protective of the children in her charge as they go to and from the school.

The School has been improving with better PTO participation and better test numbers despite the problem/opportunity of so many school lunch children and so many challenged and homeless students because of the proximity of the homeless shelter.

Her departure will be a major loss to the community and to this ANC. You should not let her go.

The letter was authorized to be sent to you by a vote of the Commission taken last night at its regular publicly¹ announced monthly meeting. The vote was 7-0, Commissioner Mahmud neither present for this matter nor voting.

For the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



July 12, 2013

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

Re: Yes! Organic, 1365 H Street, NE

Dear Ms. Pfaehler,

At a regularly scheduled and properly noticed¹ meeting on July 11, 2013, our Commission voted unanimously, 8-0-0 (with 5 Commissioners required for a quorum) to support the proposed project at 1365 H Street, NE.

The owner is proposing to develop this landmarked historic site for use as a mid-sized grocery store. We are not aware of any zoning issues with this project.

The ANC supports the proposal, contingent on: 1) the existing street aspect being minimally modified; 2) the new level (s) atop the structure not being visible from across H Street; and 3) the sign being as small as possible to both advertise the store's presence and avoid overwhelming the historic facade; and 4) that service of food or drink from any roof deck be prohibited. Assuming these conditions are adopted, the ANC believes that the proposed changes to the site will provide an aesthetically pleasing fit with the remainder of the H Street corridor.

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

On behalf of the Commission,

David Holmes
Chair

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Commission Letters of July 11, 2013 Meeting



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



July 11, 2013

Michael P. Kelly
Director
Department of Housing and Community Development
1800 Martin Luther King Avenue SE
Washington, DC 20020

The District of Columbia, acting by and through the Department of Housing and Community Development (DHCD), has offered to provide to the Atlas Performing Arts Center (APAC) a loan of \$6,500,000 to fund the partial repayment of an existing debt. The loan funds will be derived from the Community Development Block Grant (CDBG) funds and satisfy the US Department of Housing and Urban Development requirements for CDBG funding. The loan will have a term of 25 years with an interest rate of 0% per annum.

Under terms of this loan and the CDBG program, APAC will agree to provide work opportunities and performing arts activities approved by DHCD for the 25-year term of the loan to be covered by a Declaration of Covenants.

This loan will enable the Atlas to secure its future as a resource that can continue to promote the cultural and economic revitalization of our community. It will enable the Atlas specifically to provide economic benefits, expand educational opportunities and enhance the quality of life for the low to moderate income residents in our neighborhood. In other words, they will continue to provide the important community outreach we have come to expect from them.

ANC6A supports this agreement. The Atlas Performing Arts Center is an essential part of our community.

For the Commission,

David Holmes
Chair

cc: Tommy Wells, Councilmember
Quinn Warner, DCHD
Jen DeMayo, APAC
Sam Sweet, APAC



Commission Letters of July 11, 2013 Meeting



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



July 12, 2013

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

Re: BZA Case No. 18591 (Spot on H, 1255 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly¹ noticed monthly meeting on July 11, 2013, our Commission voted 8-0 (with 5 Commissioners required for a quorum) to support the applicant's request for variance relief pursuant to §3103.2 from the requirements for maximum floor area ratio (FAR) set forth at §771.2, the parking requirements set forth at §2101.1, and the loading facility requirements set forth at §2201.1.

The Commission supports granting the requested variances subject to certain conditions stated hereinafter. The ANC has found the strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant. Granting the requested relief, subject to the conditions below, will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan.

The ANC requests that the Board of Zoning Adjustment (BZA) set as conditions of the order the following:

- 1/. That space be set aside within the property boundaries to completely contain trash and recycling bins, ensuring no use of public space for trash containment;
- 2/. That a loading area be preserved at the back of the southern lot for the use of delivery vehicles;
- 3/. That the owner contract with a professional exterminator who will make monthly visits for the control of rodents; and

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.



4/. That the third floor be placed at the rear of the southern lot, as shown on the plans, to provide sound mitigation.

In supporting a grant of the requested relief, the Commission specifically recognizes the benefit the applicant's business will provide for the community (serving as a laboratory residency for students undertaking culinary training under the executive chef/owner under the Careers through Culinary Arts Program (C-CAP)), as well as the sound mitigation efforts being undertaken by the applicant, including the enforcement of an 11:00 pm closing time and a prohibition against the playing of amplified music on the building's roof deck.

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

On behalf of the Commission,

David Holmes
Chair



Commission Letters of July 11, 2013 Meeting



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



July 13, 2013

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

Re: Maryland Avenue Traffic Calming

Dear Director Bellamy:

The Commissioners of ANC 6A voted unanimously to support:

- 1/. the closure of the stubs of E Street located on the south side just west of 10th Street and, on the north side, just east of 9th Street;
- 2/. the removal of the doubled traffic lights at 9th and Maryland; and
- 3/. the conversion of the 800 block of E Street to one way traffic.

The Commission voted unanimously, 8-0-0, with five required for a quorum. The vote took place at our regularly scheduled publicly announced¹ monthly meeting.

In addition, the two Commissioners for the 9th and 10th Street intersections, Commissioner Nauden and myself, have surveyed our residents along the stubs and have heard no opposition.

The Commission supports a speedy start and expeditious conclusion to this project. At the ANC's hearings on this project, after plans were presented, there has been no word of opposition.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A advertises its meetings through the use of our Announce-6A email distribution list, on our website, through the ANC6A and NewHillEast yahoogroups, and in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



July 13, 2013

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

Re: Changes to bike movement and bike traffic signs on G, H, and I Streets NE

Dear Director Bellamy:

The Commissioners of Advisory Neighborhood Commission(ANC) 6A voted unanimously to support the selection of Alternative 2 for bicycle infrastructure along G and I Streets NE within the boundaries of ANC 6A. Alternative 2 was presented by DDOT staff and is a contra-flow bicycle lane with parallel parking on both sides of the street plus a shared lane for cars and bicycles. We join our colleagues in ANC 6C in supporting this alternative.

We ask you and the Mayor to prohibit sidewalk bicycling along the length of H Street NE. The sidewalks are unusually narrow for such a busy commercial corridor. The reasons are precisely the same as those that have led the City to ban sidewalk biking in the center city commercial area. The pending provision of safe alternative bicycle lanes within one block both north and south of H Street makes this easily feasible. The dangerous tracks, the pending streetcars, and intensity of WMATA and commercial bus traffic make H Street unsafe for cyclists but the sidewalk is in no way a reasonable alternative.

We ask that DDOT develop additional and perhaps larger and more prominent bike hazard warning signs and street markings for H Street. The street car tracks make this corridor particular hazardous for bikes. There have been many accidents with personal injury due to wheels becoming caught in the gaps within the tracks. This is a very high priority. DDOT will find that these problems will be replicated wherever future streetcars run, so the time to solve them is now.



Commission Letters of July 11, 2013 Meeting



We ask in conclusion that the portions of G and I Streets that are in poor repair be fixed. The lanes will not perform their function if the road surface is so uneven that it causes accidents. Bikes are forced to weave around the worse bumps and holes, not appropriate behavior in the near presence of moving cars with the added possibility that car doors may open when cyclists are so distracted by the road surface. The signs painted directly on the street will be unclear with such an uneven road surface.

Advisory Neighborhood Commission 6A adopted a motion authorizing this letter by 8-0-0 with five required for a quorum. The vote was taken at our regularly-scheduled and publicly-announced monthly¹ meeting.

On behalf of the Commission,

David Holmes
Chair

cc: Vincent Gray, Mayor
Tommy Wells, Councilmember
Mike Goodno, DDOT
James Cheeks, DDOT

Motion:

ANC send a letter to DDOT expressing support for the Alternative 2 option for bicycle infrastructure (Contra-flow bicycle lane with parallel parking on both sides of the street) along G Street NE and I Street NE through our ANC. The letter will also express an interest in having the city prohibit sidewalk bicycling along the commercial corridor portion of H Street NE, request that DDOT develop additional bike hazard warning signs and street markings on and around H Street NE, and request street repaving where needed along portions of G Street NE and I Street NE prior to striping for bike lanes.

Adopted July 11, 2013, 8-0-0, all Commissioners present.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



July 13, 2013

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

Re: BZA Case #18595 (620 9th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on July 11, 2013, our Commission voted 8-0 (with five Commissioners required for a quorum) to state that we have not been able to hear this request for a variance, pursuant to 11 DCMR § 3103.2, from the definition of yard under section 199, to allow a rear deck addition to a row dwelling occupying more than fifty (50%) percent of the rear yard area in the R-4 District at premises 620 9th Street, N.E. (Square 913, Lot 846).

Consequently we ask that the Board delay consideration until the ANC has heard from the applicant or the agent of the applicant. The matter was scheduled but the applicant’s agent was not able to attend.

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

On behalf of the Commission,

David Holmes,
Chair

Motion:

The ANC inform the BZA that we have had no opportunity to hear this case, request a delay in its consideration by the BZA, and oppose if the delay is not granted until we have had a chance to hear this case.

Adopted July 11, 2013, by a vote of 8-0-0 (with five required for a quorum)

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission’s website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



July 13, 2013

By Email

Edward Rich, Esq.
Assistant Attorney General
Alcoholic Beverage Regulation Administration
2000 14th Street NW
Suite 400
Washington, DC 20009

Re: Settlement Agreement Between ANC6A and RedRocks

Dear Mr. Rich:

At its regularly-scheduled and publicly-announced monthly meeting of July 11, 2013, Advisory Neighborhood Commission 6A ("the ANC") voted (7-0-1) to accept the ABC Board changes for the previously adopted Settlement Agreement for RedRocks and to amend the ANC's standard Settlement Agreement to reflect the changes required by the ABC Board. Five Commissioners are required for a quorum. Commissioner Alberti did not participate or vote in the matter. I have also confirmed that Mr. James O'Brien, owner of RedRocks and signatory of the Settlement Agreement, consents to these changes.

Should you have any questions, please contact me at williamsanc6a05@gmail.com or 202.906.0657. In addition to me, Commissioner David Holmes (Chair of ANC 6A) is authorized to represent the ANC in this matter.

On behalf of the Commission,

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

CC: Fred Moosally, Director, ABRA
James O'Brien, Owner, RedRocks



Commission Letters of July 11, 2013 Meeting



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



July 13, 2013

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

Re: BZA Case #18514 (1120 Park Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on July 11, 2013, our Commission voted 8-0 (with five Commissioners required for a quorum) to state that we have not been able to hear this request for an area variance and special exceptions, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a special exception under section 223, not meeting the lot occupancy requirements (section 403), a variance from the parking space dimensions requirement under subsection 2115.1, and a variance from the garage setback requirement under subsection 2300.2(b), to allow a detached garage addition serving a one-family dwelling in the R-4 District at premises 1120 Park Street, NE (Square 987, Lot 8).

Consequently we ask that the Board delay consideration until the ANC has heard from the applicant or the applicant’s agent. The matter was earlier withdrawn by the agent before consideration by the Commission’s zoning committee and the ANC was not aware that the project was proceeding until after the June committee meeting. Consequently we must oppose the application until we have heard about the plans and their recent modifications, and have had an opportunity for the full Commission to vote.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoo groups, on the Commission’s website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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

On behalf of the Commission,

David Holmes,
Chair

Motion:

The ANC inform the BZA that we have had no opportunity to hear this case, request a delay in its consideration by the BZA, and oppose if the delay is not granted until we have had a chance to hear this case.

Adopted July 11, 2013, by a vote of 8-0-0 (with five required for a quorum)



Commission Letters of July 11, 2013 Meeting



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



July 14, 2013

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

Re: 20 14th Street, NE

Dear Ms. Pfahler,

At a regularly scheduled and properly noticed¹ meeting on July 11, 2013, our Commission voted unanimously, 8-0-0 (with 5 Commissioners required for a quorum), to support the proposed project at 20 14th Street, NE.

The owner is proposing to demolish the existing structure. We are unable to determine if the property is within the period of significance, though the exterior is badly deteriorated. We are not aware of any zoning issues with this project as presented.

The ANC supports the proposal, subject to setbacks promised by the developer's agent from the property line shown on the plans (which are dated June 7, 2013 and presented to the ANC) ensuring that trash trucks will have sufficient turning room to protect the historic properties along the alley; that the present badly deteriorated cement apron from the city alley to the parking facility be replaced with smooth pavement; and that any walls that may installed be parged or stuccoed. The same approval should be considered to stand if subsequent plans show insignificant alterations.

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

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



July 20, 2013

Ms. Connie Wheeler
Infrastructure Project Management Administration
DDOT
55 M Street, SE
Washington, DC 20003

Dear Ms. Wheeler,

Advisory Neighborhood Commission 6A has voted to endorse a change in the parking signs for the 600 block of Ninth Street NE. The ANC and the neighbors have made this request once before with no response from DDOT.

There are currently no parking controls on the north end of the east side. This situation leads to out-of-state commuter parking all day and night. The School Parking Only signs extend well beyond the physical bounds of the school property, and run beyond the end of the school day.

At a regularly scheduled and publicly announced¹ monthly Commission meeting held July 11, 2013, by a vote of 8 - 0 with all Commissioners present, the ANC voted to support re-signing the north end of the east side of the 600 block of Ninth to Ward Six Two Hour Parking, and the re-signing of the south end of the east side of school reserved parking to extends only to the bounds of the school property and that the limitation of non-school parking should end at the end of the school day.

This would not require any teacher or staffer to move their vehicle. Once parked in the school parking area, teacher and staff vehicles can remain. The current late hours are not needed by the school and keep residents from parking near their home after they come home from work.

Please inform me of the results of your survey with details about the re-signing or its denial. Commissioners Omar Mahmud, Gloria Nauden and David Holmes are authorized to represent the Commission in this matter.

For the Commission,

David Holmes, Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.



Commission Letters of July 11, 2013 Meeting



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



September 6, 2013

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

Dear Ms. Miller,

Re: Chupacabra, 822 H Street NE

Advisory Neighborhood Commission 6A protests the issuance of a license to Chupacabra on the grounds that its location deep into a side street off of H Street NE can be expected to be a significant source of noise since it is directly adjacent to the residential area, and neighbors are already experiencing noise problems without the establishment having a liquor license. There is a lack of clarity as to whether the owners will continue to serve alcohol-absorbing food until an hour before closing, leaving us with a concern about order. There is a legitimate fear among neighbors that noise and rowdy behavior threaten their property values and quality of life, a concern shared by the ANC.

On the grounds of peace, order, quiet and threats to property value, the ANC protests the issuance of a liquor license to Chupacabra. We hope to complete negotiations towards a Settlement Agreement quickly.

This letter is authorized by a 7-0 vote of ANC 6A taken on May 9, 2013, a regularly scheduled meeting. A quorum was present. The meeting was publicly announced (on two yahoogroups of wide local circulation, by the Commission's email notice, on our website, and by an advertisement in the Hill Rag newspaper).

For the Commission,

David Holmes
Chair,



Officer Reports - Treasurer



ANC 6A Treasurer's Report July/August 2013

Period Covered

Checking Account:

Balance Forwarded \$ 15,653.35

Receipts:

District Allotments: (3rd Quarter FY 13)	\$	4,607.82
Transfers from Saving Account	\$	-
Other: (Deposit - Kinko's Rebate)	\$	241.92

Total Receipts \$ 4,849.74

Total Funds Available \$ 20,503.09

Disbursements:

Heather Schoell (Agenda Package July 2013)	Ck #1606	\$	200.00
FedEx Office (July 01, 2013 Statement)	Ck #1607	\$	342.56
Roberta Weiner (Minutes June 2013)	Ck #1608	\$	180.00

Total Disbursements \$ 722.56

Ending Balance \$ 19,780.53

Savings Account:

Balance Forwarded \$ 13,716.21

Receipts:

Interest	07/31/13	0.23
Interest	08/30/13	0.23
Deposit -		
Transfers from Checking Account		

Total Receipts \$ 0.46

Total Funds Available \$ 13,716.67

Disbursements \$ -

Ending Balance \$ 13,716.67

Prepared Aug. 31, 2013



Officer Reports - Treasurer



ANC 6A Treasurer's Report July/August 2013

PETTY CASH SUMMARY

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

Prepared Aug. 31, 2013



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

August 12, 2013 Minutes

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

Meeting called to order at 7:30pm

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

Commissioners present: Sondra Phillips-Gilbert, Nick Alberti

Community members present: Vira Sisolak and Vy Cornett (Capitol Hill Village), Phil Toomajian, Jean Wegemont (Sherwood Neighborhood Volunteers), Raphael Marshall (Director, Sherwood Recreation Center), Denise Harrison (observer)

I. Agenda
Adopted.

II. “Thank you” notes to supporting organizations

Ms. Nelson reminded the Committee that, in years past, the ANC has sent “thank you” notes to organization providing meeting space for ANC meetings (including committee meetings) and web hosting.

Motion: Ms. Kohanek moved that the COC recommend that ANC 6A send thank you notes to the same organizations who received them last year. Seconded by Ms. Mack. Vote 7 in favor none opposed.

III. Presentation of grant applications from Capitol Hill Village (CHV), Serve Your City (SYC) and Sherwood Neighborhood Volunteers (SNV)

1. The grants budget for the current fiscal year is \$5,000; \$1,130 has been spent or committed; the remaining balance is \$3,870. The total of all three grant requests is \$4,208 - exceeding the balance by \$338.
2. Although the commissioners can choose to fund grants in excess of the budget, the three applicants were, in a sense, competing for the remaining funds. Therefore, all three were allowed to present their grant requests and answer questions before any discussion of their relative merits and how available funding should be apportioned. Ms. Kohanek and Mr. Cook recused themselves from discussion of relative merits and the vote because of current or anticipated relationships to the organizations.
3. Capitol Hill Village is requesting \$500 for costs associated with symposium on healthy aging.
 - a) The applicants (Ms. Sisolak and Ms. Cornett) gave a brief description of their organization which is geared toward assisting Seniors in remaining in their homes. They also gave information on the planned symposium and noted that 120 people had attended a previous symposium on housing options.
 - b) Ms. Nelson noted that the grant application did not describe the benefit to residents specifically of ANC 6A, though benefit of grant monies can be to others as well (per Statutory Guidelines). She called this to their attention at the time the grant was originally submitted and suggested possible ways to demonstrate the benefit to ANC 6A, such as including enrollment figures that would show how many CHV members reside in ANC 6A or providing the number of attendees at the previous symposium (also held at Hill Center) who resided in 6A or by holding the event in ANC 6A. She suggested several locations within ANC 6A that might serve as possible venues. The applicants elected not to



Committee Reports

Community Outreach Committee (COC)



- c) update the grant application. Ms. Nelson also noted that CHV has not held any events in ANC 6A.
 - d) Ms. Sisolak said that CHV hoped that events such as these would encourage more residents of ANC 6A to join, that they advertised the events within ANC 6A and that they might host events within ANC 6A in future. However, she was not able to provide information on the number/percentage of CHV members or previous symposium attendees lived in ANC 6A. They wanted to keep the event at Hill Center because that is their “core area”.
 - e) They are requesting funding from ANC 6C but not from ANC 6B in the belief that ANC 6B will not provide such funding (ANC 6B has no grants program).
 - f) Committee members agreed that the purpose of the grant was a good one and that it would serve a different age demographic than has received funding in the past.
4. Serve your City is requesting \$2,758 for youth tennis/rowing program
- a) The applicant (Maurice Cook) explained that his organization encourages young adults, mostly college students, to become involved with local children and provide enrichment opportunities. Among other activities, SYC is currently providing a first exposure to the sport of rowing to youth, primarily from the Rosedale area. SYC seeks to extend the program into the fall and spring and enroll more children. They also plan to have twice weekly-tennis lessons. The children would not otherwise be able to engage in these sports. This exposure is important because they are sports that can be done throughout life and because they will bring the children into contact with people from outside their usual social circles/neighborhood. The rowing program also familiarizes the children with the Anacostia watershed. Going forward, the children will be recruited primarily from neighborhood schools, Eliot-Hine, Eastern and Maury.
 - b) The program is heavily subsidized by DC Strokes which is donating most of their services for the rowing program. Volunteers from Tennis For All are involved in the tennis component.
 - c) Committee members agreed that the purpose of this grant is a good one, although Commissioner Phillips-Gilbert expressed concerned that the children might not all live in the neighborhood. Mr. Cook explained that about 90% of current enrollees did and that if the program goes forward with ANC funding, the percentage will be the same or higher.
5. Sherwood Neighborhood Volunteers is requesting \$950 for toddler’s group-play equipment (\$650), supplies and tools for an after-school jewelry making class (\$200) and a small amount (\$100) to maintain the on-going landscaping project.
- a) The applicants (Mr. Toomajian and Mr. Wegemont) explained that there is a new “First Steps” at the Center. For some time, toddlers and their care-givers have congregated there but there was no formal program. Now, someone has been hired by DPR to run the program and 45 children are enrolled, but there is no budget to purchase any equipment at all. \$650 is requested to purchase equipment that will encourage interaction, gross and fine motor skills. Also, there is a jewelry making program (that has some materials) that Sherwood would like to run as an after-school program this fall. Funds were requested from DPR to purchase the tools and supplies that would make this possible, but the request was denied. Last, SNV has been maintaining the landscaping around the Center for several years; this has greatly improved the appearance of the facility. \$100 is requested for small tools and landscaping materials for needed maintenance.
 - b) Ms. Williams asked if the children in the toddler program live in 6A; Mr. Toomajian said that surely there were a few who did not but that the majority did and he knew many of them personally. Ms. Williams also asked why these projects were chosen as the priority



Committee Reports

Community Outreach Committee (COC)



instead of providing additional uniforms and balls for the basketball program, which have been lacking in the past. Mr. Marshall explained that the Center has uniforms to use for games (though not practices) and that the SNV had served as a “pass through” to get funding for these uniforms in the past two years. Since SNV had already supported basketball, it made sense for them to support something different at this time.

6. Although there was general agreement that all three requests would serve useful purposes, all three could not be funded in their entirety (within the budget) and there was considerable diversity of opinion as to what the priorities should be. There were also some remaining concerns about demonstrating the benefit to ANC 6A of the CHV grant though no-one doubted that it would be of benefit to the larger community. Also, it is a one-day event while the other activities would be on-going. Mr. Barbash suggested that we “pro-rate” the amount requested by CHV by the percentage participation we thought they might receive from 6A. This seemed, to many, to be a reasonable compromise but difficult to calculate, since no numbers were provided. Upon review of the amounts requested by the applicants in relation to the balance in the grants budget, Ms. Nelson suggested that if the ANC gives half of what was requested to CHV, the other two applicants could receive most (though not all) of the funding they need for their projects.
 7. **Motion: Ms. Nelson moved that the COC recommend that ANC 6A approve grant funding as follows: \$2,720 to Serve Your City; \$900 to Sherwood Neighborhood Volunteers; \$250 to Capitol Hill Village. Seconded by Mr. Barbash. Vote 4 in favor, 2 opposed (including Commissioner Phillips-Gilbert) and 2 recusals (Kohanek and Cook). The motion carried and the applicants were advised that they needed to send representatives to the ANC meeting on September 12.**
- IV. Confirmation of next meeting date.
The next meeting will be held Monday, September 16, 7:30pm at 1235 C St. NE.
- V. Meeting adjourned at 8:50pm



Committee Reports
Community Outreach Committee (COC)



September xx, 2013

Dr. Anne Evans, Principal
Miner Elementary School
601 15th St. NE
Washington DC 20002

Dear Dr. Evans,

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

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports
Community Outreach Committee (COC)



September xx, 2013

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

Minister Thompson,

For the past ten 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, especially to Mrs. Thompson.

Once again, thank you.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports
Community Outreach Committee (COC)



September xx, 2013

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

Dear Mr. Marshall,

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

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports
Community Outreach Committee (COC)



September xx, 2013

Dr. T. Alan Hurwitz, President
Gallaudet University
800 Florida Ave. NE
Washington DC 20002

Dear Dr. Hurwitz,

For the past Ten 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 Hatim Vali who provides highly professional technical support in a warm and caring way. We also appreciate their renewing the domain name on our behalf.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
7/20 /2013	present thru 8/30/2014

3. APPLICANT ORGANIZATION NAME AND ADDRESS	4. EIN (TAX ID NUMBER)++
Serve Your City 312 14th Street NE Washington, DC 20002	80-0753615

5. CONTACT NAME	6. TITLE
Maurice Cook	Executive Director

7. ADDRESS (IF DIFFERENT FROM ABOVE)

8. TELEPHONE	8. FAX
(202) 341 - 1732	() -

10. E-MAIL ADDRESS

mcook.serveyourcity@gmail.com

11. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY

Rowing/Tennis Camp-Expose at-risk youth, primarily from ANC 6A, to Rowing at the Anacostia Boat House and Tennis at Eastern High School. Participants will receive 16 sessions of Rowing instruction and 32 weeks of Tennis instruction.

12. PROJECTED TOTAL COST	13. AMOUNT REQUESTED
\$2,947.00	\$2,758.00

14. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)

Serve Your City has initiated fundraising activities via online donations through social-media outlets Facebook and Fundrazr.

15. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)

Both Rowing and Tennis are sports that are generally too expensive for low-income, disadvantaged students to participate due to the high costs of equipment, supplies, and training. Economic exclusion has had a negative impact on the ethnic/racial makeup of Tennis players, coaches, and Rowers. Also, it limits the level of exposure and engagement of low-income youth to two sports that are widely recognized as intensive, physically demanding activities that require discipline and sustain life-long healthy fitness habits. Serve Your City can address this issue by providing its College student members (volunteers) who are willing to support the training and mentorship of low-income youth from Maury Elementary; Eliot-Hine Middle School, Eastern High School, and youth who participate in recreational activities at Rosedale Recreation Center. Fifteen-seventeen youth will receive (3) 2 hour training sessions of Rowing at the Anacostia Boat House where they will learn Rowing Fundamentals. ANC funding will allow the program to continue into the fall and spring. Twenty-five youth will receive (3) 2 hour training sessions of Tennis this summer plus an additional 1.5 hours per/week of Tennis instruction during the academic school year at Maury Elementary facilitated by Tennis Certified Serve Your City College members (volunteers). All three of these schools are located in ANC 6A and draw a significant percentage of their student population from ANC 6A.



Committee Reports

Community Outreach Committee (COC)



2013 ANC 6A GRANT PROPOSAL

Serve Your City is a 501c3 non-profit organization with a mission to recruit volunteers (primarily from local DC region Community Colleges and Universities) to become directly involved in improving the educational and social outcomes of DC youth. In fulfilling this mission, for the past 2 years Serve Your City has provided college student volunteers in Ward 6 schools at Maury Elementary School, Eliot-Hine Middle School, and Eastern Senior High School. Serve Your City has also created numerous events for youth who attend these schools to visit local Universities for educational and co-curricular programming. Furthermore, Serve Your City has provided volunteers for neighborhood events that include the Hstreet Festival, Lemonade Day, and Ward 6 Family Day.

Serve Your City's Summer 2013 Rowing/Tennis Camp is part of the organization's Health/Wellness programming. The immediate goal is to provide structured, safe, summer outdoor activity that engages and exposes local youth to these sports. The long-term goal is to generate enough interest in Rowing/Tennis between students from Eliot-Hine Middle School and Eastern High School that will lead to the creation of a joint Rowing/Tennis Club between the two schools beginning in September 2013.

A major component of the Rowing Training this summer and beyond will be a focus on Environmental Protection of the Anacostia River. An emphasis will be placed on environmental principles and the special responsibility that our youth have in protecting the river that runs through their own neighborhood. DC Strokes, an official Rowing Club at the Anacostia Boat House, has agreed to partner with Serve Your City as our Rowing service provider. Their club membership has a strong passion to increase diversity and local community engagement in the sport.

Currently, Serve Your City has an existing academic-year after-school Tennis program at Maury Elementary. With financial support from ANC 6A, Serve Your City will have the opportunity to expand this program by offering it during the summer months of 2014, and to older students from Eliot-Hine Middle School and Eastern High School. Arrangements have been made to secure the equipment needed to support the tennis program at UDC-Community College.

Finally, Serve Your City believes that financial support from ANC 6A can help us in our efforts to create an alignment of programming between the three schools. Program alignment could provide neighborhood youth an opportunity to enhance their Rowing/Tennis skills over a longer period of time, influence the long-term ethnic/racial makeup of these sports in our community, but most importantly, create healthy exercise habits and positive, fun engagement with the Anacostia River.

Budget

Rowing

Gas=\$75

Barge Rental=\$405

Wear/Tear Usage Fee=\$150

Safety Accessory Fee=\$375

Transportation (Metro Rail) =\$189 (no funds from ANC 6A will be used for transportation, per statutory guidelines)

-Subtotal=\$1,194.00 (\$1,005 requested)

Tennis items such as:

2 junior nets = \$220

Balls/buckets=\$288

25 racquets (assorted sizes) @ \$25 ea = \$625

Accessory equipment to include items such as (but not limited to):

playground balls (cloud type), ropes, chalk, caution tape, baskets, court markers, targets, cones, agility equipment = \$610

-Subtotal=\$1,753.00

Total=\$2,947.00



Committee Reports
Community Outreach Committee (COC)



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
07/31/13	09/01/13 - 05/31/14
3. APPLICANT ORGANIZATION NAME AND ADDRESS	4. EIN (TAX ID NUMBER)++
Sherwood Neighborhood Volunteers	80-0589505
640 10 th St NE, Washington, DC 20002	
5. CONTACT NAME	6. TITLE
Phil Toomajian	President
7. ADDRESS (IF DIFFERENT FROM ABOVE)	
631 10 th St NE, Washington, DC 20002	
8. TELEPHONE	8. FAX
(202) 309 -2805	N/A
10. E-MAIL ADDRESS	
ptoomajian@gmail.com	
11. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY	
Group play equipment for “First Steps” program aka toddler time at the Sherwood Rec Center	
Also materials for jewelry making class held weekday afternoon and minor garden maintenance.	
12. PROJECTED TOTAL COST	13. AMOUNT REQUESTED
\$ 950	\$ 950
14. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)	
DPR is operates the jewelry class, but will not provide the requested items needed for a full class/term.	
SNV will use and seek additional personal contributions to maintain garden work, which has been funded in part thanks to past donations from the ANC, CH Garden Club, Casey Trees, and members of the SNV. DPR does not provide mulch, bulbs, flowers, or bushes for the grounds or nor will it provide play equipment for “First Steps.”	
15. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)	
The equipment will benefit the neighborhood’s large and growing population of very young children, many of whom attend the weekday morning play time in the gym. This activity is very popular and Sherwood staff reports that the number of attendees has gotten very large. Unfortunately, the program is essentially just free play in the gym because DPR has not provided and does not have a budget for toys. Sherwood Recreation Center is located in ANC 6A and most of the children participating in activities there reside in ANC 6A.	
The jewelry class targets older children, while the garden work benefits all residents who pass by. All materials will be housed on site at the Sherwood Recreation Center. The garden work benefits all who use of pass by the Recreation Center because most of it is near the entrance to the building, which is used by a variety of neighborhood residents for exercise, play, classes, and community meetings.	



Committee Reports Community Outreach Committee (COC)



Budget:

Group play equipment for toddlers	\$650
to include items <u>such as</u> (most items cost \$50-\$100 per piece):	
-walking ropes with 12 handles	
-collapsible crawl tunnels (eg. “Fun Tube Tunnels”)	
-cars that kids can sit in and push themselves	
-area rug for group-time activities	
- pre-school art & crafts supplies such as: large brushes, stamps, rollers, paints	
-other items that will support child-development/social skills/fine-motor & gross-motor skills	
Jewelry making materials (beads, findings, string, etc.) and tools:	\$200
Garden maintenance supplies such as mulch, plants and small tools:	\$100
Total:	\$950



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

1. DATE OF APPLICATION	2. DATE OF PROJECT OR ACTIVITY
07/03/2013	10/04/2013
3. APPLICANT ORGANIZATION NAME AND ADDRESS	4. EIN (TAX ID NUMBER)++
Capitol Hill Village	205150809
P.O. Box 15126, Washington, DC 20003-0126	
5. CONTACT NAME	6. TITLE
Elvira Sisolak	Board Member
7. ADDRESS (IF DIFFERENT FROM ABOVE)	
8. TELEPHONE	8. FAX
(202) 543-1778	() -
10. E-MAIL ADDRESS	
ELVIRA.SISOLAK@eeoc.gov	
11. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY	
Symposium on healthy aging. Working title is <i>Success in Old Age: You Can Take Control.</i>	
12. PROJECTED TOTAL COST	13. AMOUNT REQUESTED
\$3000	\$500
14. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)	
AARP (co-sponsor; contact is James McSpadden; amount TBD)	
15. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)	
See below.	

About Capitol Hill Village

Capitol Hill Village (CHV) is a nonprofit organization that provides its members with the services and expertise they need to live safely and comfortable in their own homes. It was founded in 2006 by a group of friends and neighbors who love their community and want to live out their lives on Capitol Hill. For a modest membership fee, paid on a monthly or yearly basis, members gain access to a range of professional and volunteer services and a variety of educational and social programs. In addition to offering standard memberships, we offer a Membership Plus program where we provide financial assistance to moderate- to low-income individuals. These members receive full services without having to pay the full membership fee.



Committee Reports Community Outreach Committee (COC)



Benefits of membership include (but are not limited to) transportation to appointments and social events, in-home assistance, help with record-keeping and paperwork, help with home repair and maintenance, legal and medical advice and advocacy, and convenience services.

About the Program

The positive aging symposium (working title: *Success in Old Age: You Can Take Control*) will provide discussions on practical ways for individuals to prepare for old age (i.e. not letting aging become a passive process). It will be an all-day event (9 AM to 4 PM) with a series of panels and/or speakers on topics such as physical fitness, mental health, civic and social engagement, and end-of-life planning. Panels will include community partners (e.g. AARP) and members of the organization. In short, this symposium is an opportunity for residents of ANC6A to obtain extremely practical information that is sometimes difficult to obtain from other sources but will directly affect their lives. This symposium will also be a starting point for a series of smaller meetings/events on topics related to positive/healthy aging that we did not have time to cover during the symposium.

The jurisdiction of ANC6A is a part of CHV's service area and though we have members who live there, we are always looking to expand our presence in that area. We have much to offer the residents of ANC6A but many are unaware of our organization, programs, or benefits. At the event, we will have information and staff to discuss the benefits of membership and the various membership options for individuals of all income levels.

Though the focus will be on Ward 6, CHV will advertise extensively to reach out to persons in the ANC who are not members of Capitol Hill Village via the Hill Rag, ANC listservs and websites, coffee shop bulletins, and neighborhood blogs. We did this sort of outreach for our housing symposium last spring and had much success with it, attracting more than 120 attendees (a full house).

The symposium will be held at The Hill Center (921 Pennsylvania Ave SE) and will be open to all members of the DC community with no admission fee. We want to use the Hill Center because it is centrally located to all persons living in our core area of Ward 6 (with the exception of SW). The Hill Center is one block from a metro station (Eastern Market) and near an intersection at which major north-south and east-west bus routes cross, so access without a car is easy. The Hill Center also has excellent facilities, including a state-of-the-art visual and sound system that can also be seen and heard in an overflow room.

Additionally, the Hill Center is a non-profit organization itself which houses offices of other local non-profit organizations and displays the work of local artists. The rental fee being paid to the Hill Center will support its extensive series of programs that are open to all members of the DC community.

In addition to requesting \$500 from ANC6A, we will also be requesting \$300 from the local AARP chapter, \$200 from the Washington School of Psychiatry, and \$500 from ANC6C. We cannot request funds from ANC6B because they do not have a grant program. CHV will cover any remaining expenses.



Committee Reports Community Outreach Committee (COC)



Budget

Description	Amount	Notes
Space rental	\$1,200	
Stage/panel setup (discounted at 50%)	\$200	
Advertising	\$900	Full page ad in the Hill Rag.
Printing	\$500	Printing schedules for symposium attendees.
Food	\$200	Breakfast items such as fruit, bagels, and pastries. Includes coffee from Dunkin Donuts.
Total	\$3000	

Income

Description	Amount	Notes
ANC6A	\$500	Meetings August and September 12 th . Vira Sisolak and I will attend.
ANC6C	\$500	Vira is working on setting up a meeting with ANC6C commissioners.
Capitol Hill Community Foundation	\$1000	
AARP DC	\$250	
Washington School of Psychiatry	\$250	
Total	\$2500	



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee ANC 6A July 16, 2013

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7:00 pm EST on July 16, 2013 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Jay Williams (Chair), Michael Herman, Adam Healy, Mary Cary Bradley, and Ann Marie Koshuta

Committee Members Absent: Roger Caruth, Christopher Seagle, Katy Thomas, and David Oberting

Commissioners Present: None

Community Members Present: Blair Zervos (H Street Country Club and Vendetta), Steve Hessler (H Street Festival), and Margaret Holwill

I. Call to Order

Jay Williams called the meeting to order at 7pm. The meeting having been duly convened, was ready to proceed with business with a quorum. Mr. Williams reviewed the agenda and asked if there were any additions or edits. There were none.

II. Community Comment

None.

III. Old Business

None.

IV. New Business

1. Discussion of requests by ANC 6A establishments for limited exemptions for certain provisions of their Settlement Agreements during H Street Festival.

Mr. Williams introduced the agenda item, explaining that at a previous ABL meeting, several businesses had complained that ABRA inspectors had cited them for violations of their Settlement Agreements during H Street Festival, when it didn’t make sense to enforce certain parts of their Agreements, such as music on the patio. Mr. Williams solicited requests and received three.

1. Vendetta and H Street Country Club requests to allow prerecorded music on their deck/patio during H Street Festival.

- Mr. Zervos stated that he was requesting the ability to play music on the patios, deck, and rooftop deck of Vendetta and H Street Country Club. He noted that he was willing to tailor the language in such a way to limit the noise coming from the speakers and/or the size of the speakers used.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Herman raised the question of precedent, stating that next year someone might want to do this who isn't as good an actor as HSCC or Vendetta. He noted there had been issues in the past with loud music on patios, and people complaining of vulgar language.
- It was noted that the Festival organizers had drawn up guidelines for participants to use amplified music.
- Mr. Hessler introduced himself as present at the meeting at the request of Anwar Saleem and Roger Caruth, for the Festival's organizers.
- Mr. Hessler stated that last year there were regulations for vendors, merchants, restaurants, and patio participants. They were drafted because of issues with one establishment that refused to cooperate. The regulations were incorporated into an application for all participants that they must agree to. H Street Country Club and Vendetta would be subject to those regulations.
- The H Street Festival regulations were developed with the assistance of New Orleans event organizers and incorporated noise control and disorderly conduct laws from DC. Currently the regulations have sections about noise and quiet enjoyment, disorderly and offensive conduct, limitations on patios and tents, and penalties and enforcement provisions.
- Mr. Hessler explained that the regulations included language that establishments could not play music that competes with the performance stages. If an establishment violates a rule, they would receive a warning from the Committee, then ABRA, then MPD, then the Festival Committee could pull the plug on that establishment, and potentially reject the establishment's application next year.
- Mr. Hessler described the various acts and performances on/around the 1300 block of H Street NE, noting that Vendetta would be near the Baltimore Rock Opera Society, which would be generating a lot of sound.
- Ms. Koshuta suggested that the language apply to the establishments' front patio along H Street.
- Ms. Bradley suggested tailoring the language to require compliance with the H Street Festival rules.
- Ms. Koshuta asked if there is a risk of having bad actors interested in similar exemptions, why consider any exemptions? Mr. Healy noted that these could be dealt with on a case-by-case basis.
- Mr. Herman suggested this might be a good test case for allowing limited music on rooftop decks.
- The Committee asked if the Festival organizers would be willing to share information on any establishments who violated regulations this year. Mr. Hessler said the organizers would likely be willing to provide this information, but he would need to check.
- Mr. Hessler noted he was interested in maintaining "audio integrity" of the performance stages.
- During discussion of the language of the motion, Mr. Healy suggested that Mr. Williams consult with ABRA counsel to see if a reference to H Street Festival rules would be acceptable to the Board. Mr. Williams agreed to do so.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Williams moved/seconded by Ms. Koshuta that the Committee recommend the ANC grant a limited exemption to Section 1(b) and (c) of the November 17, 2009 Addendum, and Section 1 of the April 12, 2012 Addendum to the H Street Country Club Settlement Agreement, and that such exemption apply only from 12:00pm to 7:00pm on Saturday, September 21, 2013, provided that H Street Country Club agrees to comply with the rules and regulations set by the H Street Festival; and that the Committee recommend the ANC grant a limited exemption to Section 2 of the May 28, 2007 Addendum to the Vendetta Settlement Agreement (previously known as the Red and Black), and that such exemption apply only from 12pm to 7pm on Saturday, September 21, 2013, provided that Vendetta agrees to comply with the rules and regulations set by the H Street Festival. Motion carried 5-0.

2. Khan's request to keep patio open until 3am on night of H Street Festival.

- Mr. Williams explained that he had received a request from Khan's to keep its public space patio open until 3am the night of the Festival. Nobody from Khan's was in attendance.
- Mr. Hessler noted that the festival ends at 7pm, and there is a breakdown/cleanup time until about 8:30 or 9pm.
- Mr. Healy said there would be a lot of noise emanating from H Street all day during the Festival, and that neighbors wouldn't be happy with additional noise until 3am.
- Mr. Herman said that things seem to slow down at the end of the festival. Mr. Zervos agreed, stating that the amount of money made between 1am and 3am that night would be negligible and not worth the hassle.
- There being no motions offered on this request, Mr. Williams determined the issue closed.

V. Adjourn

Mr. Williams thanked all who attended the meeting, and the Committee for its continued service. The Committee adjourned at 8pm.



Committee Reports Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee

ANC 6A

August 20, 2013

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7pm EST on August 20, 2013 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Jay Williams (Chair), Adam Healy, Mary Cary Bradley, Christopher Seagle, and Ann Marie Koshuta

Committee Members Absent: Michael Herman, Roger Caruth, Katy Thomas, and David Oberting

Commissioners Present: None

Community Members Present: Margaret Holwill, Joe Englert (Vendetta, H Street Country Club, Rock and Roll Hotel), Kevin Bombardier (Chupacabra), Jason Martin (Chupacabra, Rock and Roll Hotel, and Dangerously Delicious Pies), Sarosh Hussain (Cusbah), Phil Peters (Smith Commons), Larry Janezich (Capitol Hill Corner), Margaret Bereano, Chris Taylor, and other members of the 6A community

VI. Call to Order

Jay Williams called the meeting to order at 7pm. The meeting having been duly convened, was ready to proceed with business with a quorum. Mr. Williams reviewed the agenda and asked if there were any additions or edits. There were none.

VII. Community Comment

None.

VIII. Old Business

1. Update on status of Cusbah protest hearing.

Mr. Williams provided an update on the status of the ANC’s protest of Cusbah.

- The ANC was moving forward with its protest of Cusbah’s license renewal because the establishment refused to limit its public space patio hours to 11pm on weeknights and 12am on weekends.
- Cusbah is the only establishment in 6A with later public space patio hours.
- The ANC and Cusbah participated in a mediation session on July 24th that was unsuccessful.
- On August 14th, the parties were required to attend a status conference before the ABC Board. Mr. Williams reported that he attended on behalf of the ANC, but that nobody from Cusbah attended.
- Due to Cusbah’s failure to attend the status hearing, the Board voted to dismiss Cusbah’s license renewal application.
- Cusbah has 10 days to request reinstatement. Mr. Williams reported that he was not aware of any such request to date.

2. Additional request by ANC 6A establishment (Dangerously Delicious Pies) for limited exemption for provision of its Settlement Agreement during H Street Festival (allowing more individuals on patio).



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Williams stated that Dangerously Delicious Pies had requested an exemption from the section of its Settlement Agreement that limits the number of patrons on its patio to 20.

- Mr. Healy asked if there was enough time to have an exemption approved by the ANC and submitted to the Board before the Festival. Mr. Williams responded that he had been in contact with individuals at ABRA who assured him he would be able to get the requests on the Board's agenda the Wednesday before H Street Festival. Mr. Williams acknowledged there was a risk that the Board could have issues/follow-up questions regarding the request, but that he was working with Martha Jenkins, ABRA counsel, to get language pre-approved by the Board.
- Mr. Englert expressed frustration that there was a lack of organization with ABRA for the H Street Festival.
- Mr. Martin noted that Dangerously Delicious doesn't normally have a patio, but that the Settlement Agreement contained language regarding a patio anyway.
- Ms. Holwill asked if there was a special license through ABRA for the H Street Festival. Mr. Martin said he thought there was, and Ms. Holwill said she had never heard of a limitation at H Street Festival for number of people on an establishment's patio. Mr. Martin said he was fined last year for such a violation. Mr. Williams said that even with a one-day special license, the ANC Settlement Agreements were still in force and would be enforced by ABRA investigators.
- Mr. Peters said that ABRA and the Board were enforcing even minor issues or issues with a "grey area," and that there was a need to shore up the "grey area" issues. With the expansion of the H Street Festival, ABRA was likely to increase its presence. Mr. Williams noted that last month's meeting was an effort by the ANC to work with establishments to avoid such issues with ABRA when sensible.

Mr. Williams moved/seconded by Ms. Koshuta that the Committee recommend the ANC grant a limited exemption to Section 3(c)(6) of the Dangerously Delicious Pies Settlement Agreement, and that such exemption apply only from 12:00pm to 7:00pm on Saturday, September 21, 2013, provided that Dangerously Delicious Pies agrees to comply with the rules and regulations set by the H Street Festival. Motion carried 5-0.

IX. New Business

1. Discussion of request by Sahra at 1200 H Street NE (License Number ABRA-087557) to add entertainment endorsement/dancing and cover charge to license.

Mr. Williams provided some background on the request, noting that it appeared to have arisen because Sahra had been cited by ABRA for charging a cover charge and/or providing live entertainment without an entertainment endorsement. He noted that representatives for Sahra were invited to attend the meeting, but none were in attendance.

- Mr. Healy stated that he is opposed to this request, because the establishment was operating improperly. He also noted that he was not sure if they ever obtained a public space permit from DDOT for their public space patio.
- Ms. Koshuta agreed with Mr. Healy, noting that she was troubled by the fact that they were not properly operating to begin with.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Seagle stated there were many houses close to Sahra, and that noise could be a major concern.
- Mr. Williams noted that he had received multiple noise complaints from neighbors regarding noise from Sahra's patio and from inside, and that it appeared Sahra's patio was in operation well after the hours stipulated in its Settlement Agreement.
- Ms. Koshuta stated that there appears to be an issue with lack of enforcement on the part of ABRA.
- Mr. Hussain said that there was also an issue with lines of people going into Horace and Dickie's next door, and that any discussion about noise from Sahra should include Horace and Dickie's as well, and that the ANC needed to deal with them too. Mr. Healy and Mr. Williams stated that the ANC has little power to deal with that establishment because it does not have a public space permit or an alcohol license.
- Mr. Peters stated that Sahra's patio has become a gathering place for people when it's closed, because they do not move or lock up their tables and chairs.

Mr. Healy moved/seconded by Mr. Seagle that the Committee recommend the ANC formally protest the request for an entertainment endorsement by Sahra. Motion carried 5-0.

2. Consider new license for Chupacabra at 822 H Street NE (License Number ABRA-092662), and request by Chupacabra for a stipulated license.

Mr. Williams introduced Mr. Bombardier and Mr. Martin, representatives of Chupacabra.

- Mr. Bombardier stated that Chupacabra has been open since May 2013, and was now seeking a liquor license. The establishment is a Latin kitchen and taqueria. He noted that the information on the placard generated by ABRA is incorrect and was submitted prior to negotiations with the ANC's Public Space Committee. The food hours currently are 11am to 11pm Sunday through Thursday, and 11am to 2am Friday and Saturday.
- Mr. Bombardier said that DDOT approved their public space patio hours until 11pm on weeknights and 12am on weekends.
- Mr. Healy asked if they had amended their application to ABRA to reflect the updated hours. Mr. Martin said they had not. When Mr. Healy stated they could easily amend to reflect the actual hours, Mr. Bombardier said they would do so.
- Ms. Koshuta asked for clarification on whether Chupacabra had already agreed to a Settlement Agreement. Mr. Bombardier and Mr. Williams explained that Chupacabra had gone through the public space approval process first and reached an agreement with the ANC, and now was before the Committee to reach a Settlement Agreement.
- Mr. Williams asked why they had applied for a tavern license, rather than a restaurant license. Mr. Martin said such a license is cheaper, more valuable, and requires less paperwork.
- Ms. Bereano asked what the difference is between a restaurant and a tavern license. Mr. Williams explained that restaurant licenses are cheaper, but require 40% of revenue to be for food, and there is a quarterly reporting obligation. A tavern license is more expensive, but does not have the revenue/reporting requirements.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Healy asked for clarification of the occupancy load on the permit. Mr. Bombardier stated it should be 16 inside, 40 in the summer garden, and 60 on the sidewalk patio. He noted that they could have gone up to 90 on the public space patio, but instead requested 60. The calculations were based on the International Building Code, and were calculated from a patio size of 1,432 square feet. Mr. Williams asked if that size incorporated the agreement reached with the ANC and DDOT shrinking the patio space, and Mr. Bombardier said it did.
- Mr. Healy asked if the patio extends north of the establishment's front door. Mr. Bombardier said that the patio begins south of the door and extends in that direction. There is no patio to the north of the door.
- Ms. Koshuta asked where background music would be played, and Mr. Bombardier said it would only be played indoors.
- Mr. Williams asked what alcoholic beverages would be served, and Mr. Bombardier said beer and liquor, but initially just beer and frozen margaritas.
- Ms. Koshuta asked if there was an actual bar in the establishment, noting that the building is small. Mr. Bombardier stated that there would not initially be a full bar, but instead a beer cooler and margarita machine.
- During a discussion to clarify the business's hours, Mr. Martin stated that they would be allowed to serve food 24 hours, but were applying to serve food one hour beyond alcohol sale hours.
- Mr. Healy asked if the patio closes at midnight, but the inside is open until 4am, what are the plans to shut down the patio, given the proximity to homes? Mr. Bombardier stated that managers and staff had an active relationship with MPD, and have been holding monthly meetings.
- Ms. Bradley asked if the chairs and tables are removed when the patio closes. Mr. Bombardier said that they had picnic tables that could not be moved. He stated that in the last four months of operation, the area has been greatly improved by the presence of the restaurant.
- Ms. Koshuta expressed concern that the restaurant could become a destination for late-night food, and that given the small space they could end up with patrons spilling out onto the street late at night. Mr. Bombardier said that this was currently not a problem, and Mr. Martin said that if people were taking food to go, they will be asked to take it elsewhere and not stay on the block. Further, staff would be instructed to assist with crowd control and making sure people weren't staying outside after the patio was closed.
- Ms. Bereano introduced herself as a resident on the same block as Chupacabra. She stated she wants to see the alcohol hours limited to the same time as the public space patio. She raised concerns with people sitting in the summer garden area after hours, workers parking illegally in the residential parking area, and problems with enforcement from MPD. She stated that the owners had claimed they want to be a family-oriented restaurant, and that if that was the case, they should be applying for a restaurant license instead of a tavern license.
- Ms. Koshuta questioned the tavern application, noting that the ANC recently had gone through a long meeting process to hear from the community and ultimately determined it was the interest of the neighborhood to favor restaurant licenses, and the ANC agreed to that



Committee Reports

Alcohol Beverage and Licensing (ABL)



resolution. She also noted that this particular establishment wasn't directly on H Street, but rather immediately next to a residential community.

- Mr. Seagle stated that when the Elroy came before the Committee requesting a CT license, the reason it was agreed to was because they were in the middle of a commercial strip and not near residences.
- Mr. Martin noted that they had a regular restaurant license, and they were just asking for a tavern liquor license.
- Mr. Seagle said the risk is that with a CT license, the establishment could cease sales of food altogether and just sell alcohol.
- Mr. Williams asked if Mr. Martin and Mr. Bombardier were amenable to changing to a CR license. Mr. Bombardier argued that the overhead costs would be too high.
- Mr. Hussain argued that neighbors need to understand that they live in a business / entertainment district, and that these new businesses were responsible for property values going up and the neighborhood being popular.
- Ms. Bereano stated that she is supportive of H Street businesses, but that this business was located in a residential area on 9th Street.
- Mr. Peters said that there was a bigger issue, because there are going to be more establishments interested in opening in the area, and that there will be an ongoing conversation with residents. He stated there needs to be a balance struck to keep the area from getting out of hand, but not being too picky with restrictions on establishments.
- Mr. Williams responded that he believed the ANC was striking that balance, and it was completely open with what it expected out of new establishments through its standard Settlement Agreement. He noted that other ANCs don't have a "standard" agreement, and that some even start with a blank slate with every new establishment, not providing any kind of predictability in the process.
- A neighbor in 6A stated that he disagreed with the claim that H Street was a positive destination, noting that some people have left because of mistakes made by nearby businesses.
- Ms. Holwill stated that long before businesses came to H Street, it was a neighborhood, and that the ANC began working out Settlement Agreements because of the potential of conflicts with neighbors. Two years ago, the ANC held a series of meetings because there was a push for a moratorium on liquor licenses. Instead, the committee reported the sense of the community that it would favor restaurant licenses.
- Ms. Holwill said that tavern licenses provide freedom to experiment, but the license is only valuable if it is sold. She warned that the ANC should be careful in not enforcing the rule against taverns, because other ANCs had more strictly enforced the rule and not had any problems. She said she did not understand why the Committee has not stuck to its promise to discourage tavern licenses.
- Mr. Martin stated that the issue with a tavern license was the price point of the food they are selling vs. prices for beer and liquor. He believes a 60/40 split would be impossible because of the price of his food.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Peters said that the issue is also about a price point for attracting certain clientele. If Chupacabra has to lower its alcohol prices, they would attract a different crowd, and one that the neighbors may not appreciate.
- Ms. Koshuta questioned whether the establishment needed to sell alcohol at all. Mr. Martin said it was necessary to survive. Ms. Koshuta said it was a problem that the only businesses that can survive on H Street are alcohol-related.
- Ms. Koshuta also noted that Mr. Martin had been a business operator on H Street for a while, and they knew about the ANC resolution favoring CR licenses; yet they still made the choice to proceed with a CT application.
- Ms. Holwill stated that Chupacabra was a unique situation because the majority of its space is a public space patio.
- Mr. Williams asked Mr. Bombardier and Mr. Martin if they were willing to agree to the standard 6A Settlement Agreement. Mr. Bombardier said they would be willing to sign, but wanted to extend the three-month trial period for summer gardens to the public space patio as well. Mr. Williams stated that he did not believe the Committee or the ANC would agree to that right now, but that the overall issue of patio hours would be discussed in a future meeting. Mr. Bombardier then stated that they were in agreement with the standard Settlement Agreement.
- Mr. Martin stated that they were willing to put language in the Settlement Agreement agreeing to have an operating kitchen, but he did not believe it was fair to require them to meet the CR requirements. Ms. Bereano stated that these are savvy business owners, and when they were coming into the neighborhood they talked to all the neighbors about their focus being on serving food.
- Mr. Englert stated that neighbors knew they were purchasing a house in a commercial district.
- Mr. Bombardier said that when they first opened, they collected signatures on a petition stating that people supported a sidewalk café with full business hours, and support for serving alcoholic beverages. He represented that 300 people had signed the petition. Ms. Bereano stated that only 4 people in the immediate neighborhood had signed, but Mr. Bombardier represented that they had support of at least 1/3 of the neighbors.
- Ms. Koshuta said that she likes the establishment, but is concerned with its location in a residential block. She stated that if it closed at more normal hours, it wouldn't be as big of a concern.
- Mr. Bombardier stated that they had already been through multiple community meetings and had agreed to mitigate many potential problems, including giving up patio space.
- Mr. Williams argued that they may be able to meet their CR requirements due to heavier food sales at lunch that could make up for relatively larger alcohol sales at night. Mr. Healy also noted that a limitation on the inside seating to 16 could skew the sales numbers towards food.
- Mr. Bombardier said their location did not lend itself to a lot of foot traffic. Ms. Koshuta asked if there were such problems, why choose this location? Mr. Martin said they are hoping that area will progress further and there will be more traffic nearby.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Healy noted that with a CR license, public space seats don't count towards occupancy for calculating revenue. There is a choice between calculating per-seat revenue or a straight 60/40 split, and that while reporting is required quarterly the revenue requirement is cumulative annually.
- Ms. Holwill stated that Langston Bar and Grille had recently received approval from the ANC to switch to a CT license because it had been operating for a while and was struggling to meet the requirements.
- Mr. Williams stated that he would prefer Chupacabra to start with a CR license, and if it could demonstrate it was a good neighbor for a year or so, but was not able to meet the CR requirements, it could always request a change to a CT license, and the ANC may support it. Mr. Martin requested that it be put in the Settlement Agreement that the ANC would suggest such a change. Mr. Williams said he could not put such a promise in the Settlement Agreement, and Mr. Healy noted that the Board likely would not approve such language.
- Ms. Koshuta said that the Committee is not here to ensure businesses survive, but to represent the interests of the neighborhood.
- Mr. Martin stated that if the point is to require them to serve food, then language in the Settlement Agreement requiring a working kitchen should suffice. Mr. Williams stated that just having a kitchen did not ensure a certain volume of food that would show that the business is putting in efforts to operate as a restaurant.

Mr. Williams moved/seconded by Ms. Koshuta that the Committee recommend the ANC formally protest the license application of Chupacabra unless a signed Settlement Agreement is submitted to the ANC and the establishment change from a CT to a CR license prior to the protest date, and that if these conditions are met, the Committee recommends the ANC support a stipulated license. Motion carried 5-0.

3. **Discussion of request by H Street Country Club at 1335 H Street NE (License Number ABRA-076649), Vendetta at 1220-1212 H Street NE (License Number ABRA-072734), and Rock & Roll Hotel at 1353 H Street NE (License Number ABRA-072777) to reach new Settlement Agreements with ANC 6A and that the ANC support their request to ABRA for extended rooftop deck hours.**

Mr. Williams explained that Mr. Englert had approached the ANC regarding these three establishments' request for extended rooftop hours.

- Mr. Englert stated that he was requesting to extend the rooftop deck hours to 2:30am on weekends and 12am on weeknights, but he was willing to stay at 11pm on Monday through Wednesday. He believed he was at a competitive disadvantage to other establishments in 6A, such as Twelve, who did not have such limitations.
- Mr. Healy explained that the current standard Settlement Agreement did not contain limited rooftop deck hours, because these are typically dealt with in a separate addendum, but that the ANC had been requiring the same hours as public space patios. The rules are the same for all establishments, except for possibly Twelve, who reached an agreement prior to rooftop decks being common in the neighborhood.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Hussain argued that the main issue is sound mitigation, and that the ANC should focus on that rather than limiting hours across the board.
- Mr. Martin stated that Rock and Roll Hotel had built walls around its roof deck to keep sound in, and had been a good neighbor.
- A neighbor in 6A stated that he appreciated that Rock and Roll Hotel had been a good neighbor, but that he knows that they will shut down their rooftop deck at midnight, so even on nights when it might be getting a little loud, he's patient because he knows the sound will end by midnight. He believes the current hours strike a good balance for the businesses and the neighbors.
- Ms. Holwill stated that she had heard no complaints about noise from H Street Country Club or Rock and Roll Hotel.
- Another neighbor agreed that because he knows the decks will shut down at midnight, so he has no complaints about noise.
- Mr. Williams stated it looked like the sense of the Committee and the ANC was to continue to apply a consistent standard across the ANC.
- Mr. Healy said there appears to be interest in a larger discussion of rooftop deck hours, and that this would fit in with the planned discussion of public space patio hours next month.
- Ms. Koshuta stated that if all other establishments were on the same Settlement Agreement limiting rooftop decks to 11pm and midnight, it makes more sense to work to get Twelve on the same hours, rather than open up hours to everyone else.
- Mr. Englert expressed frustration that establishments in other neighborhoods could have later hours, but not in 6A.
- Mr. Williams asked if there were any motions to be made on these requests. There being none, he closed discussion and moved to the next agenda item.

Prior to adjourning, Mr. Hussain asked to briefly speak to the Committee (he was not present during the previous discussion of the Cusbah protest). He stated that he missed the status hearing because of a family emergency, but that he had worked with ABRA and the protest hearing was going to go forward. He stated that he was still willing to come to an agreement with the ANC, and that he did not need to keep his patio open until 3am.

X. Adjourn

Mr. Williams thanked all who attended the meeting, and the Committee for its continued service. The Committee adjourned at 9pm.



Committee Reports
Alcohol Beverage and Licensing (ABL)



THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

_____)	
In the Matter of:)	
)	
James O'Brien)	
t/a RedRocks)	
)	
Applicant for a New)	License No. ABRA-090997
Retailer's Class CR License)	Order No. 2013-349
)	
at premises)	
1348 H Street, N.E.)	
Washington, D.C. 20002)	
_____)	

James O'Brien , t/a RedRocks (Applicant)

David Holmes, Chairperson, on behalf of Advisory Neighborhood Commission (ANC)
6A

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Mike Silverstein, Member
Herman Jones, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that James O'Brien , t/a RedRocks , Applicant for a new Retailer's Class CR license, located at 1348 H Street, N.E., Washington, D.C., and ANC 6A have entered into a Settlement Agreement (Agreement), dated March 14, 2013, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson David Holmes, on behalf of ANC 6A, are signatories to the Agreement.



Committee Reports Alcohol Beverage and Licensing (ABL)



James O'Brien
t/a RedRocks
License No. ABRA-090997
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Accordingly, it is this 17th day of July, 2013, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modifications:

Section 3 (d) (Music/Dancing/Entertainment) – The following sentence shall be modified to read as follows: “If the patio or summer garden has been open for business for at least three months during the months of April through September and noise levels from the patio or summer garden have not violated this Section and the licensee otherwise has a record of good conduct, the ANC may support a change of hours application submitted to ABRA to allow for expanded hours of operation on the patio or summer garden.”

Section 5 (Modifications) – The following sentence shall be modified to read as follows: “This agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties and the subsequent approval of the modification by the ABC Board pursuant to D.C. Official Code § 25-446.”

The parties have agreed to these modifications.

2. Copies of this Order shall be sent to the Applicant and ANC 6A.



Committee Reports
Alcohol Beverage and Licensing (ABL)



James O'Brien
t/a RedRocks
License No. ABRA-090997
Page 3

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson

Nick Alberti, Member

Donald Brooks, Member

Mike Silverstein, Member

Herman Jones, Member

Pursuant to D.C. Official Code § 25-433, any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.



Committee Reports Alcohol Beverage and Licensing (ABL)



2013 MAR 29 A 11:48

Made this 14th day of March, 2013

by and between

RedRocks (ABRA #090997)
1348 H Street NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class 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.).

Settlement Agreement between RedRocks and ANC6A

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Committee Reports

Alcohol Beverage and Licensing (ABL)



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

Business Operations and Practices:

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

Settlement Agreement between RedRocks and ANC6A

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

3. Music / Dancing / Entertainment:

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

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

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

6. Miscellaneous:

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

Settlement Agreement between RedRocks and ANC6A

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Committee Reports
Alcohol Beverage and Licensing (ABL)



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 shall immediately file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject the Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
- 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: James O'Brien Date: 2/3/13

Signature: James O'Brien

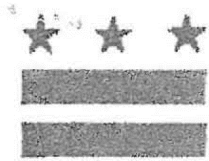
Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES Date: 3-17-2013

Signature: David Holmes, Chair



Committee Reports
Alcohol Beverage and Licensing (ABL)



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



2013 MAR 29 A 11:37
32

March 20, 2013

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

Dear Ms. Miller,

Re: ABRA #90997

Advisory Neighborhood Commission 6A has completed a Settlement Agreement with RedRocks (1348 H Street NE). The ABRA case number is 90997.

The Agreement is attached.

For the Commission,

David Holmes
Chair



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes
Sherwood Recreation Center (10th Street and G Street NE)
July 15, 2013 at 7pm

- I. Call meeting to order at 7:02 pm
- II. Introductions
 - a. In attendance were committee members Christine Ennis, Benjamin Rosset, Todd Sloves, Jeff Fletcher, Lara Levison, Delania Hardy, Andrea Adleman and J. Omar Mahmud (Chair and ANC 6A Commissioner); ANC 6A Chairman David Holmes, and ANC 6A Commissioner Nick Alberti; Matthew Marcou from DDOT; as well as several members of the ANC 6A community.
- III. Community Comment
 - a. No comment offered.
- IV. New Business
 - a. Discussion with DC Department of Transportation (“DDOT”) officials regarding the conversion of public space areas to private use and the consideration of ANC concerns when approving public space applications
 - i. Mr. Marcou said that DDOT would have responses to the questions submitted by Commissioner Alberti next week, and that he could not speak on any topic covered therein until DDOT finished its response.
 1. Commissioner Alberti said he would post a list of the questions he had asked of DDOT on his ANC website.
 - ii. Mr. Marcou gave a brief description of DDOT’s system for reviewing public-space proposals. DDOT’s Public Space Committee hears issues delegated to it under DC law and, less commonly, issues on referral where public-space expertise is needed.
 1. Hearings are open to the public and are held monthly on the fourth Thursday of each month in the second floor hearing room at the Policy, Planning, and Sustainability Administration at 1100 Fourth Street SW, Washington, DC 20024. Hearings begin at 9am.
 - iii. Generally, the Public Space Committee seeks ANC input on these issues by notifying the ANC and giving 30 days to review and submit comments.
 1. The requirement of notice to affected ANCs is met through first-class mailings; however, the Public Space Committee recently learned that ANC 6A had not been receiving notifications.
 2. Mr. Marcou proposed that ANC 6A join DDOT’s online permitting system. Automatic notifications would go to the ANC e-mail address as well as to each single-member district.
 - iv. Both Commissioner Alberti and Chairman Holmes expressed concern that many so-called “parklets” (triangular parks formed where avenues intersect the regular street grid), which were intended to be public recreational space for residents, have been fenced off or otherwise converted for private use without consulting the ANC. They would like to know how to prevent these conversions from taking place without ANC input going forward.



Committee Reports

Transportation and Public Space (TPS)



- v. Residents who live near the intersection of Constitution Avenue, Tennessee Avenue, and 13th Street NE, commented on the private use of Reservation 266.
 1. Commissioner Alberti asked why ANC 6A was not notified about public-space applications for Reservation 266. Mr. Marcou did not reply, except to say that he recently learned ANC 6A was not receiving mailed notifications, and that it would be practically impossible for all permits to go through ANC review.
 2. Residents expressed confusion and conflict over DDOT's decision to grant a permit for the use of public space to the adjacent homeowner.
 3. Commissioner Mahmud noted that the purpose of today's meeting was to learn about DDOT's review process, not to pass judgment on individual cases.
- vi. Mr. Marcou was unable to respond immediately to many of the questions posed by those in attendance, but he agreed to take the following questions back to DDOT for a formal response:
 1. Please identify those parklets for which management responsibilities were transferred from the federal government to the DC government at the time of home rule, and which DC agency was at that time responsible for each (we understand that responsibility was further delegated and divided among DDOT and DC Department of Parks & Recreation ("DPR")).
 2. Please identify those parklets for which management responsibilities subsequently changed hands (we understand that, more recently, DPR had transferred responsibility for a number of parklets to DDOT).
 3. Please identify the deed covenants involved in the transfer of these parklets from the federal government to the DC government.
 4. Please clarify the distinction between a public parcel and a reservation.
 5. Is it possible that plantings that impede pedestrian access to or flow through a parklet may be considered as impenetrable (and subject to the same rules) as fencing?
 6. What, if any, review was done under Section 106 of the National Historic Preservation Act at the time that parklets were transferred? What impact did this have on what can and cannot be done to the parklets?
 7. (From Chairman Holmes) Do those converting parklets to private use also pay taxes on that use?
 8. What standards guide the Public Space Committee's review of applications for private use of parklets?
 9. How many such applications are submitted annually?
 10. If DDOT does not already have an "Adopt a Park" program, would it consider establishing one?
 11. How does DDOT take into account and resolve competing uses for the parklets?
 12. Please identify any changes to the permitting process or standards that are under consideration.



Committee Reports

Transportation and Public Space (TPS)



13. What approach would DDOT recommend for community members interested in preventing “improvements” to a particular parklet? Must they apply for a permit to preserve the status quo?
 14. (From Commissioner Mahmud) Please confirm that ANC input is given great weight during the permitting process.
 15. (From Chairman Holmes) When researching your reply, please take into account memorandum submitted on the treatment of parklets in the DC Code, including a provision that prohibits issuance of public-space permits that conflict with the DC Comprehensive Plan.
 16. Please consider signage in the parklets to indicate that they are open to the public and including information about how to report inappropriate use and how to identify any private-use permit-holders.
- vii. Mr. Marcou noted that residents may call (202) 645-7050 to report illegal use of a public space. (In an emergency, however, such as a sinkhole or other immediate hazard, residents should call (202) 671-DDOT.)
 - viii. With regard to identifying permit holders, Mr. Marcou directed the audience to DDOT’s Permit Locator Tool on its website.
 - ix. With respect to enforcement, Mr. Marcou said that DDOT does as much as its resources will allow.
 - x. A community member blamed the city government for forcing residents to choose between unattractive public or attractive private space. If the city simply cared for these parklets, it would eliminate this source of conflict.
- b. Consider submission of comments regarding new commercial loading zone regulations proposed by DDOT (proposed regulations can be found at <http://www.dcregs.dc.gov/Gateway/NoticeHome.aspx?noticeid=4417106>)
 - i. No comments from the community or committee on the proposed commercial loading zone regulations.
- V. Additional Community Comment
 - a. No comment offered.
 - VI. Meeting adjourned at 8:35pm.



Report of the Economic Development and Zoning Committee of ANC 6A August 21, 2013

Present: Members: Laura Gentile, Charmaine Josiah, Justin Thornton, Michael Hoenig, Dan Golden, Cody Rice, Stephanie Frang-Zimny
Commissioners: Andrew Hysell, David Holmes

Dan Golden chaired the meeting.

Community Comment

There were no community comments.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: Dan Golden reported that the ANC adopted the EDZ Committee's recommendations in the following cases:

- 1) the ANC supported the requested variances from FAR, parking, and loading requirements for 1255 H Street ("The Spot");
- 2) the ANC opposed the requested special exception that would permit the installation of ATMs at 1102 H Street (Bank of America); and
- 3) the ANC conditionally supported the design at 1365 H Street, NE (Yes! Organic Market).

Vacant Properties: No update.

H Street Business Liaison Report: Charmaine Josiah reported that she is in the process of arranging for training for EDZ Committee members by the AIA. The training session will take place on a Saturday in October.

Old Business

David Holmes reported that:

- 1) Yes! Organic Market had withdrawn from its proposed purchase and development of the property at 1365 H Street
- 2) Following the discovery that the structure at 20 14th Street that was to be demolished was actually historic in character, the raze request for the structure was denied.

New Business

1. **BZA 18595 (620 9th Street - Eva Sanchez):** Applicant seeks a variance from § 199 that would permit it to replace the existing steel deck at the rear of the property with a new wooden deck that would occupy more than 50% of the rear yard. (Section 199 states in its definition of "yard" that "[n]o building or structure shall occupy in excess of fifty percent (50%) of a yard required by this title."). Following a presentation by architect Augusto Tono, the Committee voted unanimously to write a letter in support of the Applicant's request for a variance. In reaching its decision, the Committee noted the unique characteristics of the property, specifically the fact that it has an extremely small rear yard that



Economic Development and Zoning Committee



directly abuts a rear alley, and also noted that many of the rear decks of the houses on that same alley were similarly proportioned relative to the rear yards in which they were constructed.

2. **BZA 18514 (1120 Park Street - Andrew Daly and Patty Jordan):** Applicants seek a special exception from the lot-occupancy requirements set forth at § 223.1 and for a variance from the requirements for minimum parking space size set forth at § 2115.1 and from the requirements for garage setback set forth at § 2300.2(b) that would permit the construction of a garage and garage-roof deck at the rear of the property. Following a presentation by architect Eric Petersen, the Committee voted unanimously to write a letter in support of the Applicants' request for the foregoing relief, but only on the condition that prior to Mr. Petersen's presentation before the full ANC, the Applicants obtain letters from the owners of each of the two adjoining properties that expressly acknowledge their support for the construction of a deck atop the proposed garage structure. The Committee based its conclusion in part on the fact that there were several similar garage structures located on the alley, including one with a garage roof deck, as well as the fact that the requested garage setback appeared unlikely to interfere with trash collection or passage through the alley.

3. **HPA 13-509 (1325-1327 Constitution Avenue - Ditto Residential LLC):** Representatives of Ditto Residential, LLC were present to share drawings of their proposed residential development at the existing site of the Evening Light Apostolic Church. The Applicant proposes to construct two separate residential structures, one at each of the two street addresses. Each structure will have three floors, but the third floor of each structure will not be visible from the street. The Committee was pleased with the proposed design and voted unanimously to write a letter in support of it.

Additional Community Comment

None.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, September 18, 2013
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor**



September XX, 2013

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

Re: BZA Case No. 18595 (Eva Sanchez, 620 9th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on September 12, 2013, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for a variance permitting the Applicant to deviate from the definition of "yard" set forth at § 199 by replacing the existing steel deck at the rear of the property with a wooden deck that occupies more than 50% of the rear yard.

The Commission supports granting the requested variance because strict application of the above-referenced zoning requirement would result in peculiar and exceptional practical difficulties and hardship to the applicant and because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. The Commission believes that the variance is justified in light of the fact that the property in question has an extremely small rear yard that directly abuts an alley and the fact that many of the houses on that same alley have rear decks that also appear to occupy more than 50% of the yards in which they are located.

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

On Behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC-6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.



September XX, 2013

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

Re: BZA Case No. 18514 (Andrew Daly and Patty Jordan, 1120 Park Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting² on September 12, 2013, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for a special exception from the lot-occupancy requirements set forth at § 223.1 and for a variance from the requirements for minimum parking space size set forth at § 2115.1 and from the requirements for garage setback set forth at § 2300.2(b). The Applicants seek the requested relief to permit the construction of a garage and garage-roof deck at the rear of the property.

The Commission supports granting the requested variances because strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant and because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. The Commission supports granting the requested special exception because it will be in harmony with the general purpose and intent of the zoning regulations and zoning maps and will not tend to affect adversely, the use of neighboring property. The Commission recognizes that the proposed garage structure will be in keeping with the character of the alley, which contains other, similar structures, and finds persuasive the fact that the owners of each of the two adjoining properties have voiced their express support for the construction of a roof deck atop the proposed garage.

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

On Behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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Economic Development and Zoning Committee



September XX, 2013

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

Re: Historic Preservation Review (HPA 13-509: Ditto Residential, 1325-1327 Constitution Ave.)

Dear Ms. Pfaehler,

At a regularly scheduled and properly noticed meeting³ on September 12, 2013, our Commission voted X-X (with 5 Commissioners required for a quorum) to support the design of the proposed development at 1325-1327 Constitution Avenue, NE.

The applicant proposes to construct two separate residential structures, one at each of the two street addresses. Each structure will have three floors, but the third floor of each structure will not be visible from the street. There are no zoning issues with this proposal. The ANC supports the proposal and believes it will provide an aesthetically pleasing fit with the remainder of the block.

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

On Behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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New Business



Draft letter

Board of Zoning Adjustment
Washington, DC

ANC 6A agrees that the pending modification request before the BZA (#18463) is appropriate.

The dollar figure discussed between the developers and the ANC was \$25,000. That figure was obtained from DDOT as the cost of a smallest size CaBi station. Subsequently we learned that DDOT now expects \$80,000 to be contributed towards the station cost. That figure may partially be set by the fact that the location is within the Capitol Hill Historic District and thus is not supported by advertising on the station's sign.

The ANC agrees that \$25,000 is the appropriate contribution towards the expense of the CaBi station, and that the order should be so modified.

David Holmes
Chair, ANC 6A