



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for November 14, 2013**



Public Meeting - All Are Welcome to Attend - 2nd Thursdays at 7pm

7:00pm **Call to order, Approve Meeting Minutes (Sept, Oct 10, Oct 24), Adopt Agenda**

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

Community Presentations:

7:10 Real Property Tax Appeals Commission

7:15 Kelvin Robinson, DC Health Link

7:30 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 19*

1. Approve Treasurer's Report

2. Consider 2014 Budget

7:40 Single Member District reports (2 minutes each)

Standing Committee Reports:

7:55 **Community Outreach** *pg. 24*

1. Approve committee report

2. **Recommendation:** ANC 6A accept the quote from Capitol Community News for advertising in both the Hill Rag and Fagon Community Guide (\$3,815 for 12 quarter-page ads in the Hill Rag and 1 quarter-page ad in the Fagon Community Guide)

3. Next meeting - Monday, November 18, 7pm at Maury ES multi-purpose room - corner of 13th St. and Constitution Ave. NE

8:00 **Alcohol Beverage Licensing** *pg. 31*

1. Approve committee report

2. Next meeting - 7pm, November 19, 2013 (3rd Tuesday)

8:05 **Transportation and Public Space Committee** *pg. 36*

1. Next meeting - 7pm, November 18, 2013 (3rd Monday)

8:10 **Economic Development and Zoning** *pg. 37*

1. Approve committee report

2. **Recommendation:** ANC support the variances of BZA Case 18657 (903-907 Florida Ave. NE)

3. **Recommendation:** ANC (in the event the ANC elects to reconsider this matter) write a letter of support for the variance of BZA Case 18662 (800 11th St. NE, Douglas Memorial Methodist Church/Toddlers on the Hill)

4. Next meeting - 7pm, November 20, 2013 (3rd Wednesday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for November 14, 2013**



Public Meeting - All Are Welcome to Attend - 2nd Thursdays at 7pm

8:15 **Unfinished Business**

8:20 **New Business**

1. Purchase of web services for the ANC (Holmes)
2. Move that the ANC protest the following licenses for failure to maintain peace, order and quiet, and that the Chair be authorized to send letters conveying that protest to the ABC Board: Atlas Room, Biergarten Haus, The Elroy, Little Miss Whiskey's, Star and Shamrock, Vendetta, HR 57, Avery's, The Pug, and Toki Underground (Holmes)

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

8:30 **Adjourn**



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September 12, 2013
Advisory Neighborhood Commission 6A
Minutes
Miner Elementary School

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

The meeting was convened at 7pm.

1. Minutes

The minutes for July 2013 were approved by unanimous consent.

2. Agenda

Mr. Holmes said that Joe Englert would like to remove the request by H Street Country Club, Vendetta and the Rock & Roll Hotel to extend their rooftop deck hours. This was dealt with somewhat briefly at the last ABL meeting, and the Committee chose to take no action because a/ the ANC has been imposing strict hour restrictions on rooftop decks, just the same as public space patios, and b/ there is going to be a larger discussion of this in the future, covering all of 6A, and the committee didn't want to deal with this on a case by case basis at the moment. He asked whether any Commissioner wished to add this to tonight's agenda? If not, consideration of this issue will be had soon in the ABL Committee. He said there is a need for coherence and consistency in an approach to the roof deck and patio hours, and about the sound mitigation measures the Commission may wish to require. No one spoke to add it. Two other issues were, however added: the Rock & Roll Hotel was added to the establishments looking for limited exemptions for the H Street Festival; and the Argonaut is seeking support for the construction of a cover for its outdoor patio. The items were added by unanimous consent.

3. Community Presentations

National Guard Annual Run - Saturday, September 12

The commanding officer of the local National Guard came before the ANC to seek support for the annual National Guard run on Saturday, September 12 at 8am. This is the same run they do every year, down East Capitol Street from the Armory to Lincoln Park and back again. There will be no trash, and no debris, and the only noise will be from their call cadence. The officer was apologetic for coming so late to the Commission, but she is new and didn't realize that she needed the Commission's approval. **Motion:** Mr. Mahmud moved/Mr. Alberti seconded a motion to send a letter to the Emergency Management Task Force approving the September 12 race. The motion passed unanimously, 6-0.

Ben's Chili Bowl - 1001 H Street NE

Nisan Ali, Tony Marshall, and Frank White of the new Ben's Chili Bowl at 1001 H Street, gave a construction update to the ANC, saying they wanted to open lines of communication to the community. Frank White, the head of communication, said that a traffic plan for the construction was approved, with trucks confined to their staging area, so they won't interfere with traffic. They are working within noise limits, with a noise meter. They also reported this is a solidly One City project, and they will be hiring for at least 15 construction jobs. They said if there are any concerns to be in



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touch with them, and they will come back again to the Commission because they want to be great neighbors.

Options School

Simon Earle, the new principal of Options School introduced himself. He said he is new to the DC area and getting to know the community. He said that if there are any questions, he can be reached at 547-1028, ext. 250. He said there will be a community open house planned at the school on September 19 to meet the teachers and showcase their students, and on October 5 they are having an Octoberfest.

Mr. Alberti asked Dr. Earle about the fence recently installed around a public basketball court that is heavily used by the community. Dr. Earle said there had been a July 25 meeting at which it had been discussed. He said they had been in touch with DPR and they had signed off on it. He said he is trying to be sensitive to the community.

Mr. Alberti asked if he could back in touch with the ANC and let them know with whom at DPR they had spoken. He said that Dr. Vincent had been dealing with DPR. Mr. Alberti said that he wanted to know the status of the gate, and what Options is going to do going forward, but that no one has contacted the ANC to be included in discussions. Mr. Hysell said he was at a second meeting of the Community Task Force the school has established, but not at the meeting in May where the subject of the gate was broached. Mr. Alberti said that it is always best to engage the ANC—they are elected officials and when something as drastic as a fence is happening, the Commission should be aware and involved. He said his concern is that during the day there's lots of stuff going on as well as after school. He asked whether Options School could be invited to the next Public Space and Transportation Committee. Ms. Nelson added that people need to have access to the basketball court area even during the day. Chair Holmes assigned the matter to the COC.

4. Community Comment

Gladys Mack announced a health fair on October 15 at Pilgrim Church.

A resident said she was frustrated at not getting any assistance with crime and traffic problems on 16th and 17th Streets at C Street NE in the alley. She said she was recently attacked, and the garbage on 17th Street doesn't get much attention. Mr. Ward pointed out that they had been in contact via email, and he will get together with her soon.

Denise Harrison said there is a house at the corner of Gales and 15th Street that has problems with noise and drugs. Mrs. Phillips-Gilbert suggested taking the issue to the US Attorney's Office, but do it with neighbors, not alone because it could get dangerous if you become visible.

Dana Wyckoff of the Friends of the Rosedale Library announced that Sunday, October 6 is the first Sunday the library will be open. She announced that the late hours on certain days will also be changed.

5. Officers' Reports

Chair

Mr. Holmes gave a report from the Benning Road Power Plant demolition and waterside research project. He warned the ANC not to ever eat out of the river, no matter how big the fish, turtle or frog



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legs, because of the trash, and PCBs that might have flowed from the Navy Yard, Kenilworth, and the Benning facility.

He also reported the schedule for waterline flushing. October: Running northbound and southbound from F Street NE to SE Freeway and from 8th Street to 13th Street. November: Running northbound and southbound from F Street NE to Southeast Freeway and from 13th Street to 19th Street.

He said that he's getting training in TOPS, a new on-line program that enables Commissioners by simply registering a password to access the schedule and disposition of Public Space applications and activities.

He reported that Councilmember David Catania, Chairman of the DC Council Committee on Education, is interested in having an opportunity to dialogue with the community within the ANC footprint about education in the District, and he asked if commissioners could let him know if that's feasible. He would come during a regular meeting or for a special meeting if that would work better. He asked for the will of the Commission and a special meeting for the community was decided on.

He reported that there was no opportunity for ANC comment on the new DDOT proposal for visitor parking before the comment period closed. Four 6A commissioners joined four 6C commissioners in opposing the new pass distribution plan.

Finally, the FRESHFARM Market permit to stay at their 13th and H location was valid during the H Street Festival unless they wished to move.

Treasurer's Report

Mr. Alberti presented the Treasurer's Report. He reported that the opening balance in the checking account was \$15,653.35, and the savings account balance was \$13,716.21. There were two interest payments of \$.23 and \$.23 to the savings account, a payment from the District of Columbia of \$4,607.82, and a refund from Kinko's of \$241.02 leaving an opening total of \$20,503.09. There were disbursements of \$200 to Heather Schoell for the June '13 agenda package (Check #1606); \$342.56 to FedEx Office for the July '13 statement (Check #1607); and \$180 to Roberta Weiner for transcription of the June '13 ANC minutes (Check #1608), leaving a balance of \$19,780.83 in the checking account, and \$13,716.21 in the savings account.

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

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

6. Single Member District Reports

Mr. Hysell reported there had been some complaints about Valor Construction on their Maryland Avenue projects.

Mr. Ward said that crime was an issue in his area, and it's ignored when it comes to law enforcement. He also pointed out a special problem on 19th Street, where his elderly constituents would like to have speed bumps. He said too that he was working with Respect DC on the City Council Living Wage legislation.

Mr. Alberti pointed out that new communication antennas on top of the Lincoln Park UM Church are proposed.



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Mrs. Phillips-Gilbert read the following statement:

The ANC needs new guidelines and procedures for the application process to distribute grants from the 6A Commission in addition to Statutory Guidelines from the Auditor for the Community Outreach Committee (COC) to implement. We need to provide transparency by doing more community outreach by advertising through various media, newspaper, website and posting throughout the various 6A communities, and public buildings. This way we can draw in more community members for consideration of these grants. The COC should not have the authority to make motions to submit to the ANC, to review and provide us with each applicants request so that we can make the final decision after our inquiries have been satisfied to approve and grant. We need to ensure that there are ethical standards and transparency when we make a determination on a grant request. There should be no endorsement or advertisement on behalf of any applicant while their request is pending for approval from ANC Commissioners (i.e. email sent on 8/18/13 titled FUN EVENT BRING THE KIDS) to all ANC Commissioners from a member of the COC committee supporting the event being given by a pending applicant, who is also member of the COC. I have serious concern when it gives the appearance of preferential treatment, while the other applicants were not given the same treatment? Why was this not done for the other pending applicants. We need to ensure that procedures are put in place for the COC committee members, who are requesting grants, as well as COC members who have close ties, or affiliation, with groups or individuals who are seeking funding from the Commission. We need to determine and stipulate how long funds can be held that was provided to san applicant. There are current funds in our budget that have been on hold for over five months. These funds could have been made available to applicants that have met all qualifications for their request. We need to bring the COC in compliance with the other Standing Committees of the 6A Commission which held their meetings at a public location such as Sherwood and Rosedale Community Centers. The current location for the COC, prohibits easy access to the community and due to the loud noise coming from multiple appliances in the faculty, it is extremely hard to hear what is being said. Another good reason for relocating the committee is to alleviate the COC from meeting on National Public Holidays. This past January 2013, the committee refused to reschedule their meeting during the Presidential inauguration and MLK holiday. In spite of numerous request to reschedule from the ANC, the committee conducted meeting without any consideration given to the Public, ANC Commissioners. This was extremely disrespectful and insensitive to disregard our request. We must ensure that all applicants who request funding from ANC 6A Commission properly notify the Commissioner of that Single Member District of the services they intend to provide to that community. This is common courtesy to give proper respect to the elected representative of that community. This should be done prior to the COC reviewing applicant's request, and would allow the Commissioner of that community the opportunity to address any concerns they have prior to the submission of the grant request, and to ensure that people in the community are informed as well.

Mr. Holmes said that Ms. Phillips-Gilbert was out of order because it was not germane to the agenda item. He suggested that she speak with him about scheduling agenda time if she wanted it discussed at a meeting.

7. Community Outreach Committee

The report of the Committee was accepted without objection.

Motion: The Committee moved/Mr. Mahmud seconded a motion to send thank you notes to the same organizations that received them last year. Ms. Nelson pointed out that these were organizations like



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Gallaudet, who hosts the Commission's web site and Miner Elementary School, which hosts the ANC's meetings. The motion passed unanimously, 6-0.

Grants

Ms. Nelson said there were three grants on the agenda: \$2,758 from Serve Your City, for a rowing and tennis program; \$950 from the Sherwood Neighborhood Volunteers (SNV) for a toddler program; and \$500 from Capitol Hill Village toward a seminar on healthy aging. She introduced Terry Washington, Phil Toomajian and Vira Sisolak representing the organizations, respectively. She noted that there were insufficient funds in the grants budget to fund all in full and that the recommended apportionment was a compromise worked out by the Community Outreach Committee (COC) members who had differing opinions as to which should have priority. She noted that COC members Maurice Cook and Jean Kohanek had recused themselves and did not participate in the discussion of the grant applications or vote on them.

Motion: The Committee moved/Mr. Mahmud seconded a motion to approve three ANC grants: \$2,720 to Serve Your City, for a rowing and tennis program; \$900 to the Sherwood Neighborhood Volunteers (SNV) for a toddler program; and \$250 to Capitol Hill Village toward a seminar on healthy aging.

Ms. Nelson expressed her concern that Capitol Hill Village did not meet the criteria established for ANC grants: that it serve the residents of 6A. She said that while she was a big supporter of CHV, there was no evidence indicating that substantial membership or conference attendees live in 6A. Mr. Holmes offered an amendment to the motion, moving that the proposed grant to Capitol Hill Village be referred back to the committee until the benefit to 6A is clarified. What benefits, such as hosting meetings in 6A, membership located in 6A, attendance of 6A residents at the conference. It's a demographic we want to support, but CHV must meet the ANC's criteria. Mr. Alberti said he very much supported CHV, which is a wonderful organization, and he believes their goal of aging in place is an important one. But he also, he said, believes there are criteria that the ANC established and that have to be met.

Ms. Phillips-Gilbert said that the Committee didn't decide on the grants - Ms. Nelson made the decisions. Serve Your City never notified her [Phillips-Gilbert] that they had applied for a grant, despite their saying that most of their participants are from Rosedale. They couldn't show me that they're coming from 6A—there's bias in that decision. Serve Your City is getting full funding and they can't show her a membership roster. She complained about a lack of transparency. Denise Harrison also said there is not full public disclosure, and the process was manipulated. Mr. Alberti said that checks are written to the vendors, not the grantees, which further increases transparency in the process. Mr. Mahmud pointed out to Ms. Phillips-Gilbert that as a member of the committee she can offer an alternative motion—she's entitled by the bylaws. Mr. Hysell seconded Mr. Holmes amendment.

The vote on Mr. Holmes amendment, returning the CHV grant to the committee passed 3-2-1, and the final motion passed 5-1, with Mrs. Phillips-Gilbert in opposition.

Ms. Sisolak noted that if the grant is returned to the Committee, there won't be time before the date of the seminar to re-submit it.

8. Alcoholic Beverage Licensing Committee

The report of the Committee was accepted without objection.



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Mr. Holmes introduced a series of special liquor license exemptions for the H Street Festival:

H Street Festival License Exemptions

Recommendation: That 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 noon to 7pm on Saturday, September 21, 2013, provided that the H Street Country Club agrees to comply with the rules and regulations set by the H Street Festival. The recommendation passed 4-0-2, with Mr. Alberti and Mrs. Phillips-Gilbert not voting.

Recommendation: That 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 & the Black) and that such exemption apply only from noon to 7pm on Saturday, September 21, 2013, provided that Vendetta agrees to comply with the rules and regulations set by the H Street Festival. The recommendation passed 4-0-2, with Mr. Alberti and Mrs. Phillips-Gilbert not voting.

Recommendation: That 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 noon to 7pm on Saturday, September 21, 2013, provided that Dangerously Delicious Pies agrees to comply with the rules and regulations set by the H Street Festival. The recommendation passed 4-0-2, with Mr. Alberti and Mrs. Phillips-Gilbert not voting.

Recommendation: That the ANC grant a limited exemption to the relevant sections of the Settlement Agreement for the Rock & Roll Hotel and that such exemption apply only from noon to 7pm on Saturday, September 21st, 2013, provided that the Rock & Roll Hotel agrees to comply with the rules and regulations set by the H Street Festival. The recommendation passed 4-0-1, with Mr. Alberti not voting and Mrs. Phillips-Gilbert not present.

Sahra - 1200 H Street NE.

Motion: The committee moved/Mr. Mahmud seconded a motion to recommend that the ANC protest the request by Sahra, 1200 H Street NE for an entertainment endorsement. Mr. Mahmud said there had been noise complaints, particularly on the patio. The motion passed 4-0-2, with Mr. Alberti and Mrs. Phillips-Gilbert not voting.

Chupacabra - 822 H Street NE

Motion: The Committee moved/Mr. Mahmud seconded a motion to recommend that the ANC formally protest the license application of Chupacabra, 822 H Street NE 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 approve a stipulated license for the establishment.

Mr. Mahmud said he has serious concerns with the impact on the neighborhood, and they now have an opportunity to increase their food sales because they're open for lunch. Mr. Bombadier, the owner, said they've agreed to a lot of things that have been asked of them, 90% of their business, he said, is restricted to late nights, and he doesn't believe they can meet the required food ratio—45% is very hard to meet with the hours they have. He said they are already operating as a CR, they are operating as a limited CT—the only difference is they are not recording their food sales. Mrs. Phillips-Gilbert said it appears that the ANC is trying to run them out of business. They've bent over backwards to do what we've asked. Mr. Mahmud said that in fact they've come kicking and screaming and they've only agreed to things after they've realized they had no choice. The motion was approved 3-2-1, with Mrs. Phillips-Gilbert and Mr. Ward opposing and Mr. Alberti abstaining.



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Mr. Holmes announced a Settlement Agreement had been signed with Queen Vic—it had never been submitted by a past commission chair and an ABRA representative caught the lapse. He said he had signed it and submitted it. He said that H Street Main Street had asked for 26 one-day licenses for the H Street Festival. He said he hopes that they will not take away business from H Street restaurants and taverns and that they are located well away from existing licenses. These one-day permits do not come to the ANC but go directly to the ABC Board.

9. Economic Development and Zoning Committee

The committee report was presented by Chair Dan Golden and was accepted without objection.

620 9th Street NE

This is a request for support of a BZA application for a variance for a new wooden deck that will occupy more than 50% of the rear yard. **Motion:** The Committee moved/Mr. Healy seconded a motion to recommend that the full ANC support the committee's recommendation to support a BZA application for a variance for a rear deck at 620 9th Street NE. The motion passed unanimously, 6-0.

1120 Park Street NE

This is a request for a special exception from the lot occupancy requirements and a variance from the minimum parking space size and the garage setback requirements to permit the construction of a garage with a roof deck at 1120 Park Street NE. **Motion:** The Committee moved/Mr. Holmes seconded a motion that the full ANC support the request for variances and a special exception and variances with the condition that prior to their presentation at the 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. Mr. Holmes asked whether the applicants had letters with them and was told no. Mr. Holmes moved that the ANC should oppose the motion because they had no assurance that there was support from the neighboring properties. The motion failed 0-6, unanimously.

1325-1327 Constitution Avenue NE

This is a request for support of a concept design for two residential units at the site of the Evening Light Apostolic Church, 1325-1327 Constitution Avenue NE. Both will have three floors and individual entrances. The third floors will not be visible from the street. **Motion:** The Committee moved/Mr. Alberti seconded a motion to accept the Committee's recommendation to support the proposed design for 1325-1327 Constitution Avenue NE. The motion passed unanimously, 6-0.

10. New Business

Response to Missing DDOT Report

More than 60 days ago, Mr. Alberti sent a letter to Public Space with questions about public "parklets" being appropriated, with Public Space permission, for private use. According to Mr. Holmes, Matt Marcou, DC Zoning Administrator, said that DDOT would have responses to the questions the week after the meeting and could not speak on any topic covered by the questions until DDOT finished its response. He said he was subsequently told there would be an additional one or two week delay (that staff was absent, the questions complex, and the AIG not available). That was July 25. **Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to authorize the sending of a letter pointing out this strange delay and asking for a clarification on the questions and concerns asked by the ANC and its citizens.



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Mr. Mahmud asked that Mr. Alberti be mindful of the tone of the letter because Mr. Marcou has been helpful to the ANC in the past. Mr. Alberti added that the letter should be sent to DPR and Charles Allen in Councilmember Wells' office. The motion passed 5-0-1, with Mrs. Phillips-Gilbert not voting.

Awning for Argonaut - 1433 H Street NE

Motion: Mr. Holmes moved/Mr. Alberti seconded a motion to support a public space permit for the construction of a patio-sized enclosed awning for the Argonaut, 1433 H Street NE. The owner says he has been working with DDOT to create a "greenhouse" over his outdoor space. It's the first use in DC in public space for the system in which he will not only have plans, but will be able to grow vegetables. He said he has already made his corner greener and would like to keep it going. Mr. Alberti asked how far out it will extend and was told it will be to the fence, which will remain. The motion was approved 4-1-1, with Mrs. Phillips-Gilbert opposed, and Mr. Mahmud not voting.

Change in Zoning Order for 901 D Street NE

Mr. Holmes read from an ANC letter to the Zoning Commission: Because of the careful and sympathetic presentations of CAS Reigler and Ditto Residential, the ANC and the neighborhood authorized a proposal for two, and only two, additional residential units in exchange for the purchase of a small Capital Bikeshare station to be installed in the immediate vicinity, and the payment of the public space fee for a period of five years for a Zip Car to be located next to 901. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to support the requested changes in the Zoning Order for 901 D Street NE. The motion passed unanimously, 6-0.

Clarification of motion on 1102 H Street NE

A motion passed at the last ANC meeting of 1102 H Street NE read: "This is a request for support of the installation in the front of the building of A Bank of America ATM machine... **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 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." I would like a vote to clarify that this motion applies to any subsequent BZA case on this issue. The motion passed unanimously, 6-0.

11. Community Comment

Motion in Support of Living Wage Legislation

Motion: Mr. Ward moved/Mrs. Phillips-Gilbert seconded a motion to send a letter urging Councilmember Wells to change his vote and vote in favor of the big box store living wage legislation that has been vetoed by the Mayor and will come before the City Council for a veto override vote.

Mr. Alberti said that this issue was too "global" for ANC consideration; that the Commission's purview is local, and he doesn't know the position of his constituents on the issue. Mrs. Phillips-Gilbert said that the Commission has to take a stand. Mr. Mahmud said that he doesn't know anything about the legislation and finds himself conflicted about it. Mr. Holmes said he's not happy about having to vote on the issue, saying it has already been ruled illegal in Maryland. **Amendment:** Mr. Mahmud suggested that a letter be sent to the Council urging that a way be found to support a living wage for all DC residents. Mr. Ward said it's something that affects everyone and their needs. Mrs. Phillips-Gilbert said the amended motion was good. The motion passed 5-0-1, with Mr. Alberti not voting.

The meeting was adjourned at 9:05 pm.



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October 10, 2013
Advisory Neighborhood Commission 6A
Minutes
Eliot Hine Middle School

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

The meeting was convened at 7pm.

Agenda

Mr. Holmes proposed three additions to New Business:

1. Discussion of a request for an investigation by DCRA of the non-residential uses of the upper floors of 1242 H Street NE and other new construction for possible zoning violations. The builder requested a variance, the ANC opposed it at the BZA and the builder withdrew the request before BZA consideration. They never obtained the variances required for a bar on the upper floors.
2. On behalf of Mr. Hysell and himself, he wants to move that the ANC express its support for the transfer of Options School's charter to a new operator, that the school not be closed because of the adverse impact on the students, but that a new, larger and more easily controlled site be sought by the new operator and the Public Charter School Board. Commissioners Hysell, Williams and Holmes are authorized to represent the ANC in this matter.
3. A vote on nominating Gottlieb Simon for the Cafritz Award. ("The 13th...Cafritz Foundation Awards for Distinguished District of Columbia Employees. The awards program recognizes the extraordinary service and commitment of DC public servants who—often working behind the scenes—provide outstanding service to the residents of Washington DC. Each year five winners receive a \$7500 cash prize and get recognition at the Cafritz Awards gala in May. The candidate must have been employed by government for five years.)

The additions to the agenda were accepted by unanimous consent.

Mr. Holmes announced that the ANC must be completely out of the building no later than 9pm. **Motion:** Mr. Holmes moved that the Commission stand adjourned at 8:45 pm as determined by the Chair's cell phone clock. The motion was accepted by unanimous consent.

Community Presentations

Commander Andy Solberg Police Report

Mr. Holmes introduced 5D Police Commander Andy Solberg who spoke, with two of his officers, on crime in PSA 507, east of 15th Street between Benning Road and C Street NE. He reported that since June there has been a "fairly substantial" increase in crime in the area. He said residents should see a lot of officers on the street.

Officers' Reports

Chair

Mr. Holmes announced that there will be a special ANC meeting on Thursday, October 24 at Maury Elementary School, 13th Street and Constitution Avenue.



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He mentioned that the Rosedale Citizen's Alliance (RCA) and the Capitol Hill Restoration Society (CHRS) are sponsoring a historic walking tour on Saturday, October 26, starting at the Rosedale Library.

He reported that Metro is considering consolidating bus stops in and adjacent to 6A, according to a letter he received on Wednesday. The stops include: East Capitol St. and 19th Street, westbound. Stop #10000808 Route 97; East Capitol St. and 15th Street NE, westbound Stop #1000806 Route 97; east Capitol St. and 15th St. Stop #1000793 Route 97; Mass. Ave and 16th Street, eastbound #1000701 Route 96; Mass. Ave. and 16th Street westbound Stop #1000707 Route 96.

He asked whether there were any objections if the Commissioners most closely affected and the Chair, acting together be authorized to send a letter of opposition to the consolidation if a Commissioner and the Chair determine that opposition is appropriate? No objection was raised, and the resolution was approved by unanimous consent.

Treasurer's Report

Mr. Alberti presented the Treasurer's Report. He reported that the opening balance in the checking account was \$19,780.83, and the savings account balance was \$13,716.67. There was an interest payment of \$.23 to the savings account, There were disbursements of \$180 to Roberta Weiner for transcription of the June '13 ANC minutes (Check #1609); \$243.50 to FedEx Office for the August '13 statement (Check #1610); \$200 to Heather Schoell for the September '13 agenda package (Check #1611); and \$258 to FedEx Office for the September '13 statement (Check #1612), leaving a balance of \$18,888.52 in the checking account, and \$13,716.90 in the savings account.

Motion: Mr. Alberti moved to accept the disbursements. The motion passed 4-1

Motion: Mr. Alberti moved to approve the Treasurer's Report. The motion passed 4-1.

Motion: Mr. Alberti moved to approve the Quarterly Report for the third quarter of FY 13. He noted that the complete report had been circulated to the Commissioners prior to the meeting. The motion passed 4-1.

Mr. Alberti noted that he had heard from the Auditor and a quarterly disbursement will be forthcoming from the District in late December. He also noted that a draft budget for FY 14 was included in the agenda packet for review by the Commissioners, prior to a vote at the next meeting.

Committee Reports

Economic Development and Zoning

The report of the Committee was accepted without objection. Mr. Holmes introduced committee chair Dan Golden, who presented the following actions:

800 11th Street NE

This is a request for support for a variance from the off street parking requirements to allow Toddlers on the Hill, LLC to use a portion of the premises as a Child Development Center. The variance is from two required parking spaces. **Motion:** The committee moved a recommendation that the ANC support the request for a variance at 800 11th Street NE on the condition that the applicant agrees to notify the ANC of any future changes to its child pick-up and drop-off plan. The motion failed on a tie vote, 2-2-1, Commissioner Phillips-Gilbert abstaining.

1301 North Carolina Avenue NE - AT&T Antennas



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



Motion: The committee moved to oppose the application of AT&T to install cellular antennae, a generator and screens atop the church at 1301 North Carolina Ave. NE, absent the applicant showing the ANC of necessity for the installation to occur at that location and a demonstration that other sites were considered but were not feasible. Mr. Holmes said he wanted to withdraw the application before HPRB until the next meeting but was unable to reach Historic Preservation to request a delay. The motion passed 5-0.

1316 Corbin Place NE

Motion: The committee moved to adopt the Committee's recommendation to send a letter to the Zoning Administrator advising him of what appears to be a zoning violation (expansion of the structure beyond the permitted lot occupancy) at 1316 Corbin Place NE. The motion passed 4-0-1, Commissioner Phillips-Gilbert abstaining.

Alcohol Beverage Licensing Committee

The Committee report was accepted without objection.

On the recommendation of the Committee, the ANC took no action on the CT license renewal for Atlas Arcade/Church and State, 1236 H Street NE, and on the CT license renewal for the Queen Vic, 1206 H Street NE.

Ben's Chili Bowl/Ben's Upstairs - 1001 H Street NE

Motion: The Committee moved to protest the CR license of Ben's Chili Bowl and Ben's Upstairs, 1001 H Street NE unless a signed Settlement Agreement is submitted to the ANC prior to the protest date. The motion passed, 4-0, with Mr. Alberti abstaining.

XII Restaurant and Lounge - 1123-1125 H Street NE

Motion: The Committee moved that the ANC formally protest the CT license of Twelve (XII) Restaurant and Lounge, 1123-1125 H Street NE. The motion passed 3-1-1, with Mrs. Phillips-Gilbert opposed and Mr. Alberti abstaining.

Transportation and Public Space Committee

The report of the Committee was accepted without objection.

Quiet Work on Trolley

Motion: The Committee moved to accept the Committee recommendation to send a letter to DDOT head Terry Bellamy re the H Street/Benning Road streetcar line indicating support for quiet work during the night hours as proposed by the DDOT team, provided they take all measures to mitigate noise and light pollution and address neighborhood concerns. The motion passed 4-0-1, Commissioner Phillips-Gilbert abstaining

Residential Permit Parking on Wylie Street

Motion: The Committee moved that the ANC accept the Committee recommendation to send a letter of support for the petition of residents in the 1200 block of Wylie Street NE to extend hours and days for residential permit parking enforcement. The motion passed 5-0.



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



Community Outreach Committee

The Committee report was agreed to.

Committee Meetings

Motion: The Committee moved to accept the Committee's recommendation - that the ANC move the COC meetings to another location, such as the Sherwood Recreation Center or Rosedale Recreation Center/Library, and that the meetings begin at 7pm. The motion passed 5-0.

Options School Fence

Motion: The Committee moved that the ANC accept the Committee's recommendation that the ANC send a letter of thanks to Options School for removing the fence, if completed, and advising them to include the ANC in advance of future projects; and 2/ of thanks to DPR for their assistance in helping get the fence removed, noting our opposition to any restriction on access to this basketball court; OR, if the fence is not removed, by the October ANC meeting, send a letter to Options requesting its immediate removal from public space and advising them to include the ANC in advance of future projects, and 4/ requesting the assistance of DPR and the Council in meeting the removal of the fence and noting the ANC's opposition to any restriction on access to this basketball court. The motion passed 5-0.

New Business

Options School

Motion: On behalf of Mr. Hysell and himself, Mr. Holmes moved that the ANC express its support for the transfer of Options School's charter to a new operator, that the school not be closed because of the adverse impact on the students, but that a new, larger and more easily controlled site be sought by the new operator and the Public Charter School Board. Commissioners Hysell, Williams and Holmes are authorized to represent the ANC in this matter.

The motion passed 3-1-1, with Mrs. Phillips-Gilbert opposed, Mr. Ward abstaining.

Cafritz Award Nomination for Gottlieb Simon

Motion: Mr. Holmes moved to nominate Gottlieb Simon for the 2013 Cafritz Award. The Cafritz Foundation, in partnership with the George Washington University Center for Excellence in Public Leadership has asked for nominations for the Foundation's Awards for Distinguished District of Columbia Employees. The awards program recognizes the extraordinary service and commitment of DC public servants who—often working behind the scenes—provide outstanding service to the residents of Washington DC. The motion passed 5-0.

The meeting was adjourned at 8:45pm.



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



October 24, 2013
Advisory Neighborhood Commission 6A
Special Meeting
Minutes
Maury Elementary School

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

The meeting was convened at 7pm.

12. Agenda

Mr. Holmes announced the agenda for the special meeting and said that minutes are not approved at a special meeting. Mr. Alberti asked that an item be added to New Business to allocate \$130 to pay for security guards for the use of Miner School for the next ANC meeting. The addition was approved by unanimous consent.

13. Alcoholic Beverage Licensing Committee

CT Licenses

Mr. Holmes reported that the ABL Committee has recommended that no action be taken on the following CT License renewals, and asked whether any Commissioner wanted to protest any of those licenses.

Recommendation: That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for H Street Country Club, 1335 H Street NE.

Recommendation: That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Rock 'n' Roll Hotel, 1353 H Street NE.

Recommendation: That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Liberty Tree, 1016 H Street NE

Recommendation: That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Rose's DeJavu, 1378 H Street NE.

There was no objection.

Sahra Hooka Lounge - 1200 H Street NE

Mr. Holmes said that the Committee had made two recommendations having to do with Sahra Hooks Lounge, 1200 H Street NE.

Recommendation: The Committee moved/Mr. Holmes seconded a motion that the ANC notifies the ABC Board that it does not agree with the changes to its Settlement Agreement requested by Sahra Hooka Lounge.

Mr. Holmes said that it is a new license and not eligible to make changes except at renewal, and the establishment's recent behavior indicates an inability to follow the plainly stated rules of the ANC and ABRA. He said they want provisions taken out that don't apply—there's no need to take them out. There shouldn't be different language for each establishment. The motion passed 5-1-1 with Mrs. Phillips-Gilbert opposed and Mr. Alberti abstaining.



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



Motion: The Committee moved/Mr. Holmes seconded a motion to recommend that the ANC formally protest the CT license renewal for Sahra Hooka Lounge.

Mr. Holmes reported that Sahra had no permit, either Public Space or ABRA, for its outdoor patio, that there were loudspeakers inside and excessive noise, that there was live entertainment without an endorsement, that there was entertainment outside, and that an associate of the licensee is alleged to have carried a very visible firearm in a holster. The motion passed 5-1-1, with Mrs. Phillips-Gilbert in opposition, and Mr. Alberti not voting.

14. 1242 H Street NE

Motion: Mr. Holmes moved/Mr. Hysell seconded a motion to send a letter to the Zoning Administrator requesting an investigation of whether necessary variances have been obtained for Da Luft, at 1242 H Street NE.

Mr. Alberti reported that the 3rd floor of the building has been outfitted as a lounge, and noticed the fact that the ABC has not licensed the third floor. Da Luft has just opened at 1242 H Street NE. The issue, according to Mr. Holmes, is that in 2009 the ANC was opposed to any variance to the non-residential FAR at 1242 and any issuance of a variance from the requirements of the H Street Overlay. At that time, the building's developer, IS Enterprises, withdrew its BZA application.

However, it appears that the developer either went ahead and built what it wanted, or the current owners do not know about the Overlay zoning requirements, which need to be protected. This is a time-sensitive issue because there must be a response within a certain time or enforcement may not be possible. He said that the ANC is claiming only that the 3rd floor has been outfitted as a lounge.

Leonard Cohick, representing the owner said that if there is a requirement for a variance, they will get one. He said the third floor is not being used as a restaurant or for storage at this point. Mr. Holmes made it clear that he is not making a judgment at this point. Mary Ann Malloy, a member of the ABL Committee, said there had been extensive discussion at the Committee meeting of the use of the third floor and the Overlay's requirements. The restaurant owner said he was aware of the use requirements, but that business was slow and he doesn't use the top floor. He said there are other restaurants on H Street with lounges on the third floor. He said he only taken in in \$40 the previous day, and he wants to abide by the law.

Mr. Mahmud suggested a change from "appear to" to "may" in the fourth line of the letter. It was accepted without objection. The motion passed 5-2, with Mrs. Phillips-Gilbert and Mr. Ward in opposition.

15. Options School

(Mr. Mahmud left the meeting because of a potential professional conflict with the discussion.) Mr. Homes introduced Josh Kern, who has been appointed receiver of the school, beginning on October 3rd. He said he has been learning about the school, and hearing from community members, but, he said, he currently has a limited ability to speak about what he's learning. He said that soon he will be able to.

Elizabeth Nelson said that her concerns are not just financial, but administrative as well. She said that the school is called to account on an issue and things get better for a time and then get worse again. She used as an example walking her dog between 9:15 and 9:30 am to the basketball court and



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



dog run and saw the ROTC program operating with a person in charge, but there was another group going wild, but the adult did nothing to control them.

Mr. Holmes said that the ANC had expressed its view to the Public Charter School Board in a letter sent last month. Mr. Ward said that he had abstained in the vote on the letter because he doesn't believe the school should be moved out of the community. Mrs. Phillips-Gilbert said that she also abstained and doesn't want Mr. Kern to think that everyone's against Options. She said she is embarrassed by the hostility the school has received from her colleagues. Options, she said, is doing a fantastic job and could do better. She said that the children need to have a foundation and don't need to be thrown around.

A resident said there is lots of chaos at the school. She said there is lots of change in the community and they need their school. She said the community needs to know whose judgment it is that categorizes these children. The children are normal children, and you have to expect behavior problems. Sarah Mack said that Dr. Vincent took care of the fence, did what they said they would do, and she doesn't understand why the kids are being pounced on. She said she thought the ANC was nit picking Options.

Mr. Williams said that a lot of the problems can be solved through a lot better communications. Mr. Alberti said that one thing the community is hearing is that there is a lack of competence to address the needs of students. For one example, he said, kids were locked out who arrived late. He said that while Mr. Kern was appointed because of financial improprieties, there are issues with the school—they're quite capable, but not using their skills. Mr. Kern pointed out that his responsibilities are laid out in a court order (a copy of which was included in the agenda packet).

Catherine Dyer, a library staff person from the Rosedale Library said that they had 371 students enrolled in their summer reading program and many of them came from Options. She mentioned that truant students also came to the library.

Mr. Holmes said that the school had been opened with no interaction with the ANC or the community. He said they had asked to keep the Commission connected, but nothing had happened. He said that the Commissioners care a lot about the kids, but there has been little interaction with the community. Mrs. Phillips-Gilbert read a quote from Councilmember Wells that appeared in the Hill Rag, complimenting the school.

Mr. Hysell said that his concern was about the kids, with lots of them squeezed into a small space. In answer to a question, Option's executive director, Mr. Vincent said that the school has 135 staff including 62 teachers, with six to eight leaving each year. He said that Dr. Simon Earle had started on July 1, and that all the "miscreants" are gone.

Mr. Holmes pointed out that in the letter sent to PCSB Executive Director Scott Pearson, the ANC had pointed out that this is not the first example of charter school problems in the ANC: Sasha Bruce School was closed, and like Options, started out with minimal resources. It had the same kinds of problems, and the students are not at fault, but they did not get the support they should have gotten from PCSB financial officer. The students should be taken care of.

Mr. Kern gave an email at which he can be reached: options.receiver@gmail.com .



Advisory Neighborhood Commission 6A Previous Meetings' Minutes



16. Administrative Changes

Minutes

Mr. Holmes announced that he will propose at the next meeting that the form of the ANC minutes follow Robert's Rules of Order:

- Type of meeting (regular, special, emergency);
- Date, time and place;
- Commissioners present;
- All language of all main motions, and the disposition of the motions, including any adopted amendments;
- All notices of motions;
- All points of order and appeals, whether sustained or lost, together with the reasons for the chair's ruling;
- Names of any community presentation speakers, but no effort should be given to summarize his/her remarks (modification with respect to representatives of city agencies); and
- Reports of officers are presumed to be about their official duties as an officer, and may be summarized. The Treasurer's Report will be printed in full.

Bylaws Change

Mr. Holmes said he will also offer a modification of the bylaws which will be considered at the December meeting:

That the Chair and Vice Chair, in addition to anyone else who may be named, shall have the authority to represent the Commission in any matters pursuant to motions adopted by the Commission.

Mrs. Phillips-Gilbert said that her concern is in what's been summarized, and she is concerned that she has not been summarized properly.

17. Allocation for Security Deposit

Motion: Mr. Alberti moved/Mr. Williams seconded a motion to allocate up to \$130 for payment to DCPS for two security guards for the ANC meeting at Miner School.

Mrs. Phillips-Gilbert asked why the money was being requested. Mr. Alberti responded that because of the new principal at Miner, the ANC is now required to have security guards present. The motion passed 4-0-2, with Commissioners Phillips-Gilbert and Ward opposed.

The meeting was adjourned at 8:45 pm.



Commission Letters of October 14, 2013 Meeting





Officer Reports - Treasurer



ANC 6A Treasurer's Report October 2013

Period Covered 10/01/13 - 10/31/13

Checking Account:

Balance Forwarded \$ 18,888.53

Receipts:

District Allotments: 4th Quarter FY13
Transfers from Saving Account \$ 4,607.82

Total Receipts \$ 4,607.82

Total Funds Available \$ 23,496.35

Disbursements:

FedEx Office (Oct. 01, 2013 Statement) Ck #1613 \$ 255.72
Heather Schoell (Agenda Package Oct. 2013) Ck #1614 \$ 200.00
Roberta Weiner (Minutes Sept. 2013) Ck #1615 \$ 180.00
DC Strokes Rowing Club (Grant-Serve Your City) Ck #1616 \$ 1,005.00
DC Treasurer (DGS for ANC Meeting Security) Ck #1617 \$ 126.12
Roberta Weiner (Minutes Octt. 2013) Ck #1618 \$ 180.00

Total Disbursements \$ 1,946.84

Ending Balance \$ 21,549.51

Savings Account:

Balance Forwarded \$ 13,716.90

Receipts:

Interest 10/31/13 0.23
Deposit -
Transfers from Checking Account

Total Receipts \$ 0.23

Total Funds Available \$ 13,717.13

Disbursements \$ -

Ending Balance \$ 13,717.13

Prepared Nov. 1, 2013



Officer Reports - Treasurer



ANC 6A Treasurer's Report October 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 Nov. 1, 2013



ANC 6A FY14 BUDGET

Expenditures	Amount
Photocopies	\$ 7,200.00
Advertising	\$ 4,500.00
Minutes	\$ 2,400.00
Agenda Services	2,400.00
Other Contracted Services	\$ 1,000.00
Post Office Box & Postage	\$ 360.00
Grants ¹	\$ 5,000.00
Office Supplies	\$ 100.00
ANC Security Fund	\$ 25.00
Amer. Sign Language Interpreter	\$ 600.00
ANC Flyer	\$ 500.00
Petty Cash	\$ 100.00
ANC Meeting Support	\$ 2,400.00

FY14 Budget Total	\$ 26,585.00
Undisbursed funds committed to FY13 grants	\$ 3,920.00
Total FY14 Projected Expenditures	\$ 30,505.00

SUMMARY OF ANC FUNDS

1. FY13 Year End Savings Balance (09/30/13))	\$ 13,716.67
2. FY13 Year End Checking Balance (09/30/13)	\$ 18,888.53

3. Total FY13 Year End Balance	\$ 32,605.20
4. FY13 District Allotments Outstanding (as of 09/30/13) ¹	\$ 4,607.82
5. Projected FY14 District Allotments ²	\$ 18,618.00

6. Projected Total Funds Available For FY14	\$ 55,831.02
7. Total FY14 Proposed Budget Expenditures	\$ (30,505.00)
8. FY14 Projected Surplus Funds	\$ 25,326.02

¹ This is the allotment for the 4th quarter of FY13.

² Estimate based on FY13 funding.



SUMMARY of FY13 EXPENDITURES

Expenditures (10/01/12 – 09/30/13)	Amount
Photocopies	\$ 2,859.44
Advertising	\$ 3,815.00
Minutes	\$ 1,980.00
Agenda Services	2,200.00
Post Office Box & Postage	\$ 330.00
Grants	\$ 4,749.99
Office Supplies	\$ 0.00
ANC Security Fund	\$ 25.00
Amer. Sign Language Interpreter	\$ 0.00
ANC Flyer	\$ 0.00
Petty Cash	\$ 0.00
Miscellaneous	\$ 0.00

Total Expenditures	\$ 15,959.43



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

October 21, 2013 Minutes

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

Meeting called to order at 7:30 pm.

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

Committee members absent: Louis Barbash, Maurice Cook

Commissioners present: Sondra Phillips-Gilbert, Nick Alberti, David Holmes

Community members present: Andrew Lightman, managing editor, Hill Rag; Raphael Marshall, Sarah Mack (observers)

I. Agenda
Adopted.

II. Report on ANC/COC activities

Ms. Nelson reported that the change to the location and time of COC meetings has been made to the website calendar. Changes to the Committees page have been made but will not be posted until after the October meeting so as not to confuse the public. Ms. Kohanek reported that she has made corresponding changes to the ANC flyer which Ms. Nelson will post. Ms. Nelson thanked Ms. Kohanek for updating the flyer.

[Subsequent to the meeting, the updated Committees page and flyer have been posted.]

III. Consideration of quote from Capitol Community News (CCN) for ANC 6A advertising in the Hill Rag and Fagon Community Guide

1. Ms. Nelson introduced Andrew Lightman, managing editor of the Hill Rag. She gave the committee members hard-copies of a list of questions she intended to ask of Dr. Lightman - and any other publisher seeking ANC 6A advertising business. Dr. Lightman addressed these questions. In summary:
 - a. The Rag is distributed monthly, free, to many public locations (businesses, public facilities and newspaper boxes) in ANC 6A or readily accessibly to ANC 6A residents. Door-to-door distribution will soon begin on a quarterly basis. The Guide is also distributed free but on an annual basis.
 - b. The cost will be \$3,815 for 12 quarter-page ads in the Rag and 1 quarter-page ad in the Guide. This includes color, the creation of the ad itself and preferential placement of the ad with the presentation of ANC 6A meeting reports. CCN gives us a very substantial, %30 discount.
 - c. The account is very easy to manage because text can be submitted in the body of an email message, very close to the publication date - no need to prepare "camera ready" copy. Changes can be requested after initial submission
 - d. All coverage is targeted to Ward 6. The Rag sends a reporter to cover all ANC 6A meetings and covers many issues and events pertinent to ANC 6A including school and recreation activities and businesses and on H Street NE.
 - e. The company is minority owned and based on Capitol Hill.
 - f. A complete list of questions and answers will be submitted, with the minutes, for the agenda package.



Committee Reports

Community Outreach Committee (COC)



2. After hearing from Dr. Lightman, Ms. Phillips-Gilbert expressed her disappointment that ANC 6A has not been advertising with the Afro-American or Washington Informer publications. She introduced the following motion (seconded by Ms. G. Mack):
The COC delay voting on the Hill Rag bid until we have heard from the Washington Informer.
3. Ms. Williams reported that, in the past, we have not had much interest from publications other than the Hill Rag, in the past. She contacted the Afro-American as recently as February 2013, and had difficulty in getting a response. They appeared not to be interested. Ms. Kohanek said that the COC has considered additional advertising opportunities every year and that Nechothia Bowens (a former COC member) had experienced the same difficulties as Ms. Williams. Ms. Nelson concurred, that both the Washington Informer and Afro-American had been contacted in the past. Ms. Kohanek added that advertising with CCN and the Informer would not be mutually exclusive - that we could approve funding with CCN and consider other advertising at a future meeting.
4. Ms. Joseph asked if there is the ANC has funding available for additional advertising. Mr. Alberti said that money is available “if we found advertising of equal value for the same cost”. However, we don’t know how much another quote might be so he couldn’t say with certainty that ANC funds could cover it.
5. Ms. Phillips-Gilbert asked how we received the quote from CCN. Ms. Nelson explained that we have advertised with them annually for many years and that when the past year’s contract runs out, they automatically send us a quote for a new year of advertising.
6. **Ms. Nelson called the vote, which failed 3-4 (Mack, Joseph, Phillips-Gilbert in favor; Nelson, Williams, Kohanek, Alberti opposed).**
7. **Ms. Phillips-Gilbert introduced the following motion (seconded by Ms. Williams):
ANC 6A accept the bid from Capitol Community News for advertising in both the Hill Rag and Fagon Community Guide.**
8. Ms. Kohanek said that she felt it was important to continue our advertising with CCN because it’s an excellent way to get the word out about ANC 6A activities, especially since the Rag is distributed in many locations in ANC 6A. Ms. Williams noted that our relationship with them has continued for a long time and been “very successful”. Ms. Joseph said she agreed that we shouldn’t “reduce our presence” with CCN advertising.
9. Ms. G. Mack asked why we would want to advertise in both the Hill Rag and Fagon Community Guide. Ms. Kohanek and Ms. Williams pointed out that they are used differently; one is a monthly news publication and the other is a directory - like a phone book.
10. Ms. Phillips-Gilbert said that it wasn’t fair to advertise with CCN year after year when the Washington Informer “gets nothing” and that the COC had not made any effort to place advertising with other publications. Mr. Holmes pointed out that the COC had indeed made such efforts, had advertised elsewhere in the past, and that the rates he had been quoted by the Washington Informer were, to his disappointment, very much higher than those of CCN - “hugely expensive”. He also said that the COC knows what’s available, in terms of advertising opportunities and that these are very limited. Mr. Alberti said that, despite the COC’s efforts, in the last two years the ANC has found no publication that can provide the same service as CCN. Both the Afro-American and the Washington Informer have been contacted but either there was no response or their services were not cost-effective.
11. Community member Raphael Marshall said that he thought we should continue to support the Rag but also consider advertising in other publications to reach a different demographic - if there’s money to do so. Community member Sarah Mack also suggested advertising in other publications.



Committee Reports

Community Outreach Committee (COC)



12. Mr. Alberti then called the vote, which passed 5-2 (Joseph, Nelson, Williams, Kohanek and Alberti in favor; Mack and Phillips-Gilbert opposed).

- IV. Ms. Nelson will put an item on the agenda for the November 18 COC meeting for consideration of possible advertising in the Washington Informer. Ms. Phillips-Gilbert will invite them to send a representative and will forward the same list of questions (which Ms. Nelson has provided in electronic format) that were asked of CCN. Dr. Lightman suggested that we also consider other publications, including the Washington Post and City Paper. He said that rate cards for these and other publications are be posted on companies' websites.

- V. Confirmation of next meeting date.
The next meeting will be held Monday, November 18, 7pm at Maury ES, 1250 Constitution Ave NE (enter from 200 block of 13th St.)

- VI. Meeting adjourned at 8:40 pm.



Capitol Community News

Distribution:

How is the publication made available, especially to residents of ANC 6A?

- 1) *Distribution sites* – Hill Rag has boxes throughout ANC 6A, and also distributes at Sherwood Recreation Center, Rosedale Recreation Center/Library, businesses including grocery stores (Safeway) and other locations frequented by 6A residents (inc. metro stops). Periodic (every 4 months) home delivery will begin soon. These home deliveries will include a map showing locations where the Hill Rag can be obtained. The Fagon Community Guide, is delivered door-to-door. Additional drop points can be added, if desired and bundles can be delivered to commissioners for distribution. About 15,000 copies of the Hill Rag are distributed each month on Capitol Hill, 4,000 to boxes and other public distribution sites in 6A. Approximately 3,000 will be home-delivered. About 4,000 copies of the Fagon Community Guide will be distributed in 6A.
- 2) *Schedule of delivery* – monthly for Hill Rag; annually for Fagon Community Guide
- 3) *Cost to readers (if any)* – both publications are free.

Publication Cycle:

- 1) *How frequently is it published?* Hill Rag is published monthly; Fagon Community Guide is published annually.
- 2) *When in the month/week does it "hit the stands"?* Hill Rag comes out the first Saturday of the month unless the first Saturday is after the 5th, in which case it comes out the last Saturday of the preceding month.
- 3) *How long is an issue available before it is replaced by the next issue?* A month for Hill Rag, a year for Fagon Community Guide.

Cost and Placement:

- 1) *What is the cost of ads?* Capitol Community News gives ANC 6A a 30% discount, greater than the discount given to non-profits. Cost is color-inclusive and includes the advertising staff's time in creating the ad layout. Bid is for 12 quarter-page ads for \$3,486. For an



Committee Reports Community Outreach Committee (COC)



additional \$329, a quarter page ad in the Fagon Community Guide is included – a total of \$3,815.

2) *Where in the publication would the ad appear?* The ANC 6A ad in the Hill Rag appears on either the same page as the report on the ANC 6A meeting, or the facing page.

Submission Process:

1) *In what format is advertising copy submitted?*

For both Rag and Guide, the particulars can be sent in the body of an email (text) and the advertising staff will create the ad, doing all the layout – which is then reviewed by the COC Chair and can be amended if necessary.

2) *When is copy due in terms of the production cycle?* For Hill Rag, approximately a week before the production date.

3) *Can changes be made after initial submission?* Yes, until very shortly before it goes to press. The Rag staff has often allowed ANC 6A to make last-minute changes to our ads.

4) *How is copy submitted?* By email

Coverage of ANC 6A:

1) *Does the publication "cover" ANC 6A meetings?* Yes. A Hill Rag reporter is assigned to all ANC 6A meetings. The cost of advertising in the Hill Rag helps to offset the cost of hiring the reporter. The Rag also accepts articles and announcements of ANC 6A activities such as the grants program. The Rag also posts ANC 6A coverage on its website. The website is updated daily so a "brief" of the ANC meeting appears there very shortly after the meeting has taken place. The website has 26,000 unique visitors each month.

2) *Other topics of specifically local interest?* Yes. The Rag's coverage includes the businesses and economic development on H St. and the schools attended by ANC 6A residents. There is coverage of topics such as Options PCS, youth sports, recreation centers and libraries, public space issues. PSA information is posted daily on the website, including PSA 507 at the eastern edge of ANC 6A.

Where is the company based? Is it a local company?

The Capitol Community News is based on Capitol Hill and is minority owned by local residents. About half the staff are local residents.



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 #
12/1/2013	65607

ANC 6A
Nick Alberti
Box 75115
Washington, DC 200013

PO/IO Number	Terms	Due Date	Rep	Ship Via
	Due on receipt	12/1/2013	AL	

Quant...	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	-1635.00
	Subtotal		GOV - Hill Rag	3,815.00

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
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 #
12/1/2013	65607

ANC 6A
Nick Alberti
Box 75115
Washington, DC 200013

PO/IO Number	Terms	Due Date	Rep	Ship Via
	Due on receipt	12/1/2013	AL	

Quant...	Description	Item Price	Publication	Amount
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Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee ANC 6A October 15, 2013

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7pm EST on October 15, 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, Roger Caruth, David Oberting, and Ann Marie Koshuta

Committee Members Absent: Michael Herman and Katy Thomas

Commissioners Present: David Holmes

Community Members Present: Joe Englert (H Street Country Club, Rock and Roll Hotel), Phil Peters (Smith Commons), Danny Roberts (Rose’s Dream/Rose’s Dejavu), Cynthia Simms and Jermaine Mathews (Sahra), B. Bhageram, Margaret Holwill, Rafael, Marshall, Claude Labbe, and Casy Goad.

I. Call to Order

Jay Williams called the meeting to order at 7:03 pm. 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

1. Update on status of Cusbah protest hearing.

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

- A few days prior to the scheduled protest hearing, ABRA notified the ANC that the hearing had been continued to January 22, 2014.
- Ms. Holwill asked how this would affect the ANC’s interest in getting all outdoor space on consistent closing hours, and Mr. Williams said that it would have been better to have a Board decision prior to that discussion, but that this would be a decision on one Settlement Agreement, and would not invalidate patio hours on any other agreement.

IV. New Business

1. Discussion of license renewal for H Street Country Club at 1335 H Street NE (Class “C” Tavern) (License Number ABRA-076649).

- Mr. Williams stated that he is unaware of any complaints regarding this establishment.
- Mr. Englert asked about his request to extend his rooftop deck hours, and Mr. Williams explained that he was still planning to schedule a public meeting in the coming months to discuss the issue ANC-wide. Mr. Williams apologized for the delay, but said that the ANC was still serious about the issue and willing to take it up soon.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- There were no additional comments.
- 2. **Discussion of license renewal for Rock N Roll Hotel at 1353 H Street NE (Class “C” Tavern) (License Number ABRA-072777).**
- Mr. Williams stated that he is unaware of any complaints regarding this establishment.
- There were no additional comments.
- 3. **Discussion of license renewal for Liberty Tree at 1016 H Street NE (Class “C” Tavern) (License Number ABRA-083356).**
- Mr. Williams stated that he is unaware of any complaints regarding the establishment.
- Mr. Marshall stated that he had concerns with being able to see trash from the street/sidewalk, and that when Liberty Tree was negotiating their Settlement Agreement, they assured him that trash would not be visible.
- Mr. Williams stated that there was nothing specific in the Settlement Agreement about this, but that it was worth raising with the establishment if the problems persist.
- There were no additional comments.
- 4. **Discussion of license renewal for Rose’s Dejavu at 1378 H Street NE (Class “C” Tavern) (License Number ABRA-089342).**
- Mr. Williams stated that he is unaware of any complaints regarding the establishment.
- Mr. Roberts asked about recent issues concerning rooftop deck hours, noting that he had heard that other establishments had raised complaints about his Settlement Agreement’s rooftop hours, even though his current location doesn’t have a rooftop deck.
- Mr. Williams explained the history of the questions regarding rooftop deck and public space patio hours.
- There were no additional comments.
- 5. **Discussion of license renewal for Sahra Hooka Lounge at 1200 H Street NE (Class “C” Tavern) (License Number ABRA-087558), and discussion of Sahra’s request to amend its Settlement Agreement.**
- Mr. Williams explained that Sahra had made requests for several changes to its Settlement Agreement, and that the Committee needed to discuss Sahra’s license renewal. He suggested that the Committee discuss the SA requests first.
- Ms. Simms explained that Sahra believes its Settlement Agreement doesn’t fit the establishment, particularly noting that there is a clause regarding kitchen hours, even though the business does not have a kitchen.
- She also argued that many provisions contain restatements of the law, meaning that the establishment could get a double fine from the Board if found to be in violation.



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- Mr. Williams stated that the kitchen issue was irrelevant because the clause is specifically limited to CR licenses, not CT. Mr. Matthews responded that ABRA investigators wouldn't care and would still attempt to cite the establishment.
- Mr. Williams also stated that the reason elements of DC law are in the SA is because in the past, establishments have had owners/managers who don't understand the laws, and the ANC wanted to put the relevant parts of the law clearly in the agreement. Mr. Matthews disagreed, saying that owners of establishments consistently know the law.
- Ms. Koshuta stated that she has been on the ABL Committee for three years and has never heard of an issue regarding establishments without kitchens having problems with that clause. Mr. Holmes agreed, saying he had never heard of this issue in his seven years of being involved with the ANC, and that the ANC would be happy to support an establishment that gets cited for this issue unfairly.
- Mr. Holmes noted that in the past few months, Sahra has had issues with an illegal patio, offering entertainment without a proper endorsement, and putting loud speakers outside in violation of its Settlement Agreement.
- Ms. Simms stated that the sidewalk café shouldn't have been set up, but that now the appropriate paperwork had been filed. She assured the Committee that she and Mr. Matthews were recently hired to prevent these problems from happening again.
- Mr. Williams explained that he was opposed to making any changes to the Settlement Agreement. The Settlement Agreement has been accepted by the Board, and the requirements are not difficult for establishments to comply with. He noted that Sahra had been in violation of multiple parts of its Agreement. He also stated that he didn't believe the ANC would accept such changes, given the history with the establishment.
- Ms. Koshuta said that if the establishment is addressing egregious issues, there's no need to change the SA.
- Mr. Healy stated the he believed the recent omnibus reform of the alcohol laws prevented the "double fine" issue raised earlier. He also stated he was opposing any changes to the SA, and may be opposed to renewal as well. He felt that Mr. Matthews was arguing that owners know the law at one point, but when asked about violations, he made excuses for the owners. He said that there seemed to be a recurring theme of "not knowing" the law or requirements as an excuse.
- Mr. Matthews said he and Ms. Simms were brought on to "clean up" issues with the establishment.
- Ms. Holwill stated that she had a problem with piecemeal changes to the Settlement Agreement, because a strength of ANC 6A comes from its consistency with the Settlement Agreement. An SA that reiterates DC law is also useful for training new managers at establishments. A representative from Queen Vic agreed, stating that the consistency helps all establishments on H Street.

Mr. Williams moved/Mr. Healy seconded that the Committee recommend the ANC notify ABRA that it is opposed to any changes to Sahra's Settlement Agreement. Motion carried 6-0-1.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- The discussion then turned to Sahra's license renewal.
- Mr. Holmes commented that it was interesting (and savvy) of the establishment to hire a former ABRA investigator and ABRA spokesperson to represent it.
- Mr. Williams noted that he had received multiple complaints about an armed employee, possibly a security guard, who had gotten into verbal confrontations with passersby on the street. Mr. Matthews said this is the first he's heard of this issue, but that he would undertake additional security training if necessary.
- A representative from Queen Vic stated that they have had repeated issues with the owner of Sahra, who also owns the space next door (formerly Souk), including illegal construction causing problems in their own establishment.
- Mr. Healy noted that Sahra got cited twice at H Street Festival in 2012 for selling to-go cups.
- Mr. Matthews assured the Committee that he and Ms. Simms would be with Sahra long-term and were committed to cleaning up the establishment.
- Ms. Koshuta stated that the owners made a lot of promises when they initially applied for a license, and has since been shocked by the complaints she has heard. She said she didn't believe that Sahra had been living up to its promises.
- Mr. Oberting asked Ms. Simms and Mr. Matthews how long they had been working for Sahra. They responded that they were hired approximately two months ago.
- Mr. Labbe, a nearby neighbor, stated that the establishment had been quieter since the patio closed.
- Mr. Healy stated that he was struggling with this decision - for one, the establishment has shown very little good faith to follow the law and its Settlement Agreement. He raised concerns that Sahra already has a patio endorsement from ABRA, so it just needs to get DDOT approval.
- Mr. Oberting stated that it's not unreasonable to wait to see if Ms. Simms and Mr. Matthews can deliver on their promises. Mr. Williams explained the protest process and timing, noting that if the ANC didn't protest, its next chance would be at the next renewal period in three years, or if they requested a substantial change. He stated that the protest could be filed and then withdrawn at any time if the ANC later feels that Sahra is living up to its assurances.
- Ms. Koshuta stated that she wasn't sure a few months (the protest process) was enough time to know if Sahra would become a good actor.
- Mr. Oberting asked Mr. Matthews and Ms. Simms how long they thought it would take to "clean up" their client. They responded that they hoped to clean up the issues immediately.
- Mr. Oberting stated that he believed the Committee should protest now, and withdraw if satisfied that Sahra had cleaned up its act.
- Mr. Williams stated that he felt like the Committee had to act based on the actions it had seen by Sahra, and not as much on the promises of new employees. Mr. Holmes agreed.



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Alcohol Beverage and Licensing (ABL)



- Ms. Koshuta raised concerns that the ANC could later withdraw its request based on good behavior by the establishment, but it could then go back to its old ways. Mr. Williams stated that this is something that the ANC will certainly take into consideration during negotiations over the protest.
- Ms. Holwill raised an issue with Sahra leaving its chairs and tables out after hours, and they were attracting loiterers. Mr. Holmes noted this was also a liability issue. Ms. Simms and Mr. Matthews said that they would consider options to minimize this issue.

Mr. Williams moved/Mr. Healy seconded that the Committee recommend the ANC formally protest the CT license renewal of Sahra. Motion carried 8-0-0.

V. Adjourn

The Committee adjourned at 8:20 pm.



Committee Reports

Transportation and Public Space (TPS)



No October ANC 6A Transportation & Public Space Committee Meeting



ANC6A Economic Development & Zoning Committee

7- 9pm, Wednesday, October 16, 2013

Sherwood Recreation Center (640 10th St, NE), 2nd Floor Community Room

Committee Members Present:

Dan Golden, Charmaine Josiah, Michael Hoenig, Laura Gentile, Cody Rice, Missy Boyette

Commissioners Present:

David Holmes

- **7:00 - Welcome / Introductions**

Dan introduced committee, welcomed community

- **7:01- Community Comments**

No comments

- **7:05 Status Reports**

- 1) *Resolution of previously heard BZA/HPRB cases (Dan Golden)*

Cases from last month:

- 1316 Corbin Place, NE - Illegal construction appears to have caused footprint of building to exceed permissible lot occupancy; EDZ voted to send letter to zoning administrator requesting investigation.
- 800 11th St. Toddler on the Hill - ANC voted not to send letter of support; group to present this evening to have pick-up and drop-off plan reviewed by EDZ committee for recommendation that ANC support the requested variance in the event it elects to reconsider the application.
- 1301 North Carolina Ave. - Historical preservation issue re: church - putting antennae on rooftop; application was not pursued before full ANC.

- 2) *Vacant Properties (Dan Golden)*

Dan received an email from the residents at 213 17th St. NE regarding a problem at 211 17th St. NE; Dan will follow-up w/DCRA to investigate but advised that the process may take some time.

The neighbors living at 213 17th St. NE were present at tonight's meeting. David Holmes advised that he can also write a letter to DCRA. The neighbors advised that there appears to be drug activity at the property. David gave the name of MPD 1st District's contact regarding the drug activity and requested the neighbor's contact information put them in touch with the correct city agencies.

David suggested that the EDZ committee invite vacant property staff to an EDZ meeting to discuss.

Dan stated that the committee should consider revisiting/updating the master list of vacant/blighted properties in ANC 6A that had been compiled several years ago.



3) *H Street Business Liaison Report/AIA Training Session (Charmaine Josiah)*

Charmaine updated re: upcoming workshop for ANC/AIA training to be held on October 26th.

4) *Announcement of October 24 Public Surplus Meeting for 1300 H Street, NE (R.L. Christian Library Site)*

DMPED requested announcement of upcoming public surplus meeting. Purpose of meeting is to allow for public input regarding the fact that the pending project will involve the conversion of public property into private property. The meeting will be held at Sherwood Rec Center, next Thursday at 6:30 pm.

5) *Additional Comment*

Zoning code rewrite; EDZ will prepare a short summary of relevant proposed changes for the ANC 6A commissioners by November’s EDZ Committee meeting.

• **7:15 Old Business**

None

• **7:20 New Business**

Case #
BZA 18657
Case Name/Owner
903-907 Florida Ave. NE (903 Florida Ave NE, LLC; 905 Florida Ave, LLC; 907 Florida Ave, LLC)
Relief Sought
Applicants seek a variance from the minimum lot area requirement (for one lot), § 401.3, and for parking relief (for all lots), § 2101.1. Applicants seek to subdivide the three existing lots into two record lots, and to construct one two-unit flat on each of the two new record lots.
Background
Marty Sullivan, Zoning Attorney for the Applicant, stated that in this case one of the subdivided lots would comply with the lot occupancy requirements but the other lot would fall short. He stated that the Applicant was not asking for relief from any other area requirement. The lot occupancy of neither of the two subdivided lots would exceed 60% (this fact has been confirmed with the surveyors’ office). There had been a prior inaccuracy in applicant’s application because the lot is in an irregular form. To meet the lot occupancy requirements, the smaller (1500 sf) of the two lots will have a smaller building footprint. Mr. Sullivan confirmed that there were no historic preservation issues arising out of Gallaudet University’s proximity. He has attempted to contact Galludet, but received no response. Regarding parking, he contacted DDOT to discuss the curb cut needed for the parking variance and confirmed that one would not likely be granted.
Concerns/Issues
The Committee addressed design concerns: Rami (the Project Architect) made several design changes per the committee’s request at the previous EDZ meeting. The design was modified to create more consistent architectural context within neighborhood. Design changes include the replacement of windows with double hung system; the



double-story “storefront” feature will use picture frame windows; the design also uses differing façade materials to break the continuity of solid walls. The double-story “storefront” will have non-operable picture windows (for living area, 24” height).

Regarding concerns about building height – The closest neighbor sits 89” from sidewalk, two-stories and has an additional level, for a total height of 32.8’. The project’s design will coordinate with the height of the neighboring properties.

Missy Boyette indicated that the building proportions look better. She suggested the addition of a vertical mold frame in between the double hung windows and further indicated that she would like to see consistency with the use of the white sills, which vary in height. Rami advised that the white sills create “movement”.

The committee also discussed the design for the rooftop deck. The trellises on the rooftop will be made of wood and will be setback from roofline. The trellises will not be large (i.e., would not be used to cover a full sitting area).

MEP equipment will sit on ground, not on the roof.

Cody Rice indicated he believed the request for variances was reasonable. The street parking burden did not appear to be great due to smaller size of project (compared to larger projects).

Dan Golden and Cody Rice requested landscaping, specifically for the courtyard.

Dan Golden asked that comments from tonight be taken into consideration and requested revised project drawings before next ANC meeting.

Motion

Recommend that the ANC write a letter in support of the requested variances.
6 voted in favor - unanimous

Case #

BZA 18662

Case Name/Owner

800 11th St. NE (Douglas Memorial Methodist Church/Toddlers on the Hill)

Relief Sought

Applicants seek a variance from the off-street parking requirements, 2101.1 to allow Toddlers on the Hill, LLC to use a portion of the premises as a Child Development Center. Applicant seeks to have the EDZ Committee restate its support for the requested variance.

Background

Eric Daniel, representing ToH, informed the Committee that the organization is seeking a license as a child development center and needs variance from the requirement that there be two parking spaces on the property. Mr. Daniel acknowledged that a pick-up and drop off plan was requested previously by the EDZ committee and provided an updated copy of that plan, which now contains a provision requiring the ANC to be informed in the event of any future changes to the plan.



Concerns/Issues
<p>Previously, the request for a variance received unanimous support from the EDZ committee, however the motion did not pass when presented to the full ANC at its regular October meeting.</p> <p>The motion did not pass at the ANC meeting on a vote of 2 to 2. In order for the issue to be reconsidered by the ANC a motion for reconsideration must originate with and pass the full ANC. The EDZ committee is taking up the case again to provide a recommendation in the event the full ANC decides to reconsider the matter.</p>
Motion
<p>Recommend that, in the event the ANC elects to reconsider this matter, the ANC write a letter of support for the variance.</p> <p>6 voted in favor – unanimous</p>

Adjourned. Next meeting 7pm, November 20, 2013 (3rd Wednesday).



November 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. 18657 (903, 905, and 907 Florida Avenue, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on November 14, 2013, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for variances from the minimum lot area requirement (for one lot) set forth at § 401.3, and for from the off-street parking requirements (for both lots) set forth at § 2101.1. The Applicant proposes to subdivide an existing three lots into two lots and to construct a two-unit flat on each of the newly subdivided lots.

The Commission supports granting the requested variance 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.

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

Enclosure

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.



Economic Development and Zoning Committee



November 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. 18662 (Toddlers on the Hill, LLC, 800 11th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting² on November 14, 2013, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a variance from the off-street parking requirements set forth at § 2101.1. The Applicant seeks the requested relief to permit the use of a portion of the premises as a child development center.

The Commission supports granting the requested variance 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 further bases its support on the Applicant having developed the attached pick-up and drop-off plan to mitigate the impact of the operation of the child development center on the neighborhood and on the Applicant agreeing that it will inform the Commission in the event it seeks in the future to make any changes to that plan.

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

Enclosure

² 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.



**Toddlers on the Hill
800 11th Street NE
Pick-up/Drop-off Plan**

The following Pick-up/Drop-off Plan (the “Plan”) addresses vehicle activity at 800 11th Street, NE (the “Property”) in connection with operation of a Child Development Center by Toddlers on the Hill (“ToTH”). The purpose of this Plan is to ensure proper and safe pick-up and drop-off of children, resolve any traffic flow issues that may arise, and provide assistance to parents. The vast majority of children are escorted to and from ToTH by stroller, or other non-automobile means of transportation, which is encouraged by ToTH.

1. ToTH will designate a ToTH employee or parent volunteer to be the pick-up/drop-off coordinator (“PDC”).
2. The PDC shall be responsible for ensuring that the Pick-up/Drop-off Plan is properly adhered to and otherwise facilitating a positive relationship between ToTH, the neighborhood, and the ANC.
3. ToTH will make the PDC’s contact information readily available on its website to ensure that the PDC can promptly be made aware of, and immediately address, a traffic flow issue should one arise.
4. ToTH will encourage parents who do drive to carpool and will help coordinate carpooling arrangements.
5. A parent, guardian, or other authorized person dropping-off or picking-up children attending ToTH (“Parent”) shall only park in valid street parking spaces.
6. At no time may a Parent block a driveway or alley.
7. At no time may a Parent double park or leave their car idling.
8. Drop-off shall occur between 8:30am and 9:15am (the “Drop-off time”).
9. Pick-up shall occur between 11:45am and 12:15pm (the “Pick-up time”).
10. ToTH will encourage Parents to drop off and pick up their child only during the Drop-off and Pick-up times.
11. Parents shall always hold their child’s hand while crossing the street.
12. Failure to abide by the provisions of this traffic plan on two or more occasions will be grounds for the Advisory Board to fine the parents \$30.00. Subsequent offenses may be grounds for suspension or expulsion from ToTH.
13. If necessary to effectuate the purpose of the Plan, the PDC, or a parent volunteer designated by the PDC, may be stationed outside ToTH during Pick-up and Drop-off times to monitor traffic, assist in the drop-off and pick-up of children, and escort children between vehicles and ToTH.
14. This Plan will be made publicly available on the ToTH website.
15. ToTH will inform all Parents, both orally and in writing, of the provisions in this Pick-up/Drop-off Plan and the consequences of noncompliance in August and January of each school year.

***The above Pick-up/Drop-off Plan may be updated or amended as necessary to better address concerns raised by the PDC or in response to changes in ToTH’s programming. ToTH has agreed to notify the ANC of any changes to the Plan.