



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for November 10, 2011



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

- 7:00pm **Call to order, Adopt Agenda, Approve previous meeting's minutes**
- 7:05 **Community Comments** (2 minutes each)
- 7:10 **Community Presentation: Medical Marijuana** Gottlieb Simon of the Office of ANCs and Dr. Feseha Woldu, Senior Deputy Director for Health Regulation & Licensing Admin. within the Dept. of Health will provide information on the regulations, enforcement, and application process for licensed medical marijuana dispensaries. A representative of the Office of the Attorney General is also expected to attend.
- 7:50 **Officer Reports:**
- Chair (2 minutes)
 - Vice-Chair (2 minutes)
 - Secretary (2 minutes)
 - Treasurer (2 minutes) *pg. 17*
- 8:00 **Single Member District reports** (2 minutes each)
- Standing Committee Reports:**
- 8:15 **Community Outreach** *pg. 23*
1. Approve committee report
 2. **Recommendation:** ANC accept the bid from Capitol Community News for 12 monthly, ¼ page ads plus one ¼ page ad in the Fagon Guide at a cost of \$3,815.00
 3. Next meeting - 7:30pm, Nov. 21, 2011 (3rd Monday)
- 8:20 **Alcohol Beverage Licensing** *pg. 26*
1. Approve committee report
 2. Next meeting - 7pm, Nov. 15, 2011 (3rd Tuesday)
- 8:25 **Transportation and Public Space Committee** *pg. 27*
1. Approve committee report
 2. Next meeting - 7pm, Nov. 21, 2011 (3rd Monday)



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8:30 **Economic Development and Zoning** *pg. 28*

1. Approve committee report
2. **Recommendation:** ANC 6A write a letter to the BZA supporting the special exception for BZA #18290 (1414 A St. NE)
3. Next meeting - 7pm, Nov. 16, 2011 (3rd Wednesday)

8:35 **Unfinished Business**

8:40 **New Business** *pg. 29*

1. Letter to DC Dept. of Parks & Recreation supporting community efforts to improve the small park at 8th/K/West Virginia NE and to ask DPR to remove the overgrown hedges at this location (Healy)
2. Request for a stipulated CR license for Pho Bar and Grill, 1360 H St. NE (Healy)
3. The ANC will consider the following four pending Class B renewals (groceries for off-premise beer and wine consumption). If you have an objection to any of the licensees, please contact your ANC Commissioner immediately. Their email addresses and phone numbers can be found at www.anc6a.org. They include:
 - 1) Bella Market (101 15th St. NE)
 - 2) The Cupboard (1504 E Capitol NE)
 - 3) Me & My Super Market (1111 H St. NE)
 - 4) J & K Market (234 15th St. NE)
4. Discussion of ANC support for changing recently erected parking signage in front of the dry cleaners at 1309 H from a loading zone to metered parking (Ronneberg)
5. Discussion of ANC support for a letter urging DCRA take immediate action to list 519 Tennessee Ave. as a blighted property (Ronneberg)
6. The ANC send a letter of support to DPR for fencing in the big tree at Sherwood Rec Center (Ronneberg)
7. The ANC send a letter of support to the BZA for removing the curb cut at 701 10th St. NE (Ronneberg)
8. The ANC needs to authorize someone to speak on behalf of the Commission before the Subcommittee on Redistricting and agree on what should be said (Holmes)

8:45 **Community Comments Round II, time permitting** (2 minutes each)

8:50 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes for October 13, 2011



Advisory Neighborhood Commission 6A Minutes Miner Elementary School October 13, 2011

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

The meeting was convened at 7pm.

1. Agenda

Mr. Alberti added budget allocations for minute taking and agenda packet preparation to New Business. Mr. Healy added to the ABL discussion, modifications to the VA, and to New Business an announcement of a working group organized by Councilmember Graham on Liquor Law reform.

2. Minutes

The minutes were accepted by unanimous consent.

3. Community Comment

Statehood March

DC Statehood Shadow Senator Michael Brown made a presentation about a renewed effort for statehood that was being undertaken. He said that legislation had passed in the house in 2008 and 2009, but then the gun amendment had been added on, and killing the gun amendment meant killing the gun bill. He said that Congresswoman Norton has introduced a new bill, and the mayor had been arrested, and it's time to increase the civil disobedience. He said that the situation is chaotic at the Wilson Building because of the Internet gambling issue. He said the District is losing \$2.5 billion in Federal funds annually, which is equal to 28% of the DC Budget and the District is unable to collect taxes on out of state employees, a large number of whom work in DC for the federal government. He announced a march on October 15 in conjunction with the dedication of the MLK Memorial, and the mayor will be participating, with the theme that it's time to fulfill the promise to democracy. Twenty years ago it was South Africa, now it's freedom for DC.

HandsOn Greater DC Cares

Linda Kurtz, Greater Northeast community liaison, HandsOn Greater DC Cares, gave a brief presentation on the work she is doing in Wards 5 and 6, and she announced a meeting scheduled for October 19 at the Rosedale Rec Center.

4. Officer Reports

Chair

Mr. Holmes reported that there was an ANC Chairs meeting with the mayor and his cabinet, and one issue that was brought up a great deal was the inadequacy of the 311 system. There was discussion of ABRA's reluctance to enforce anything in VAs other than prohibitions and



Advisory Neighborhood Commission 6A Meeting Minutes for October 13, 2011



requirements in ABC law. The mayor said he would attend a meeting on the H/Benning Streetcar Line.

Treasurer

Mr. Alberti presented the Treasurer's Report. It showed that the opening balance in the checking account was \$20,210.11 and the savings account balance was \$4,205.41. There was a disbursement from the District government of \$4,836.27, and two interest payments to the savings account of \$0.18 and \$0.17. There were disbursements of \$180 to Roberta Weiner for July 2011 minutes (Check #1525); \$200 to Heather Schoell for the September '11 agenda package (Check #1526); \$120 to Roberta Weiner for September 2011 Special Meeting minutes (Check #1527); \$349.96 to FedEx Office September 1 '11 statement (Check #1528); \$64 for the purchase of checks (Check #1529), leaving a balance of \$24,132.42 in the checking account, and \$4,205.76 in the savings account.

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

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

Quarterly Report

Motion: Mr. Alberti moved/Mr. Holmes seconded a motion to accept the Quarterly Report for the 4th Quarter of FY11. It passed without objection.

5. SMD Reports

Mr. Alberti reported that there has been a rash of at break-ins—at least six—in one block in his SMD.

Mr. Holmes said he would second that, as there have been 35 in the last few months, with the same MO—screw drivers used on a rear window. He said there are two people known to the police, one has a pattern of breaking into one car that has something in it and then doing five or six others.

Mr. Healy reported that there have been a half dozen shootings in his SMD. He reported that he had his last SMD meeting on October 3 and that Commander Hickson had come. He talked about a bust in the 800 block of 12th St. and the fact that there had been a lot of break-ins.

Ms. Mack reported that there was a complaint about water leaking at a laundrette. DC Water, the Department of Health and Councilmember Wells all came and the laundrette was shut down. **Dr. Ronneberg** reported that the applicant at 1624 E St. NE withdrew his BZA application. He said that more signs are appearing in his SMD for extended parking; that the Councilmember had sent a letter to the House of Ruth; and that 1350 Maryland Ave. NE had been excluded from the downzoning.



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6. Committee Reports

Community Outreach

Ms. Nelson presented a grant request from Cub Scout Pack 8383 at Maury Elementary School. They are requesting \$706 to purchase a Pinewood Derby Track, a Cub Scout project in which the boys build car kits and then race the cars. This reinforces Scout values by teaching the boys to work together, and they learn mechanical and design skills. The troop was represented by its leader, Alastair McFarlane. **Motion:** Mr. Alberti moved/Ms. Mack seconded a motion to accept the Committee's recommendation to provide a grant of \$706 to Cub Scout Pack 8383.

Ms. Nelson said she had served as a scout master and it was difficult to arrange for the boys to participate in a Pinewood Derby because the tracks are prohibitively expensive for a less-affluent pack to purchase and because those packs that do have them generally don't invite other packs to participate. Those that do often charge a fee that is unaffordable.

Mr. Healy said he was troubled by the national organization's policies on homosexuality and religion and doesn't know about giving funds from the ANC to the Scouts. He said he had been wrestling with the issue all day. Mr. Holmes said that if the PTA is supporting the organization than it is alright. The property resides with the sponsoring organization, the PTA. And the troop is chartered to the Maury PTA. The check would be written to the PTA or the vendor. Mr. McFarlane said he was inclusive as possible with the troop and asked no questions about the boys joining. Ms. Nelson said that there are few activities for boys that don't focus on sports and this was good for that reason.

Dr. Ronneberg said he had been a scout and the national organization had very little impact on local activities. Ms. Nelson noted that the Boy Scout's national policies are set by conservative religious institutions, such as the Mormon and Catholic churches. The local packs may disagree strenuously with these policies (particularly those regarding sexual orientation) but are powerless to change them. If funding is denied to the local packs, the only ones being "punished" are the disadvantaged youth; the Scout hierarchy will not feel the pain or somehow be encouraged to change their policy. And the local Packs, 3838 in particular, do not discriminate on the basis of sexual orientation or religion. Mr. Holmes said he had been an assistant scout master and his son had been an Eagle Scout, but he no longer contributed to the organization because of its sexual discrimination. The motion to provide the grant passed 6-1-1, with Ms. Lawler in opposition and Mr. Healy abstaining.

The report of the Committee was accepted by unanimous consent.

ABL

Da Luft - 1242 H St. NE

Mr. Healy reported that Da Luft had agreed to sign the standard VA with several modifications related to concerns by neighbors on Wylie St. NE. They include explicitly stating that the establishment will adhere to ABRA regulations requiring that a CR licensee have its kitchen open for service up to two hours prior to closing; that no more than 30 patrons may be present on the 2nd floor patio at one time; that all patrons and staff will be cleared from the patio after 10pm Sundays through Thursdays and midnight on Friday and Saturday; and that the applicant will not use the third floor or rooftop for storage, food preparation, service of alcohol, or patron seating.



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Motion: The committee moved/Mr. Healy seconded a motion to accept the Committee's recommendation to approve the modified VA for Da Luft. The motion passed 7-1, with Mr. Alberti not voting.

Pho - 1360 H St. NE

Mr. Healy is working with the establishment to reschedule a missed appointment with the Committee. Even though Pho hasn't yet applied for its license, Mr. Healy said he would like to have a motion to protest unless a VA is approved prior to the protest date so the Committee can maintain its standing. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC accept the Committee's recommendation to protest the license for Pho, 1360 H St. NE unless a VA is signed prior to the protest date. The motion passed 6-0-2 with Ms. Mack and Mr. Alberti abstaining.

Class B Licenses

License renewals for a three-year period were up for the following establishments: M&T Grocer's Beer and Wine, 201 15th St. NE; China House, 1601 Benning Rd. NE; DC Supermarket, 539 8th St. NE; Economy Market, 1804 D St. NE; and 1101 Convenience Mart, 1101 H St. NE. **Motion:** The committee moved/Mr. Healy seconded a motion to accept the committee's recommendation to approve the license renewals for the above named establishments. The motion passed 6-0-2, with Ms. Mack and Mr. Alberti abstaining.

New VA Language

Motion: The committee moved/Mr. Healy seconded a motion that the ANC approve the addition of a new section 'h' under Section 3 of the standard CR/CT voluntary agreement: "All CR license holders shall comply with ABRA regulations that require their kitchen to remain open and operational until at least 2 hours prior to closing."

Mr. Alberti asked whether Mr. Healy agreed with language such as that being in VAs. Mr. Healy said that he understands there are things in VAs that are so extraneous that they shouldn't be there, but there are other things, like watering a tree, that should be attended to. Mr. Alberti said that including items that are already covered by ABRA law is unnecessary. It seems silly, but it could mean someone is charged twice - once under the ABRA law and again through the VA. This potentially sends the message that ABRA is unwilling to enforce the statute and only enforces it because it's part of the ANC's VA.

Dr. Ronneberg said that this was his idea as a way of educating the public to the law before it's necessary to enforce it. Mr. Alberti said there are other things that can be done to educate the public. Mr. Holmes said he liked the idea of the VA being a compendium of the relationship between the ANC and the community—the more there is in it, the easier it is for people to understand. Mr. Holmes said there's about to be a rewrite of the law. Dr. Ronneberg said it's a good way of letting someone simply know what the regs are and shows respect for the community. The motion passed 7-0-1 with Mr. Alberti not voting.

The report of the Committee was accepted by unanimous consent.



Advisory Neighborhood Commission 6A Meeting Minutes for October 13, 2011



Economic Development and Zoning

1303 Linden Ct. NE

Dr. Ronneberg said that the applicant had originally come to the Committee with a plan for a three-story building with a roof deck, and he came back with something else: a two-story with a third-story roof deck. The committee talked about the building's use as a residence and objected to the variance he was requesting previously. The applicant no longer plans to tear down the garage that is currently on the site but would build the second story and roof deck on top of the garage. The Office of Planning has sent a letter to the BZA saying that if BZA grants the requested variances, it would support the proposed area variances. The neighbors at 1318 C St. NE oppose the building saying that even with proposed revisions the structure would adversely affect their light and air.

Dr. Ronneberg said the issue is complicated and it was simpler for it to be divided into two votes, one on the space variance, which was opposed 4-3, and one on the use variances, which was defeated 5-2. **Motion:** The committee moved/Dr. Ronneberg seconded a motion that the ANC send a letter to the BZA opposing the requested zoning relief for 1303 Linden Ct. NE. The motion passed 8-0.

Committee Resignation

Dr. Ronneberg announced the resignation of Sherrie Lawler as a member of the Committee. Ms. Lawler said she had replaced herself with someone from her SMD who was very good. Mr. Holmes thanked her for her service and said it was appreciated. The report of the Committee was accepted by unanimous consent.

7. New Business

ANC Budget

Mr. Alberti presented the draft budget for FY12 and asked for comments.

Ms. Veenendaal-Selck asked about the possibility of getting out a mass mailing about the ANC and its activities—like the brochure. Ms. Nelson said that list rentals are expensive, and she is willing to take a look at the numbers, but the Commission has the same conversation every year. Alberti suggested the possibility of something smaller. He said people don't know what SMD they're in, so you can either provide something tailored to an SMD or a longer piece that all communities can use.

Motion: Mr. Alberti moved/Ms. Mack seconded a motion to approve the ANC 6A budget for FY12 as presented. The motion passed without objection, 8-0.

Motion: Mr. Alberti moved/Mr. Holmes seconded a motion to allocate up to \$200 monthly for transcribing of minutes, and up to \$200 monthly for the preparation of the agenda package. The motion passed without objection.

Graham Task Force

Mr. Healy reported that he has been asked by Councilmember Graham to represent ANC 6A and serve on a Task Force that will discuss ABRA. There was no objection.



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8. Community Comment

Brittney Wright of the Mayor's Office of Public Liaison urged everyone to participate in the Oct. 15 statehood march.

The meeting was adjourned at 8:30pm.



Commission Letters of September 8, 2011 Meeting



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



October 19, 2011

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

Re: Pho Bar and Grill (1360 H Street, NE)

Dear Sir:

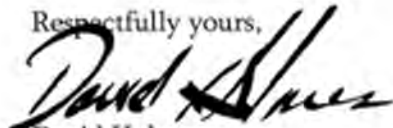
At its regularly-scheduled and publicly-announced monthly meeting of October 13, 2011, Advisory Neighborhood Commission 6A (ANC) voted 6-0-2 to protest the new license for Pho Bar and Grill to be located at 1360 H Street, NE. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

Our protest is based upon the threat to the peace, order and quiet of the neighborhood. The ANC is also troubled that there will be an adverse impact on residential parking as well as concerns about trash, loitering, and pedestrian safety. Nearby property values may be at risk because the rear of the property abuts residential property across a very narrow alley.

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

Commissioner Adam Healy is authorized to represent the ANC in this matter.

Respectfully yours,


David Holmes
Chair



Commission Letters of September 8, 2011 Meeting



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



October 19, 2011

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

Re: BZA Case 18254 (1303 Linden Court NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on October 13, 2011, our Commission voted 6-1-1 (with 5 Commissioners required for a quorum) to oppose the applicant's renewed request for a:

- 1) variance from § 2507.2 to permit the erection of a single family dwelling abutting an alley less than thirty feet in width;
- 2) variance from §§403.2 and 772.1 to permit the erection of a single family dwelling detached structure that does not comply with maximum lot occupancy requirements in R-4 and C-2-A;
- 3) variance from §§ 404.1 and 774.1 to permit the erection of a single family dwelling detached structure that does not comply with minimum rear yard requirements in R-4 and C-2-A;
- 4) variance from §§ 405.1 and 775.2 to permit erection of a single family dwelling detached structure that does not comply with minimum side yard requirements in R-4 and C-2-A;
- 5) variance from § 2514.1(d) to allow the required floor/area ratio (FAR) to be exceeded for a single family dwelling detached structure located on a lot divided by a zone district boundary line; and
- 6) a special exception pursuant to §2514.2 to allow a transfer of density from the less restrictive to the more restrictive use zone district.

Taking into account the revised plans for the property, the Commission continues to believe that the requested variances do not meet the standard for zoning relief set forth at § 3103.2. The property owner has identified no physical characteristics of the property that make it difficult for the property to be used in compliance with the zoning regulations.

As indicated in the property owner's application for zoning relief, the property has been in use as a private garage since 1947 and that use may continue consistent with the zoning regulations. In addition, granting the requested variances would represent a substantial detriment to the public good and be inconsistent with the general intent and purpose of the zoning regulations and map. Specifically, the Commission finds that the proposed development of the property would infringe substantially on the light and privacy of neighboring properties. Finally, while the Commission



Commission Letters of September 8, 2011 Meeting



recognizes that the revised plans now propose leaving the existing structure in place, the Commission believes the proposed second story and roof deck increase or extend an existing non-conforming aspect of the structure and are not justified for that reason as well.

Because the Commission finds that the property owner has not demonstrated that he is entitled to the variances at issue, the Commission need not reach the issue of whether the property owner is entitled to the requested special exception.

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

On behalf of the Commission,

David Holmes
Chair



Commission Letters of September 8, 2011 Meeting



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



October 17, 2011

Mr. Nick Alberti, Interim Chairman
Alcohol Beverage Control Board
2000 14th St NW, Suite 4005
Washington, DC 20009

RE: Da Luft DC, Inc (ABRA-08770)

Dear Chairman Alberti:

At a regularly scheduled and properly noticed meeting on October 13, 2011, Advisory Neighborhood Commission 6A voted 7-0-1 (with 5 commissioners present for a quorum) to approve the attached voluntary agreement with Da Luft DC, Inc. (ABRA-08770) to be located at 1242 H St NE and to withdraw our protest of such license if the ABC Board adopts the voluntary agreement. Please note that Commissioner Nick Alberti did not participate in the discussion of this matter nor did he vote.

Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee, is authorized to represent the ANC in this matter. He can be reached at healy-anc6a01@gmail.com or 202.556.0215.

On behalf of the Commission,



David Holmes, Chair



Commission Letters of September 8, 2011 Meeting



Made this 10 day of Oct, 2011

by and between

Da Luft DC, Inc.
1242 H Street, NE
Washington DC 20002
and

Advisory Neighborhood Commission 6A

Preamble

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

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

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

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

Witnesseth

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

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

The Parties Agree As Follows:

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

Voluntary Agreement between Da Luft DC, Inc. and ANC6A

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- e. Assisting in maintenance of the curb in front of the establishment to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulation in these respects.
- f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices:

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron bring an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage. Wine shall be corked in accordance with Title 25-113(b)(5)(A)(B)(C) of the DC Municipal Code.
- d. Applicant will not provide or sell alcoholic beverages "to go." Applicant agrees not to promote or participate in bar or pub "crawls" or any other event of this nature.
- e. The licensed establishment will be managed by the applicant in person or a board licensed manager.
- f. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
- g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that ID's will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects.
 - v. Request that customers do not contribute to panhandlers.
- h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment,
 - ii. Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant's request to move on,
 - iii. Calling the Metropolitan Police Department if illegal activity is observed,
 - iv. Keeping a written record of dates and times (a call log) when the MPD is called for assistance.
 - v. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- i. Applicant's call log and incident log shall be provided to the ANC or Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. After receiving complaints and/or observing problems with this establishment, ANC Commissioners and/or the ABL Committee chair may ask the D.C. Metropolitan Police Department (MPD) for records and data regarding calls for service or other necessary police presence around this establishment.
 - i. If data from MPD indicates that this establishment has caused or is significantly contributing to additional crime or criminal activities in the neighborhood, including disorderly conduct and/or reoccurring public disturbance, the ANC 6A ABL Committee will hold a public meeting to discuss the problems and ways in which to mitigate them. The Applicant, MPD, and an ABRA representative will be invited and encouraged to participate, as well as concerned residents. MPD will be asked to recommend to the Committee the days of the week and hours when the reimbursable MPD detail should be necessary to

Voluntary Agreement between Da Luft DC, Inc. and ANC6A

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maintain peace, order, and quiet at and around this establishment and the costs that would be associated with such reimbursable detail. If the Committee recommends the use of a reimbursable MPD detail at this establishment to mitigate these problems, the recommendation will then be considered by ANC 6A at their next scheduled meeting.

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

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

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

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

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

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

3. Music / Dancing / Entertainment:

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

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

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

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

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

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

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

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

6) No more than 30 patrons may be on the patio at one time and all patrons and staff shall be cleared from the patio when alcohol sales cease for the day.

7) The hours of operation for the patio or summer garden shall be limited to 10:00 p.m. Sundays through Thursdays and to midnight Fridays and Saturdays.

d. 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.

e. Applicant may not use the rooftop nor the third floor for storage, food preparation, patron seating, or service of alcohol.

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. All CR license holders shall comply with ABRA regulations that require their kitchen to remain open and



Commission Letters of September 8, 2011 Meeting



operational up until at least 2 hours 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.
7. Enforcement:
 - a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
 - b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
 - c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Josephine Isiti (President) Date: 10-10-11

Signature: Josephine Isiti

Advisory Neighborhood Commission 6A Representative:

By: David Holmes, Chair Date: 10-13-11

Signature: David Holmes



Officer Reports - Treasurer



ANC 6A Treasurer's Report October 2011

Period Covered 10/01/11 - 10/31/11

Checking Account:

Balance Forwarded \$ 24,132.42

Receipts:

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

Total Receipts \$ -

Total Funds Available \$ 24,132.42

Disbursements:

FedEx Office (Oct. 01, 2011 Statement) Ck #1529 \$ 419.79
VOID Ck #1530 \$ -
Heather Schoell (Agenda Package Oct. '11) Ck #1531 \$ 200.00
Roberta Weiner (Minutes Sept. '11 ANC Meeting Ck #1532 \$ 220.00

Total Disbursements \$ 839.79

Ending Balance \$ 23,292.63

Savings Account:

Balance Forwarded \$ 4,205.76

Receipts:

Interest (10/31/11) \$ 0.18
Transfers from Checking Account

Total Receipts \$ 0.18

Total Funds Available \$ 4,205.94

Disbursements \$ -

Ending Balance \$ 4,205.94

Prepared October 31, 2011



Officer Reports - Treasurer



ANC 6A Treasurer's Report October 2011

PETTY CASH SUMMARY

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

Prepared October 31, 2011



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 4th Quarter FY11 Amended

Quarterly Report Period Covered 07/01/11 - 09/30/11 ANC 6A

Summary of Receipts and Disbursements: Checking Account

Balance Forwarded		\$ 20,938.37
Receipts:		
District Allotments	\$ 4,836.27	
Interest Income	\$ -	
Other Deposits	\$ -	
Transfers from Saving Accounts	\$ -	
Total Receipts		\$ 4,836.27
Total Funds Available		\$ 25,774.64
Disbursements:		
1. Net Salary and Wages	\$ -	
2. Workers Compensation	\$ -	
3. Insurance:		
4. A. Health	\$ -	
5. B. Casualty/Property	\$ -	
6. Total Federal Wages Taxes	\$ -	
7. Tax Penalties	\$ -	
8. Local Transportation	\$ -	
9. Office Rent	\$ -	
10. Telecommunication Services	\$ -	
a. Landline Telephone		
b. Cellular Telephone		
c. Cable/Internet Services		
11. Postage and Delivery	\$ -	
12. Utilities	\$ -	
13. Printing and Copying	\$ 555.56	
14. Flyer Distribution	\$ -	
15. Purchase of Service	\$ 880.00	
16. Office Supplies	\$ 64.00	
17. Office Equipment	\$ -	
a. Rental	\$ -	
b. Purchase	\$ -	
18. Grants	\$ -	
19. Training	\$ -	
20. Petty Cash Reimbursement	\$ -	
21. Transfers to Saving Account	\$ -	
22. Bank Charges	\$ -	
23. Website/Webhosting	\$ -	
24. Other	\$ -	
Total Disbursements		\$ 1,642.22
Ending Balance:		\$ 24,132.42

Approval by Commission: _____

Treasurer Chairperson Secretary

Secretary Certification _____ Date _____

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



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL ACTIVITY 4th Quarter FY11

Summary of Receipts and Disbursements: Savings Account

Balance Forwarded			\$ 4,205.23
Receipts:			
Transfers From Checking Account	\$	-	
Other (Interest Earnings, etc.)	\$	0.53	
Total Receipts			\$ 0.53
Total Funds Available			\$ 4,205.76
Disbursements:			
Transfers to Checking Account	\$	-	
Other	\$	-	
Total Disbursements			\$ -
Ending Balance:			\$ 4,205.76

CHECKING AND SAVINGS ACCOUNT DEPOSITS		
Deposits to Checking Account (Including transfers from savings account)		
Date	Amount	Source
08/19/11	\$ 4,836.27	2nd Quarter FY11 Allotment
Total	\$ 4,836.27	
Deposits to Savings Account (Including transfers from checking account)		
Date	Amount	Source
07/29/11	\$ 0.18	Interest
08/31/11	\$ 0.18	Interest
09/30/11	\$ 0.17	Interest
Total	\$ 0.53	



Officer Reports - Treasurer



ANC 6A QUARTERLY REPORT OF FINANCIAL
ACTIVITY
Listing of Checks Issued
4th Quarter FY11
Amended

Check #	Date	Payee	Amount	Expense Category	Purpose of Expenditure	Date Approved (1)
						Budget Approved 10/08/10
1521	07/14/11	FedEx Office	\$ 140.96	13	July 1, 2011 Statement	
1522	07/14/11	Roberta Weiner	\$ 180.00	15	Minutes - June '11	10/14/10
1523	07/14/11	Heather Schoell	\$ 200.00	15	Agenda Package - July '11	10/14/10
						Budget Approved 10/08/10
1524	08/27/11	FedEx Office	\$ 207.30	13	Aug. 1, 2011 Statement	
1525	09/01/11	Roberta Weiner	\$ 180.00	15	Minutes - July '11	10/14/10
1526	09/08/11	Heather Schoell	\$ 200.00	15	Agenda Package - Sept. '11	10/14/10
1527	09/08/11	Roberta Weiner	\$ 120.00	15	Minutes - 9/1/11 Special Meeting	10/14/10
						Budget Approved 10/08/10
1528	09/29/11	FedEx Office	\$ 349.96	13	Sept. 1, 2011 Statement	
	07/21/11	Check Order	\$ 64.00	16	Check Order	02/10/11
Total			\$ 1,642.22			

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



Officer Reports - Treasurer



Petty Cash 4th Quarter FY11

PETTY CASH SUMMARY

Period Covered 07/01/11 - 09/30/11

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



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

October 17, 2011 Minutes

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

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

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

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

- I. Agenda
 1. Adopted without item #4 - Consideration of grant application from Eliot-Hine PTSA. An application has not been received, though we have been told to expect one in November.
- II. Status of ANC/COC activities
 1. Funding for grant application from Cub Scout Pack 3838/Maury ES PTA was approved by Commission at October 13 meeting.
 2. The spring flowering bulbs purchased by the Capitol Hill Garden Club with funding from an ANC 6A grant have been distributed to individuals and groups who will plant them in public areas within ANC 6A.
- III. Discussion of bid from Capital Community News for advertising in Hill Rag and Fagon Community Guide
 1. Capital Community News submitted a bid (\$3,815.00) for 12 monthly $\frac{1}{4}$ page ads in the Hill Rag plus one $\frac{1}{4}$ page ad in the Fagon Guide. These ads would be very similar to those run in past years. The monthly ads announce the ANC and committee meetings for the month plus contact information for the Chair and the URL for the website - also a solicitation for participation. Recently, they have included notice of the ABL hearings on the possibility of a cap on liquor licenses on the H St. corridor. The Fagon Guide ad includes contact information for all commissioners. Creation of the ads is included. The bid is only slightly higher than the one received last year (\$3,689.00).
 2. There was very little discussion as the committee revisits this issue annually and there has been little change. Ms. Nelson noted that Capital Community News (Hill Rag) has been very cooperative about making last minute changes (when possible), gives us a preferred location (near the ANC reports) and that the relationship runs smoothly. ANC 6A is required to post notice of meetings and this advertising provides a means to do so (as does the website). The question was posed, whether or not to advertise again in the Fagon Guide but the universal sentiment was that it should be done. Committee members attested to its popularity; given the outcry when delivery is late, folks must be using it. The cost of the Guide ad is only \$470 and, if both ads are purchased, there is a significant discount (\$1,635.00), such that it is cheaper to do both.
 3. **Motion:** Ms. Kohanek moved that the COC recommend that ANC 6A accept the bid from Capital Community News for 12 monthly, $\frac{1}{4}$ page ads plus one $\frac{1}{4}$ page ad in the Fagon Guide at a cost of \$3,815.00. Seconded by Mr. Barbash. Vote 4 in favor, none opposed.



Committee Reports

Community Outreach Committee (COC)



- IV. Other items as suggested by committee members
1. There was a brief discussion of advertising in The Hill Is Home. ANC 6A ran an ad for three months. Committee members felt that there wasn't sufficient evidence to demonstrate that it was worthwhile to continue at this time but may revisit the issue later.
 2. There was an even briefer discussion of the proposal from last year to attempt advertising in the Washington Informer. While funding was approved, ads were never purchased because it was too unwieldy to work out the details.
 3. At the October ANC meeting, Commissioner Veenendaal-Selck inquired about additional means of advertising. The Community Outreach committee continues to believe that the ANC flyer is the best means of addressing those concerns. When redistricting is settled (and the borders known) the committee will begin work on a new edition.
- V. The next meeting of the COC will take place Monday, November 21, at 7:30 p.m. at 1235 C St. NE

Meeting adjourned at 8:20 p.m.



Committee Reports

Community Outreach Committee (COC)



Capital Community News, Inc.

Hill Rag MidCity DC East of the River
 Fagon Community Guides
 The Education Edition
 Billing Address: PO BOX 15477
 Washington, DC 20003-9997

Invoice

Month of Service	Invoice #
11/1/2011	58133

ANC 6A
 Nick Alberti
 Box 75115
 Washington, DC 200013

P.O. Number	Terms	Due Date	Rep
	Due on receipt	11/1/2011	AL

Quantity	Description	Item Price	Publication	Amount
12	1/4 Page -- 12x Frequency -- Vertical	415.00	GOV - Hill Rag	4,980.00
1	1/4 Page -- Fagon Community Guide	470.00	GOV - Hill Rag	470.00
	Subtotal		GOV - Hill Rag	5,450.00
	Special Discount Rep Andrew Lightman	-30.00%	GOV - Hill Rag	-1,635.00
	Subtotal		GOV - Hill Rag	3,815.00

NEW BILLING ADDRESS

Please send your checks to:

Capital Community News, Inc.
 PO BOX 15477
 Washington, DC 20003-9997

Total this Month	\$3,815.00
Payments/Credits	\$0.00
Balance Due Month	\$3815.00

Thank you for your business.

Phone #	Fax #	E-mail	Web Site
202-543-8300 (12)	202-544-8941	carolina@hillrag.com	www.capitalcommunitynews.com



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee ANC 6A October 18, 2011

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7:00 pm on October 18, 2011 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

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

Committee Members Absent: None

Commissioners Present: David Holmes, Drew Ronneberg, and Sharee Lawler

I. Call to Order

Chairman Healy called the meeting to order at 7:06 pm. The meeting having been duly convened was ready to proceed with business.

II. Community Input on Possible Alcohol License Cap

Mr. Healy explained that this meeting was the second in a series of three planned meetings for the ANC to consider a possible cap on the number of alcohol licenses on H St. NE. He then proceeded to give a brief summary of the informational meeting held on September 20 in which the director of the Alcohol Beverage Regulatory Administration and two ANCs from other parts of the District offered their perspectives on how a cap works and the pros and cons of such.

In order to give everyone an opportunity to speak, a two minute time limit was imposed on each speaker until everyone had an opportunity to speak at least once. Several community members attended the meeting and gave their thoughts on a possible cap and how they want H Street to redevelop.

The significant majority of those in attendance were not supportive of a cap on alcohol licenses on H Street because they thought it was premature. There was a lot of talk about the desire for a mix of retail stores in the neighborhood but concern that a cap was not the way to try to achieve that goal at this time. There were concerns raised about parking difficulties, noisy patrons leaving establishments and disturbing residential blocks late at night, and the lack of restaurants where parents could take their children for dinner.

III. Next Steps

Mr. Healy thanked everyone for coming and participating in this and the last cap meeting. He was very pleased with the community involvement and interest in the discussion. He said the meetings gave a lot of information for the committee to consider at the next meeting. He hopes to have a proposal for consideration available to the public a week before the next meeting.

IV. Adjourn

The Committee adjourned at 8:45 pm. The next meeting is Tuesday, Nov. 15, 2011 at 7 pm at Sherwood Recreation Center.



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes Capitol Hill Towers (900 G Street NE) October 17, 2011

- I. Commissioner Nick Alberti and Committee Chair Omar Mahmud were in attendance.
- II. New Business
 - A. Proposed Removal of No Parking Signs in Front of 525 9th Street NE and 1341 Maryland Avenue NE
 - i. This item was tabled since proponents of the proposal were not in attendance.
 - B. Performance Parking Discussion to Follow up with Damon Harvey of DDOT
 - i. Mr. Mahmud discussed this matter with Mr. Harvey prior to the meeting. Mr. Harvey informed Mr. Mahmud DDOT is looking to roll out Performance Parking along H Street in December. Mr. Harvey advised Mr. Mahmud to gather ANC representatives and others from the community to meet with him to discuss formation of a Community Advisory Group. The Community Advisory Group will be tasked with advising DDOT on community concerns regarding Performance Parking including boundaries, rate structure and use of revenue. Commissioner Alberti and Mr. Mahmud discussed inviting ANC 6C to the initial meeting with Mr. Harvey.
 - C. Update Regarding Next Proposed Streetcar Forum
 - i. This item was tabled given there was no update at the time.
- III. Next meeting - 7pm, Nov. 21, 2011



Committee Reports Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A October 19, 2011

Present: Members: Phil Toomajian, Dan Golden, Missy Boyette, Laura Gentile, Charmaine Josiah
Commissioners: Drew Ronneberg, David Holmes

Drew Ronneberg chaired the meeting.

Community Comment

There were no community comments.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: Drew Ronneberg stated that the ANC approved the Committee's support of the BZA Application for an easement at 1309-1311 H St. NE at the ANC6A's September meeting. BZA case #18243, a special exception to construct a free-standing garage addition at 1231 F St. NE was approved by the BZA by a 5-0-0 vote. BZA case #18254 (1303 Linden Ct. NE), which was opposed by the ED&Z Committee, recently received support by CHRS. Drew Ronneberg added an update on 701 10th St., a project where the ED&Z Committee asked for the owner to submit a variance to remove the curb cut. The application has been resubmitted, and the case will come up in February 2012.

Vacant Properties: Phil Toomajian reported that new windows and doors have been installed at the house at 1000 C St. NE. The home is still available for purchase through DC tax sale.

Zoning Regulations Rewrite: None

H Street Business Liaison Report: Charmaine Josiah reported that Digital Capital Week, a week-long festival celebrating the arts, technology and community, is coming up next month. The H Street Parlour will serve as a community space for this event. From Nov. 5-6, 1629 L St. will be activated with fashion installations and performance art. From Nov. 6-11, at the corner of 5th & H, the space upstairs from the new bar will be open for a meet and greet, starting on Monday evening. Anyone interested in attending or promoting the event should check out the website as well as blogs such as H Street Great Street and Frozen Tropics.

Old Business

None.

New Business

BZA #18290 (1414 A St. NE): The owners are seeking a special exception to allow additions to an existing one-family row dwelling under section 223, not meeting the lot occupancy (section 403) requirements in the R-4 District. The owners were present to discuss the project. The lot occupancy proposed is above 60% but below 70%. The owners stated that they have spoken to their neighbors and have received positive feedback; however, they do not yet have letters of support. The owners described the project as meeting the Standard of Proof in that there is no substantial effect on light/air for the neighboring properties (no side windows, and the architect performed light/shadow studies).



Committee Reports

Economic Development and Zoning (EDZ)



No neighbors were present.

The Committee voted 6-0-0 to recommend that the ANC write a letter to the BZA supporting the grant of the variances. The vote will be presented to the full ANC during the November meeting. Drew Ronneberg did ask that the owners present letters of support from neighbors at that time or prior to the November meeting.

Recommendation: The ANC write a letter to the BZA supporting the variance relief requested by BZA #18290 (1414 A St NE).

1113-1117 H St. NE: Stan Wall, of Wall Development, and architect Ron Schneck, of Square 134 Architects, made a presentation to the Committee regarding updated plans for the proposed residential/retail building. The project was initially presented to the ED&Z Committee in September, and following this meeting, the ED&Z Committee submitted comments on the proposed design for the architect and developer's consideration and response.

The architect reviewed the responses. Regarding the building massing, the architect explained that the massing has not changed and that the building is matter of right. Regarding the building's context, Mr. Schneck stated that the building's design is intended to be unique. Regarding emphasis on verticality, Mr. Schneck responded that the slot windows on the front façade, as well as the residential windows on the east half of the front façade, provide a vertical reading. The east and west halves of the H St. façade are intended to be separate in order to mitigate the size and scale of the façade. The Committee had requested that the elevation's design preserve symmetry; Mr. Schneck stated that the composition is balanced but not symmetrical. Drew Ronneberg requested consistent window patterns within each half of the façade, and stated that the square windows on the western half of the H Street façade should be vertical. Additionally, the Committee had requested further consideration of the articulation of the top/middle/bottom of the façade. Mr. Schneck responded by stating that the materiality of the façade will consist of stone at the base, brick at the middle (east half), and a terracotta system at the middle (west half). The terra cotta system would be similar to the façade system that was used for the new DCRA office building in SW DC. The Committee still felt that the top of the building was not yet successfully articulated, and that the top portion of the west half of the H St. façade has a tall, blank appearance above the uppermost window, and that this causes the window to seem squat. Mr. Schneck stated that there is a building at 14th & C Sts. NE with a similar treatment to that at the top of the western half of the H St. façade of the proposed building. The architect did enhance the reading of the 14' tall retail ground floor by providing a signage band above the retail storefront. The architect also reduced the hierarchical importance of the residential entry on the H St. façade by pulling the entry canopy down (and Mr. Schneck believes it should come down further).

The architect described some of the additional material considerations for the building that are shown in the revised rendering. The side balconies did not change; however, the brick now extends to this area. A sunshade has been added above the door at the top balcony, on the west facade. The west elevation is anticipated to be EIFS or stucco, with color bands similar in color/toner to the brick. It is intended that the brick will run along the west elevation as it wraps this corner for one bay's width. Mr. Schneck also stated that the material at the top of the eastern half of the H St. façade is intended to be EIFS. Missy Boyette requested that the architect not use EIFS on the H St. façade.

The developer stated that the architect is currently finishing the Design Development phase and will begin Construction Documentation next month. Ground-breaking is anticipated in June 2012. Drew Ronneberg stated that he had hoped that the architect would derive some inspiration from consistency as the building responds to its context. The developer responded by stating that the proposed building at



Committee Reports Economic Development and Zoning (EDZ)



1350 Maryland Ave. and a new development on Bladensburg Rd. show a similar language. Drew Ronneberg suggested that the architect look at the buildings on the north side of the 1300 block of H St., next to the Evolve building.

The Committee inquired as to what would happen to the balconies at the west façade of the building if the property to the west were to be developed to a height similar to the subject property. The architect responded that the balconies would still function.

In response to next steps, the developer again stressed that the Construction Document phase is quickly approaching and explained that he will consider another round of comments, which the Committee will submit in writing, per Mr. Wall's request, within the week. Drew Ronneberg requested electronic copies of the revised renderings. Mr. Wall stated that there will be no major changes/adjustments made to the project at this point. He did agree that he will consider revising the materials on the façade (specifically, alternates for EIFS); he will look at making the H St. façade more symmetrical; and he will consider simplifying the palette of materials and colors so that the facades do not look "busy".

Additional Community Comment

Sherwood Rec Center clean-up/bulb planting will take place this Saturday at 10am.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, November 16, 2011
7-9 PM
640 10th St. NE
Sherwood Recreation Center, 2nd Floor**



Committee Reports Economic Development and Zoning (EDZ)



November XX, 2011

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

RE: BZA Case 18290 (1414 A St NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on November 10, 2011, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for a special exception under §223.1 from the lot occupancy of §403 in the above referenced application.

The Commission supports the request for a special exception because the proposed addition will not unduly impact the light, air, privacy and of adjacent properties and will not intrude upon the character, scale and pattern of houses along the street frontage. In addition, the Commission notes that the owner of both adjacent properties has written a letter of support for the application.

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

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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



New Business



November 11, 2011

Jesus Aguirre, Director
District Department of Parks and Recreation
3149 16th Street, NW
Washington, DC 20010

Dear Director Aguirre:

At a regularly schedule and properly noticed meeting on November 10, 2011, the Advisory Neighborhood Commission 6A voted (X-X-X) to send this letter requesting that the District Department of Parks and Recreation (DPR) remove the overgrown shrubs located at a small DPR park at the corner of 8th/K/West Virginia NE.

The Commission appreciates the willingness of DPR to work with residents in the area that are working on plans to beautify this green space. The removal of these shrubs will allow residents, after consultation with DPR, to begin beautification efforts early next spring.

Commissioner Adam Healy is authorized to represent the Commission regarding this matter. He may be reached at 202.556.0215 or healyanc6a01@gmail.com.

On behalf of the Commission,

David Holmes, Chair



New Business



November 10, 2011

Jesus Aguirre
Director, DC Department of Parks and Recreation
3149 16th Street NW
Washington, DC 20010

Re: Sherwood Recreation Center

Dear Director Aguirre:

At a regularly scheduled and properly noticed meeting on November 10, 2011, our Commission voted unanimously to support extending the fencing at the Recreation Center to include the large tree at the corner of 10th & G Streets NE within the protected park area.

The Commission appreciates that while DPR will take steps to avoid damaging the tree in adjusting the fence, it cannot eliminate the possible risks to the tree and write to confirm that we believe the benefits well outweigh the risk involved here. We understand that regardless of what happens with this particular tree that the neighbors who volunteer at Sherwood will work closely with DPR to ensure that there is a wide array of healthy tree, bushes, and flowers on its park grounds.

Thank you for your assistance in addressing this matter.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

cc: Derek Schultz, Department of Parks and Recreation
Sherwood Recreation Center Manager Raphael Marshall
Councilmember Tommy Wells



New Business



November XX, 2011

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

RE: BZA Case 18314 (701 10th St NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting² on November 10, 2011, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the applicant's request for a variance from the minimum on-site parking requirement of §2101.1 to permit a 2-unit flat without off-street parking.

This case is of great interest to ANC 6A, which has been appealing the improperly permitted curbcut since it was constructed at the site in 2006. The previous owner exploited communication breakdowns between DCRA and DDOT to construct the curbcut and driveway after the flat was constructed. This occurred because DCRA issued permits to construct a 2-unit flat based on the previous owner's false representations which showed a curbcut and driveway in the site plans when none in fact existed. As a result, a flat without on-site parking was constructed at 701 10th St NE without obtaining the necessary variance from §2101.1. The original previous owner later applied to DDOT for a public space permit based on the fact that they could not get a Certificate of Occupancy without on-site parking.

Our ANC strongly opposed DDOT's decision to issue a public space permit for a curbcut and driveway because it violated many of DDOT's own guidelines, which require curbcuts be in the public interest and comply with the technical requirements of the DDOT Design and Engineering Manual. The ANC has requested that the case heard by DDOT's Public Space Committee - a request that has been verbally granted by two DDOT Directors, but has not yet been placed on the PSC's agenda.

In addition, our ANC has successfully advocated for language through the Zoning Regulations Rewrite to require that proof of public space permits for all curbcuts and driveways be provided to the Zoning Administrator prior to building permits being issued.

The Commission believes that a variance is justified in this case because of the project meets the three tests specified in § 3103.2. First, the site has unusual circumstances because it lacks alley access. Second, the owners faces economic hardship if the DDOT revokes its public space permit for the curbcut because the owner would need to convert the building to a single family dwelling in order to comply with the parking requirements of §2101.1. Finally, the intent of §2101.1 is to reduce demand for on-street parking by requiring dwelling to provide off-street parking. However, in this case, the curbcut eliminates three legal on-street parking spaces while the development is providing only two off-street parking space. Providing a parking variance in this circumstance will not impair the intent of the Zoning Regulations and will further the 2006 Comprehensive Plan's goal to "...minimize the number of curbcuts in new developments. Curbcuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas. (Policy T-1.2.3)"

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



New Business



Finally, the ANC would like to acknowledge RedShift, LLC's efforts to fix the problems created by the previous owner by submitting this BZA application.

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

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



New Business



Dear Director Terry Bellamy:

At a regularly scheduled and properly noticed meeting on November 10, 2011, our Commission voted to request the District Department of Transportation to change the current designation of the street parking in front of 1308 H Street, NE, as a loading zone to metered parking.

A loading zone sign was erected in front of 1308 H Street, NE, following the completion of the street car construction on thirteen hundred block of H Street. Capitol Dry Cleaners is located at 1308 H Street and neither it nor any other nearby business has a use for a loading zone. Capitol Cleaners as well as nearby restaurants would benefit if the current loading zone was change to metered parking.

Thank you for your assistance in addressing this matter.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

cc: Eulois Cleckley
Manager of State and Metropolitan Planning
District Department of Transportation