

**Advisory Neighborhood Commission (ANC) 6A  
Minutes  
Miner Elementary School  
January 10, 2019**

**Present:** Commissioners Phil Toomajian (Chair), Amber Gove, Mike Soderman, Sondra Philips-Gilbert, Stephanie Zimny, Ruth Ann Hudson and Brain Alcorn.

The meeting convened at 7:00 pm.

Commissioner Phil Toomajian called the roll and announced the presence of a quorum. He welcomed and offered congratulations to two new commissioners, Commissioner Ruth Ann Hudson (6A05) and Commissioner Brian Alcorn (6A08). He proceeded with a number of organizational actions:

1. The ANC adopted the continued use of the Commission Rules without changes or objection.
2. Commissioner Toomajian moved and Commissioner Stephanie Zimny seconded the motion to elect Commissioner Amber Gove as Chair, Commissioner Phil Toomajian as Vice-Chair, Commissioner Brian Alcorn as Treasurer, and Commissioner Mike Soderman as Secretary. The motion passed 7-0.

Commissioner Toomajian expressed gratitude to everyone that has worked closely with him as Chair over the past four years and stated that he is no longer able to continue to devote the hours required to serve in that role. He is thrilled that Commissioner Gove is willing to serve as Chair going forward, given the exceptional job that she has done representing 6A04. He also thanked Commissioner Zimny for her dedication to her role as Treasurer for the past four years. He is looking forward to serving as Commissioner Gove's Vice-Chair and is appreciative that Commissioner Soderman is assuming the duties of Secretary. He is also thankful to Commissioner Alcorn who will assume the position of Treasurer.

3. Commissioner Toomajian moved and Commissioner Soderman seconded the motion to adopt the following committee members and leaders of the permanent Committees for 2019:

*Economic Development and Zoning Committee* - Brad Greenfield (Chair), Jake Joyce, Missy Boyette, Michael Hoenig, Tim Drake, Nick Alberti.

*Transportation and Public Safety Committee* - Elizabeth Nelson (Chair), Todd Sloves, Jeff Fletcher, Caitlin Rogger, Marc Brumer, Hassan Christian, Maura Dundon, Amanda Morgan.

*Alcohol Beverage Licensing Committee* - Jay Williams (Chair), Justin Rzepka, Roger Caruth, Mark Samburg, Ramin Taheri, Reuben Baris.

*Community Outreach Committee* - Roni Hollmon (Chair), Gladys Mack, Stefany Thangavelu, Alan Chargin.

The motion passed by unanimous consent.

4. Chairman Toomajian moved and Commissioner Gove seconded the motion to adopt a schedule of monthly meetings , on the second Thursday of each month, for 2019 (except August): February 14, March 14, April 11, May 9, June 13, July 11, September 12, October 10, November 14, and December 12. The motion passed by unanimous consent.
5. Chairman Toomajian moved and Commissioner Alcorn seconded the motion to participate in and to authorize the Treasurer to write a \$25.00 check to participate in the ANC Security Fund. The motion passed unanimously.

The minutes for the ANC December 2018 meeting were accepted, and the agenda for the January 2019 meeting was accepted without changes or objection.

### **Community Presentations**

There were no community presentations.

### **Officer Reports**

Chairman Toomajian reported that the DDOT Maryland Avenue project is expected to break ground this spring and that the contract is pending approval. As soon as it gains approval there will be an opportunity to schedule a community meeting about the construction itself. He also stated that there have been some issues with the Office of the Advisory Neighborhood Commissions (OANC) authorizing ANC 6A grants to public schools and Parent Teacher Organizations/Parent Teacher Associations (PTOs/PTAs), because this practice may run afoul of interest in not giving grants to private entities. Chairman Toomajian expressed surprise that anyone would consider these groups private entities or fail to see the public good in providing, for example, computers for hundreds of students to use. However, he went on to say that these issues will have to be worked out with the OANC before ANC6A continues to provide grants to schools and PTOs/PTAs.

### **Treasurer's Report**

Commissioner Stephanie Zimny presented the Treasurer's Report for December 2018. There were disbursements totaling \$833.50: \$450.00 to Irene Dworakowski (Check 1857) for agenda/web master services; \$200.00 (Check 1859) for the December 2018 minutes; \$183.50 (Check 1858) for FedEx printing; leaving a balance of \$4,145.55 in the checking account. There is a balance of \$13,794.43, including a \$.22 interest deposit, in the savings account. There is an amendment for the authorization of a \$25.00 check (Check 1860) for security services once the amount is confirmed with the DC Department of General Services which may have charged this security fee in error. The December 2018 report was approved by unanimous consent.

### **Committee Reports**

#### **Community Outreach Committee (COC)**

1. No report. The Committee did not meet in December 2018.
2. Next meeting - 7:00 pm, January 28, 2019 (4th Monday)

#### **Alcohol Beverage Licensing (ABL)**

1. No report. The Committee did not meet in December 2018.

2. The Committee moved and Commissioner Zimny seconded the motion to protest the by Dynamix Lounge (1220 H Street NE) to extend its hours of operation, sale of alcohol, and live entertainment (Friday - changing from 2:00 am to 3:00 am closing time and opening at 11:00 am Sunday instead of 12:00 pm), unless the ABL Committee votes not to protest at its January 2019 meeting. The motion passed 7-0.
3. Next meeting - 7:00 pm, January 16, 2019 (3rd Tuesday)

### **Transportation and Public Space (TPS)**

1. The December 2018 report was accepted by unanimous consent.
2. The Committee moved and Chairman Toomajian seconded the motion to send letter of support to the District Department of Transportation (DDOT) Public Space Committee for the sidewalk cafe application by Duffy's Irish Pub (1016 H St. NE), conditioned on applicant's agreement to the following:
  - a. The applicant only operates the sidewalk café space during those hours agreed upon in the SA;
  - b. The applicant will take reasonable efforts to contain noise within the sidewalk café space including, but not limited to, using any sidewalk café removable structures it may now or in the future install (e.g., a sidewalk cafe canopy, roll down plastic windows, etc. - none are currently planned) and any other reasonable means to contain noise, but only to the extent allowable by applicable District laws and regulations;
  - c. The applicant will only use the sidewalk café space for food and drink service, and not for any playing of music, amplified or otherwise, or for any other use, including live performances;
  - d. If the applicant installs fencing around the sidewalk café area, it shall be consistent with DDOT specifications and the fencing enclosing other sidewalk cafes within our ANC, which shall include fencing or bars designed to keep trash contained within the sidewalk café area (preferably by minimizing any gaps at the bottom of the fencing);
  - e. The applicant will use easily moveable chairs and tables that shall be moved to the interior patio;
  - f. The applicant will ensure no trash container of any sort will be stored anywhere on public space, including on the sidewalk café itself; and
  - g. The applicant will regularly maintain the adjacent tree boxes and keep all areas in front of the business and within the sidewalk café area clean, including the adjacent sidewalk and street gutter.

Commissioner Zimny asked a question regarding the planters included in the sidewalk cafe, and Elizabeth Nelson clarified that the planters will be kept within the confines of the sidewalk cafe and will be kept outside at all time; noting that a normal risk of vandalization exists.

The motion passed 7-0.

3. The Committee moved and Commissioner Soderman seconded the motion to send a letter to Congresswoman Eleanor Holmes Norton, Mayor Muriel Bowser, D.C. Council Chair Phil Mendelson, Ward 6 Councilmember Charles Allen, and all At-large Councilmembers joining Councilmember Allen in opposition to a new NFL stadium on the RFK campus site. Chairman Toomajian, who is a federal employee, recused himself out of an abundance of

caution due to restrictions set by federal statute regarding the ability of federal employees to contact other components of the federal government for advocacy purposes. Commissioner Gove called the vote. The motion passed 6-0.

4. Ms. Nelson announced that representatives from Chick-Fil-A will be present at the January 2019 TPS meeting due to an expired permit regarding traffic routing and other issues on the property which they would like to get reactivated. Ms. Nelson stated that while the permit language is the same, Chick-Fil-A's plans have altered slightly and she recommends the permit going through TPS approval process again.
5. Next meeting - 7:00 pm, January 28, 2019 (4th Monday; usually 3rd Monday)

### **Economic Development and Zoning (EDZ)**

1. No report. The Committee did not meet in December 2018.

### Old Business

2. The Committee moved to send a letter of support to the Historic Preservation Review Board (HPRB) for approval for redevelopment of an existing medical office building with a surface parking lot into residential use, and on the surface parking lot, to build four (4) condominium units on two separate lots at 201 Eighth (8<sup>th</sup>) Street NE, on condition that the developers make best efforts to get letters of support from the immediate neighbors, the developers hold a design meeting to address outstanding design issues and questions, Residential Parking Permit restrictions be added to condo bylaws, and consider ways to address parking and congestion concerns.

Bobby Akines, Development Manager of Ditto Residential, and architects Elizabeth Emerson and Mark Lawrence were in attendance. The Commissioners asked many questions regarding the relocation of the entrance, neighbor outreach, Residential Parking Permit (RPP) restrictions, and concerns of neighbors. The developers have met with neighbors a number of times, and attained one letter of support, but the immediate next door neighbor, former Senator Benjamin Nelson, is opposed to the relocation and creation of a "garden entrance" facing the west side of 806 Constitution Avenue NE citing privacy concerns, increased foot traffic, and inevitable issues that arise from the creation of a "common" area in the space abutting his residence. Mr. Nelson was unable to be present at the meeting but submitted his positions to the HPRB and requested that more time be allotted for further consultation with neighbors. Gabriela Gutowski of the Historic Preservation Office (HPO) responded that the developers had satisfied all required notice to the public.

Commissioners Soderman and Chairman Toomajian requested clarification on the logistics of moving the entrance in relation to the need to move the elevator servicing the building. Ms. Emerson and Mr. Lawrence presented the project plans and explained that making the elevator compliant for safety regulations predicated its relocation and that mere expansion of the existing elevator was not feasible since it is framed in with steel and the building is half height out of grade. Both architects also cited the need to make the entrance ADA-compliant; moving the entrance would satisfy that goal. Mr. Akines stated that, in order to keep the entrance where it is, a large vestibule would have to be built and over half of the windows would be blocked by the elevator and staircase on that side. Commissioner Soderman expressed that he did believe that the developers and architects had explored all potential creative solutions. He also stated that the

Residential Parking Permit (RPP) restrictions need to be in any potential letter of support. Commissioner Zimny asked Mr. Akines if he agreed to adopting RPP restrictions in the condo bylaws. Mr. Akines did not agree and stated that they are before the ANC to ask for its support to HPRB which does not have purview over RPPs.

Commissioner Soderman offered an amendment, seconded by Commissioner Ruth Ann Hudson to not send a letter of support. The motion passed 5-2.

Commissioner Zimny noted that the Committee recommended to send the letter and that it appeared the developers had taken all steps required of them by the Committee. She asked for clarification on the opposition to the project. Commissioner Soderman stated the main points of contention are parking and the entrance location. He believes the developers can still protect the building without moving the entrance. Ms. Nelson noted that a small condominium building is preferable to a large apartment building and has much less impact.

Commissioner Sondra Philips-Gilbert, who has previously supported not sending a letter of support, offered a new motion, seconded by Commissioner Gove, to send a letter in support of the project, removing any language regarding parking. Commissioner Gove noted that to Ms. Nelson's point, the developer and architects showed considerable effort in minimizing their impact on the neighbors and the addition of nine (9) families between the two units is preferable to large apartment building vis a vis their potential impact on parking. Commissioner Gove asked what had been explored regarding street parking on the 200 block of Eighth (8<sup>th</sup>) Street and the availability of additional spaces there. Commissioner Alcorn emphasized the need to underscore that the parking issue is still unresolved. The motion failed 3-4.

#### New Business

3. Chairman Toomajian moved and Commissioner Soderman seconded the motion to send a letter of support to BZA for special exceptions from the lot occupancy requirements and the rear yard setback requirements to construct a rear deck addition to an existing attached principal dwelling unit in the RF-1 Zone at 1210 Maryland Avenue NE (BZA #19893). The motion passed 7-0.

4. Next meeting - 7:00 pm, January 17, 2018 (3rd Wednesday)

#### **New Business**

1. Chairman Toomajian moved and Commissioner Soderman seconded the motion to send a letter to DDOT conveying a petition requesting resident-only parking signs for the 1000 block of F Street NE and the 800 block of Eighth (8<sup>th</sup>) Street NE.

Commissioner Soderman asked about DDOT's preference for ANCs to request petitions for multiple blocks at a time; Chairman Toomajian confirmed this and stated that this request is in line with DDOT's preference although Chairman Toomajian was unsure about the minimum number of blocks that DDOT preferred to be included in one request. Commissioner Soderman asked if there are restrictions to resident-only parking requests around places of worship, schools, and community centers; Chairman Toomajian responded that it is certainly one of the considerations that DDOT makes, and emphasized that DDOT does not guarantee the provision of resident-only parking merely due to

sending a petition or letter, but that it secures a commitment from DDOT to complete a study to evaluate the merits of the request.

A resident inquired about also requesting resident-only parking for the 1300 block of Maryland Avenue NE. Commissioner Zimny offered a friendly amendment to include this block in the pending motion to request residential only parking of DDOT.

The amended motion passed 7-0.

2. Commissioner Gove moved and Commissioner Soderman seconded the motion to send a letter to DDOT in support of the establishment of no-turn-on-red restrictions at selected signalized intersections, including two in 6A: Thirteenth (13<sup>th</sup>) and Constitution NE and Benning, H and Fifteenth (15<sup>th</sup>) NE, also known as the “Starburst” intersection.

Commissioner Zimny asked whether the letter of support would indicate a no-turn-on-red request at any specific point in the “Starburst” intersection. Commissioner Gove responded that this was unclear; DDOT only indicated the Starburst intersection as whole but did not specify which specific streets would be designated no-turn-on-red.

The motion passed 7-0.

### **Single Member District Reports**

Commissioner Brian Alcorn (6A08) stated that he is happy to be a part of the ANC, and provided an update on the development plans for 1511 A Street NE. The owner has applied to BZA for a different property plan than is currently before the Capitol Hill Restoration Society (CHRS). The owner does not have plans at present to bring it before the ANC but he may request that it be brought before a future EDZ meeting.

Commissioner Stephanie Zimny (6A06) highlighted that, as Ms. Nelson mentioned previously in the meeting, that Chick-Fil-A plans to rework its interior drive space, but that no changes are planned for the exterior drive space. There continue to be traffic issues in Linden Court and Wiley Court although they have achieved some success in gaining additional signage in both. She is continuing to work with DDOT Community Liaison Naomi Klein to resolve these traffic challenges.

Commissioner Amber Gove (6A04) announced that Vision Zero has launched an interactive map ([visionzero.ddot.dc.gov](http://visionzero.ddot.dc.gov)) where residents can select an intersection of interest and report issues occurring there, e.g. speeding or red-light running, and also identify whether the observation was made as a motorist, cyclist, or pedestrian. She stated that this is a great crowdsourcing resource that could be routed to DDOT Community Liaison Naomi Klein for potential study areas. She urged all Commissioners to communicate the availability of this map to residents as a valuable source of data. She participated in the monthly litter clean up with Dr. Chris Miller of Atlas Vet, who hosted the event. She encouraged all to participate in the monthly litter clean ups that occur on the first Saturday of the month. Lastly, she stated that there are 20 ANC Commissioners who have committed to turning in their ANC parking permits in order to better protect the environment and public safety, support public transportation and bicycle infrastructure, and encourage ethical behavior by all elected officials. She encouraged her fellow Commissioners to sign on to the letter of commitment.

Chairman Phil Toomajian (6A02) announced that DDOT will conduct a Safe Routes to School Study in each ward over the next month or so. In Ward 6, the study will be conducted around Ludlow Taylor Elementary School and School Within School@Goding. He also reported a spike in package thefts that has continued into the post-holiday season. He encouraged residents to be aware and to take advantage of the security camera voucher program. He noted that there are numerous maintenance issues at the Sherwood Community Center, and that he plans to do a walk with members of Councilmember Charles Allen's office and the Department of General Services (DGS). He also suggested that perhaps the Mayor's Office of Community Relations and Services (MOCRS) could attend.

Commissioner Sondra Philips-Gilbert (6A07) reported that DGS held a selection committee last month to choose an urban farmer for the Rosedale community. She stated that she should know the selection by the end of the month.

Commissioner Ruth Ann Hudson (6A05) reported that residents have had questions about holiday tree disposal and she has shared what the Department of Public Works (DPW) has stated, that collection will begin on January 14, 2019.

Commissioner Mike Soderman (6A03) thanked Councilmember Allen for his support in the efforts to rename the 200 block of Tenth (10<sup>th</sup>) Street NE as Outlaw Way and announced that the unveiling has been scheduled for January 26, 2019. He expressed gratitude that the community is able to honor the Outlaw family in this way. He reported that he walked with DDOT Community Liaison Naomi Klein to document a number of outstanding issues, e.g., the restriping of crosswalks and intersections, and has created a list of items to be addressed .

### **Community Comments**

Mitch Brooks, the general manager of On the Rocks Hookah (1242 H Street NE), introduced himself.

Ashley Quercous announced an event at Mt. Moriah Baptist Church at noon on Saturday, January 12; a Story Circle, part of the D.C. Story Circle Project. She described the project, which she is implementing across all wards, as an opportunity to share personal experiences in the form of a story and to dialogue with other community members. The theme for this particular Story Circle is "Service/Giving Back."

The meeting adjourned at 8:53 pm.