



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for March 12, 2015**



Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
Public Meeting - All Are Welcome to Attend

- 7:00 pm **Call to Order**
- 7:02 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:05 pm **Community Presentations**
MPD First District Commander Jeff Brown (30 minutes)
Monument Academy and Community College Preparatory Academy - new tenant for Gibbs School Building at 500 19th St NE (15 minutes)
Marlene Magrino, Principal, and Emily Bloomfield, CEO, Monument Academy; and
Connie Spinner, Executive Director, Community College Preparatory Academy
- 7:50 pm **Community Comments (2 minutes each)**
- 8:00 pm **Officer Reports**
Chair (2 minutes)
Vice-Chair (2 minutes)
Secretary (2 minutes)
Treasurer (2 minutes) *pg. 23*
1. Approve Treasurer's Report
2. FY15 First (1st) Quarter Financial Report
- 8:10 pm **Standing Committee Reports:**
Community Outreach *pg.33*
1. Approve committee report
2. Next meeting - 7:00 pm, March 16, 2015 (3rd Monday)
- 8:12 pm **Alcohol Beverage Licensing *pg.36 36***
1. No report. Committee did not meet in February 2015.
2. Next meeting - 7:00 pm, March 17, 2015 (3rd Tuesday)
- 8:13 pm **Transportation and Public Space Committee *pg. 37***
1. No report. Committee did not meet in February 2015.
2. Next meeting - 7:00 pm, March 16, 2015 (3rd Monday)
- 8:15 pm **Economic Development and Zoning *pg. 38***
1. Approve committee report
2. **Recommendation:** ANC write a letter to the Historic Preservation Review Board (HPRB) in support of the proposed design for 1102 Park Street NE.
3. Next meeting - 7:00 pm, March 18, 2015 (3rd Wednesday)
- 8:20 pm **New Business *pg. 41***
1. Letter to DME/DGS re public input process for deeming city building surplus and releasing them for use by charter schools.



**District of Columbia Government
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Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
Public Meeting - All Are Welcome to Attend

2. Letter to Mayor/DDOT requesting continued commitment to completion of streetcar line through downtown.
3. Zoning Commission Case No.14-20, Map Amendment for Square 1070

8:45 pm **Single Member District reports** (2 minutes each)

8:50 pm **Community Comments Round II, time permitting** (2 minutes each)

8:55 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of February 12, 2015



Advisory Neighborhood Commission (ANC) 6A Minutes Miner Elementary School February 12, 2015

Present: Commissioners Matt Levy, J. Omar Mahmud, Patrick Malone, Sondra Phillips-Gilbert, Phil Toomajian (Chair), Calvin Ward, Chris Ward, Stephanie Zimny.

The meeting was convened at 7:00 pm. Commissioner Toomajian chaired the meeting.

1. Minutes/Agenda

The minutes for the ANC's January 2015 meeting and the agenda for the February 2015 meeting were approved without objection or changes.

2. Community Presentations

H Street Farmers' Market

Market director Lindsay Wallace presented regarding plans for the continued operation of the FreshFarms H Street NE farmers' market.

Motion: ANC 6A send a letter to the District Department of Transportation (DDOT) in support of the 2015 season of the FreshFarms farmers' market on H Street NE. The motion passed unanimously, 8-0.

Ward 6 Councilmember Charles Allen

Ward 6 Councilmember Charles Allen presented his priorities to the ANC, speaking about his Books from Birth initiative, his concerns about the tragic L'Enfant Plaza Metro incident, and his availability to the Commission and the residents of 6A.

Commissioners engaged with Councilmember Allen on topics including the following:

- Mrs. Phillips-Gilbert expressed concerns about transparency in the disposition of the Gibbs School. She is concerned about a timeline and how the community is being dealt with.
- Mr. Mahmud raised the issue of alley conditions off of H Street NE, and would like to see proactive responses from city agencies and would like help in getting the agencies to the table.
- Mr. Levy spoke about traffic patterns around the schools and that cars are going too fast. He is also concerned about the use and beautification of Kingman Island.
- Ms. Zimny is concerned about parking in the H Street area
- Calvin Ward expressed interest in a time frame for the modernization of Eliot-Hine and wants to see a real commitment to good leadership and an attractive building.
- Mr. Toomajian asked about when residents could use the streetcar and expressed interest in its continuation west through downtown over a rebuilt Hopscotch Bridge. He also identified the implementation of the Maryland Avenue NE pedestrian safety project as a priority.
- Chris Ward raised the issue of enforcement of dumpster regulations.

3. Officers Reports

Chair

Mr. Toomajian announced that the Metropolitan Police Department's (MPD) First District Commander would attend the March 2015 ANC meeting to address questions and concerns from Commissioners and residents.

He also shared an update on the redevelopment of the H Street Connection site and said that he and Commissioner Mahmud would be working closely with the developer and would provide opportunities



Advisory Neighborhood Commission 6A Meeting Minutes of February 12, 2015



for the community to discuss ways to minimize disruption to the community from the construction, which is expected to begin next year.

Vice Chair

Mr. Mahmud noted that the monthly community updates on the Apollo development coincide with the ANC 6A meetings, but said that residents with questions or concerns about this development on the north side of the 600 block of H Street NE should contact him.

Secretary

Mr. Calvin Ward noted that he is updating information for the ANC's advertisements and asked Commissioners and Committee Chairs to confirm their contract information with him.

Treasurer's Report

Ms. Zimny presented the Treasurer's Report. The opening balance in the checking account was \$16,250.39 and the savings account balance was \$13,720.10. There was an interest deposit of \$0.24 to the savings account. There were disbursements of \$25.00 to the ANC Security Fund for a Treasurer's Bond (Check # 1685); \$200.00 to Roberta Weiner for transcription of the January 2015 minutes (Check #1687); \$200.00 to Irene Dworakowski for the January 2015 agenda package (Check #1688); \$241.50 to FedEx Office for the January 1, 2015 invoice (Check #1689); and \$18.25 to Phil Toomajian for reimbursement for the Alcoholic Beverage Regulation Administration (ABRA) training expenses, leaving a balance of \$15,366.64 in the checking account, and \$13,720.34 in the savings account. The report was accepted without objection.

4. Committee Reports

Community Outreach Committee

The report of the Committee was accepted without objection. There were no recommendations requiring action by the full ANC.

Alcoholic Beverage Licensing

The report of the Committee was accepted without objection.

Motion: The Committee moved/Ms. Zimny seconded a recommendation that the full Commission oppose the request by Andy Lee Liquor, 914 H Street NE, for an exemption from the Ward 6 single sales ban, and authorize the Committee co-chairs to represent the ANC in this matter. The motion passed unanimously, 8-0.

Motion: The Committee moved/Ms. Zimny seconded a recommendation that the full Commission oppose the request by Me & My Supermarket, 1111 H Street NE, for an exemption from the Ward 6 single sales ban, and authorize the Committee co-chairs to represent the ANC in this matter. The motion passed unanimously, 8-0.

Transportation and Public Space

The report of the Committee was accepted without objection.

Motion: The Committee move/Mr. Ward seconded a motion to approve the Committee's recommendation to send a letter to DDOT requesting conversion on the current two (2) way stop to a four (4) way stop at the intersection of D Street and Eighth (8th) Street NE. The motion passed unanimously, 8-0.



Advisory Neighborhood Commission 6A Meeting Minutes of February 12, 2015



Rock 'n' Roll Marathon

Motion: The Committee moved/Ms. Phillips Gilbert seconded a recommendation that the ANC send a letter if support for the 2015 Rock 'n' Roll Marathon on Saturday, March 14, 2015, to the Department of Homeland Security (DHS) contingent on the following commitments from event organizers:

- There will be no amplified music in Lincoln Park;
- Trash trucks will not be permitted to idle;
- Public notification will include door hangers on houses both on the race route and nearby, course signs to be posted a week in advance along the course route, advertising in the Hill Rag, tips on how to navigate street closings to be posted on the website: runRockNRoll.com/community;
- Gloves and Mylar blankets will not be distributed; and
- Trash pickup will happen immediately following the race; all signs will be removed by the day after the race.

The motion passed unanimously, 8-0.

Economic Development and Zoning (EDZ)

The report of the Committee was accepted without objection.

1600 Block, Kramer Street NE

Motion: The Committee moved/Mr. Mahmud seconded a motion that the ANC write a letter to the Department of Housing and Community Development (DHCD) expressing appreciation for the three applicants who gave presentations regarding their proposals for the redevelopment of the 1600 block of Kramer Street NE, and stating that:

- the community expressed its preference for a proposed redevelopment of the block that provides on-site parking,
- emphasizes affordability, be of moderate density,
- furnish green space, and
- retain the architectural integrity of the neighborhood.

A friendly amendment added the following issues:

- maintaining access to garages for certain houses along the alley, and
- reviewing storm water management concerns prior to selecting a developer.

The motion passed unanimously, 8-0.

1371-1375 H Street NE

Motion: The Committee moved/Mr. Toomajian seconded a motion that the ANC write a letter of support to the Bureau of Zoning Adjustment (BZA) regarding the requested zoning relief for 1371 to 1375 H Street NE (BZA 18940), specifically the applicant's request for a variance from the off-street parking requirements under § 2101.1, and a special exception from the roof structure setback requirements under §§ 411.11 and 770.6, to construct a six (6) story multi-family residential building with ground-floor retail, provided that: 1) covenants be recorded in the District land records for each unit stating that it is not eligible for residential parking permits (RPP), that the by-laws for the homeowner's association provide for an enforcement mechanism including fines should any homeowner obtain RPP; and that a separate covenant be recorded in the District land records providing that this by-law provision may not be amended or removed; 2) the applicant furnish a suitable plan for trash collection from the site; 3) the applicant obtain the written support of the property owner at 1350 Maryland Avenue NE for the roof structure setback; 4) the applicant revise the design of the proposed building to comply with the H Street Design Guidelines; and 5) the applicant consider supporting a Capital Bikeshare station. The motion passed 7-1.



Advisory Neighborhood Commission 6A Meeting Minutes of February 12, 2015



1102 Park Street NE

Motion: The Committee moved/Mr. Toomajian seconded a motion recommending that the full ANC write a letter to BZA in support of the requested zoning relief for 1102 Park Street NE (BZA 18930), supporting the applicant's request for relief from the court requirements of § 406.1, and opposing the applicant's request for relief from the lot occupancy requirements under § 403.2 and the nonconforming structure requirements under § 2001.3 unless the applicant can reach agreement with the neighbors across the alley on the design of the proposed renovation of the garage. The motion passed unanimously, 8-0.

721 Eleventh (11th) Street NE

Motion: The Committee moved/Mr. Toomajian seconded a motion recommending that the full ANC write a letter to BZA taking no position on the requested zoning relief for 721 11th Street NE (BZA 18931) specifically, the applicant's request for special exceptions under § 223 for not meeting the lot occupancy requirements under § 403.2, the rear yard setback requirements under § 404.1, and the non-conforming structure requirements under § 2001.3, in view of the fact that, in the ANC's view, additional zoning relief from the accessory building height requirements under § 2500.4 should be required for the proposed structure. The motion passed unanimously, 8-0.

Motion: The Committee moved/Mr. Toomajian seconded a motion recommending that the full ANC write a letter to the Zoning Administrator requesting that the pending application for zoning relief for 721 11th Street NE (BZA 18931) be reviewed to determine whether additional zoning relief from the accessory building height requirements under § 2500.4 is required for the proposed structure and stating that, in the ANC's view, such relief should be required. The motion passed unanimously, 8-0.

5. New Business

Motion: Mr. Toomajian moved/Mr. Mahmud seconded a motion authorizing a contract for the payment of \$200.00 per month to Irene Dworakowski for preparation of the ANC 6A agenda packages and \$250.00 per month for Ms. Dworakowski to maintain and post approved documents to the ANC 6A web site. The motion passed unanimously, 8-0.

The meeting was adjourned at 9:10 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Letters of February 12, 2015 Meeting



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



February 13, 2015

Ms. Tanya Mitchell
District of Columbia Homeland Security and Emergency Management Agency
(HSEMA)
2720 Martin Luther King, Jr. Avenue SE
Washington, DC 20032

Re: 2015 Rock ‘n’ Roll USA Marathon & Half Marathon

Dear Ms. Mitchell,

At a regularly scheduled and properly noticed meeting¹ on February 12, 2015, our Commission voted 8-0 (with 5 Commissioners required for a quorum) to support the 2015 Rock ‘n’ Roll USA Marathon & Half Marathon.

We are pleased with the effects of the course changes the sponsor made for the 2013 race. These changes were maintained for this year’s race, and our ANC will not be encircled by the race and its street closures. Organizers have also committed to an extensive community notification plan which includes posting road closure signs all along and near the race route, as well as leaving door-hangers at residences along and near the route. A notice will also be placed in our local community newspaper, the Hill Rag.

In years past, members of the community expressed concerns regarding pickup of trash, clothing and signs, as well as exhaust fumes of many trucks waiting to clean up the course. After meeting with race organizers, we have been assured that clean-up trucks will not be permitted to idle and that promotional clothing items (which were littered along the race course in 2013) will not be distributed. Our ANC has also been assured that trash pick-up will occur immediately following the event and all posted signs will be removed the day after.

Finally, in previous years, a concert was staged in Lincoln Park, creating loud, amplified music in a densely populated residential area. Neighbors expressed concern with the loud noise, and organizers have consequently promised that no amplified music or performances will occur in Lincoln Park this year.

Given the race organizers’ responsiveness and their commitment to meeting the above conditions, ANC 6A is pleased to support this event.

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



Commission Letters of February 12, 2015 Meeting



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



On behalf of the Commission,

A handwritten signature in blue ink that reads "Phil Toomajian".

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A



Commission Letters of February 12, 2015 Meeting



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



February 13, 2015

Mr. Leif A. Dormsjo
Director, Department of Transportation
55 M Street SE Washington, DC 20003

RE: FRESHFARM Markets at H and 13th Streets NE

Dear Director Dormsjo:

ANC 6A strongly supports the continuation of the FRESHFARM Markets' H Street NE farmer's market in 2015 at the same site as last year – on 13th Street NE, north of H St NE and south of Wylie Street NE. The Commission voted [8-0], with five required for a quorum, to support the continued operation of our local market. The vote took place at our regularly scheduled publicly announced monthly meeting.¹

We appreciate and support, as well, the continuation of the current market schedule and the use of public space at the corners of 13th St and H Street. The H Street Market well-serves our community by providing wonderful and healthy local products to a wide range residents. The permit for the use of this space should be granted for every Saturday from April thru December from 8 am until 1 pm as agreed to by DDOT and FRESHFARM Markets.

Please ensure again this year, that our very popular H Street Festival does not prevent the market from opening. Last year, the market continued until its normal closing time on the day of the festival and the market vendor vehicles exited north on 13th St without disrupting the festival activities. This arrangement appeared to work well for both our popular market and our popular festival.

Thank you for giving great weight to the recommendation of ANC 6A.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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



Commission Letters of February 12, 2015 Meeting



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



February 13, 2015

Polly Donaldson
Acting Director, Department of Housing and Community Development
1800 Martin Luther King Avenue, Jr. SE
Washington, DC 20020

Re: Solicitation for Offers for 1600 Block of Kramer Street, N.E.

Dear Acting Director Donaldson,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 8-0 (with 5 Commissioners required for a quorum) to write to you regarding the above-referenced solicitation of offers. At the January 21, 2015 regularly scheduled meeting of the Commission's Economic Development and Zoning Committee three organizations that plan to submit offers in response to the solicitation gave brief presentations regarding their respective plans for the site. Those organizations were: 1) Mi Casa, Inc.; 2) Manna, Inc.; and 3) Neighborhood Development Co. The Commission wishes to express its appreciation to each of those organizations for taking the time to engage with the community with respect to their plans.

During the course of the presentations, a number of community members, including many living near the 1600 block of Kramer Street, expressed their thoughts regarding the development of the site. The general sentiment of the community members who attended was that DHCD should select an organization to develop the site with the following criteria in mind:

- * Promoting moderate density development
- * Preserving green space
- * Maintaining the architectural integrity of the neighborhood.
- * Providing adequate off-street parking
- * Maintaining existing access to garages for other residents who share the alley
- * Ensuring affordably-priced housing
- * Working with DDOE to assess storm water management on site

We understand that offers are due on this project on February 19. We look forward to engaging with you going forward as you select an organization to develop the site. Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Hysell can be contacted at hysell6a06@gmail.com.



Commission Letters of February 12, 2015 Meeting



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



On behalf of the Commission,

A handwritten signature in blue ink that reads "Phil Toomajian".

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A



Commission Letters of February 12, 2015 Meeting



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



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. 18931 (721 11th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 8-0 (with 5 Commissioners required for a quorum) to take no position on the Applicant’s request for special exceptions from the lot occupancy requirement (§ 403.2), the rear yard requirement (§ 404.1), and for additions to a nonconforming structure (§ 2001.3), given its view that additional zoning relief is required in this case including, at minimum, a variance from the accessory building height limit set forth at § 2500.4.

The applicant proposes to renovate and expand an existing two-story garage at the rear of the property resulting in a two-story structure measuring 23 feet in height from the alleyway. The applicant proposes to use the first floor of the new structure as a garage and the second floor as a residential unit. The applicant further proposes to include a footpath running from an entrance at the rear of the primary residence to the entrance to the garage and to cover that footpath with a wooden trellis.

The applicants have indicated that, in their view, BZA precedent supports the conclusion that the accessory structure and the primary residence constructed on the lot comprise a single building because the footpath between the accessory building and the primary structure is covered by a wooden trellis. As articulated below, it is the considered view of the ANC that, notwithstanding the presence of the trellis, the proposed construction represents the construction of an accessory structure that requires, at minimum, a variance from the height requirements of § 2500.4.

The ANC recognizes that prior BZA decisions have concluded that, in some circumstances, a footpath, covered by a trellis, may establish a “meaningful connection” between two separate buildings such that they can be considered a single “building” for zoning purposes. However, the Office of Planning’s most recent proposed revisions to the District’s zoning code evidence its intention that the BZA no longer adopt this interpretation of the zoning regulations.

As part of the Zoning Commission’s ongoing review of the District’s zoning regulations, it directed the Office of Planning at its July 10, 2014 public meeting to provide comments to assist the Zoning Commission in addressing the issue of what may constitute a “meaningful connection” between two structures such that they should be considered a single “building” for zoning purposes. As Commissioner May recognized

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Commission Letters of February 12, 2015 Meeting



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in raising this issue, there was considerable confusion regarding BZA's approach to this question.

In its most recent revised draft of the District's revised zoning regulations, dated November 2014, the Office of Planning responded to the Zoning Commission's request by including a proposed definition of "Building, Separate" that states the following: "Structures or sections shall be considered parts of a single building if they are joined by an enclosed connection that is fully above grade, is heated and artificially lit; and either a common space shared by users of all portions of the building, such as a lobby or recreation room, or space that is designed and used to provide free and unrestricted passage between separate portions of the building, such as an unrestricted doorway or walkway." The Zoning Commission did not raise any issue with this proposed definition and voted to approve the zoning regulation review for proposed action at its most recent meeting in December. Under this most recent guidance from the Office of Planning, a wooden trellis covering a walkway would not create a "meaningful connection" such that it could create a single "building" out of two separate structures as it is neither "enclosed" nor "heated and artificially lit."

The practical implications of treating the new accessory structure as part of a single "building" are significant in this case, as they permit the applicant to evade review under the more demanding standard of an area variance and simply to seek more lenient special-exception review. Simply by including a structure as ephemeral as a wooden trellis, which could be removed with little cost and effort once construction is completed, an applicant may evade entirely, among other zoning code provisions, the restrictions on accessory building height set forth at § 2500.4. As the Office of Planning correctly recognized, this is a perverse result and should not be permitted. We therefore urge you to recognize the new structure as an accessory building, and require that the applicant demonstrate entitlement to, at a minimum, a variance from the accessory-building height requirements set forth at § 2500.4.

Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Hysell can be contacted at hysell6a06@gmail.com.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A



Commission Letters of February 12, 2015 Meeting



District of Columbia Government
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Box 75115
Washington, DC 20013



February 13, 2015

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. 18930 (1102 Park Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 8-0 (with 5 Commissioners required for a quorum) to support the Applicant's request for special exceptions from the lot occupancy requirement (§ 403.2), the court-width requirements (§ 406.1), and for additions to a nonconforming structure (§ 2001.3) in connection with the construction of a rear addition to the existing structure and the renovation and expansion of an accessory structure adjoining the alley at the rear of the property. However, the Commission supports the requested relief only on the condition that the accessory building not exceed 16.5 feet in height, as measured from the alley, and that the deck to be constructed as part of the accessory building be situated behind (at the same level as) the storage area proposed as the second floor of the accessory building so that the deck does not directly overlook the alley.

The Commission supports granting the requested special exceptions because, if the foregoing conditions are imposed, the proposed addition and accessory structure will not unduly affect the light and air available to neighboring properties nor will they unduly compromise their privacy of use and enjoyment. The applicant has been willing to work with the neighbors located across the alley to revise his plans to accommodate their concerns.

Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Hysell can be contacted at hysell6a06@gmail.com.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of February 12, 2015 Meeting



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



February 13, 2015

Mr. Matthew Le Grant
Zoning Administrator
Department of Consumer and Regulatory Affairs
1100 Fourth Street, SW, Room 3102
Washington, DC 20024

Re: Notice to ZA of Additional Required Zoning Relief (721 11th Street, NE)

Dear Mr. LeGrant,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 8-0 (with 5 Commissioners required for a quorum) to request that you review the plans submitted for with BZA Case No. 18931, which seeks zoning relief in connection with the renovation and expansion of an existing accessory building resulting in a two-story structure measuring 23 feet in height as measured from the alleyway. The applicant proposes to use the first floor of the new structure as a garage, and to use the second floor as a residential unit. The applicant further proposes to include a footpath running from an entrance at the rear of the primary residence to the entrance to the garage and to cover that footpath with a wooden trellis.

Notwithstanding the requirement that an accessory building be no greater than one story or fifteen feet in height under § 2500.4, the applicant’s current request for zoning relief simply seeks special exceptions for the construction of a two-story “rear addition” to an existing single-family dwelling not meeting the lot occupancy requirements under § 403.2, the rear-yard setback requirements under § 404.1, and the nonconforming structure requirements under § 2001.3 in the R-4 District. The applicants have indicated that, in their view, BZA precedent supports the conclusion that the accessory structure and the primary residence constructed on the lot comprise a single building because the footpath between the accessory building and the primary structure is covered by a wooden trellis. As articulated below, it is the considered view of the ANC that, notwithstanding the presence of the trellis, the proposed construction represents the construction of an accessory structure that requires, at minimum, a variance from the height requirements of § 2500.4.

The ANC recognizes that prior BZA decisions have concluded that, in some circumstances, a footpath, covered by a trellis, may establish a “meaningful connection” between two separate buildings such that they can be considered a single “building” for zoning purposes. However, the Office of Planning’s most recent proposed revisions to the District’s zoning code evidence its intention that the BZA no longer adopt this interpretation of the zoning regulations.

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Commission Letters of February 12, 2015 Meeting



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As part of the Zoning Commission’s ongoing review of the District’s zoning regulations, it directed the Office of Planning at its July 10, 2014 public meeting to provide comments to assist the Zoning Commission in addressing the issue of what may constitute a “meaningful connection” between two structures such that they should be considered a single “building” for zoning purposes. As Commissioner May recognized in raising this issue, there was considerable confusion regarding BZA’s approach to this question.

In its most recent revised draft of the District’s revised zoning regulations, dated November 2014, the Office of Planning responded to the Zoning Commission’s request by including a proposed definition of “Building, Separate” that states the following: “Structures or sections shall be considered parts of a single building if they are joined by an enclosed connection that is fully above grade, is heated and artificially lit; and either a common space shared by users of all portions of the building, such as a lobby or recreation room, or space that is designed and used to provide free and unrestricted passage between separate portions of the building, such as an unrestricted doorway or walkway.” The Zoning Commission did not raise any issue with this proposed definition and voted to approve the zoning regulation review for proposed action at its most recent meeting in December. Under this most recent guidance from the Office of Planning, a wooden trellis covering a walkway would not create a “meaningful connection” such that it could create a single “building” out of two separate structures as it is neither “enclosed” nor “heated and artificially lit.”

The practical implications of treating the new accessory structure as part of a single “building” are significant in this case, as they permit the applicant to evade review under the more demanding standard of an area variance and simply to seek more lenient special-exception review. Simply by including a structure as ephemeral as a wooden trellis, which could be removed with little cost and effort once construction is completed, an applicant may evade entirely, among other zoning code provisions, the restrictions on accessory building height set forth at § 2500.4. As the Office of Planning correctly recognized, this is a perverse result and should not be permitted. We therefore urge you to evaluate the proposed construction in this case, recognize the new structure as an accessory building, and require that the applicant demonstrate entitlement to, at a minimum, a variance from the accessory-building height requirements set forth at § 2500.4.

Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Hysell can be contacted at hysell6a06@gmail.com. I would appreciate a response regarding this issue at your earliest convenience.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A



Commission Letters of February 12, 2015 Meeting



District of Columbia Government
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Box 75115
Washington, DC 20013



February 25, 2015

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. 18940 (1371 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 7-1 (with 5 Commissioners required for a quorum) to support, under certain conditions discussed below, the Applicant's request for a variance from the off-street parking requirements set forth at § 2101.1, and for a special exception from the roof structure setback requirements of §§ 411.11 and 770.6. The applicant seeks the requested relief to permit the construction of a six-story multi-family residential building with ground floor retail in the C-3-A/HS-A District.

The Commission supports granting the requested variance from the off-street parking requirements 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. However, the Commission supports granting of the off-street parking variance only on the condition that: 1) covenants be recorded in the land records for each unit prohibiting the owner or resident of the unit from obtaining a residential parking permit; 2) the bylaws for the building prohibit any owner or resident of a unit from obtaining a residential parking permit, require a regular review as to whether this bylaw provision has been violated, and provide an enforcement mechanism in the event that it has been violated; and 3) a covenant be recorded in the land records that provides that this by-law provision may not be amended or removed. In addition, the Commission further conditions its support on the applicant including in the bylaws for the building a provision requiring that: 1) the condominium association contract for trash removal to occur every weekday during daytime hours with trash hauled from the building to a truck waiting in Linden Court; and 2) the condominium association be responsible for remediating any trash spillage that occurs in public space during the regular removal of trash from the building.

The Commission supports granting the requested special exception because the proposed roof structure will not unduly affect the light and air available to neighboring properties nor will it unduly compromise their privacy of use and enjoyment. The neighboring property at 1350 Maryland Ave., N.E. has indicated in writing that it supports the requested special exception.

Finally, the Commission further conditions its support for the entirety of the relief requested on the applicant's adherence both to the delivery and move-in plan provided to the Commission by the applicant and to the H Street Design Guidelines as reflected in the applicant's revised February 2015 drawings for the building.

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



Commission Letters of February 12, 2015 Meeting



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



Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at PhilANC6A@gmail.com and Mr. Hysell can be contacted at Hysell6A06@gmail.com.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A



Commission Letters of February 12, 2015 Meeting



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



February 25, 2015

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

Re: Andy Lee Liquor (ABRA #093550), 914 H Street NE

Dear Ms. Miller,

I am writing to inform you of Advisory Neighborhood Commission 6A's opposition to a request by Andy Lee Liquor (914 H Street NE) for an exemption from the ban on the sale of single containers under D.C. Code § 25-346.

At its February 12, 2015 meeting, the ANC voted 8-0 to oppose the request. After receiving input from the community and discussion among Commissioners, the ANC determined that the singles ban remains a positive and necessary influence in Ward 6, and an exemption for this particular establishment is not warranted.

Five Commissioners are required for a quorum. This monthly meeting was publicly announced and properly noticed. ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC-6A and NewHillEast Yahoo Groups, on the Commission's website, and through print advertisements in the *Hill Rag*.

It is my understanding that Andy Lee Liquors has not formally requested such an exemption (the owners contacted the ANC and stated their intent to make such a request). I ask that this opposition be considered if and when such a request is made to the Board.

If you have any questions regarding the ANC's position, please do not hesitate to contact me.

On behalf of the Commission,

Jay Williams
Chair, ANC 6A ABL Committee



Commission Letters of February 12, 2015 Meeting



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



February 25, 2015

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

Re: 1101 Convenience Mart (ABRA #086305), 1101 H Street NE

Dear Ms. Miller,

I am writing to inform you of Advisory Neighborhood Commission 6A's opposition to a request by 1101 Convenience Mart (1101 H Street NE) for an exemption from the ban on the sale of single containers under D.C. Code § 25-346.

At its January 8, 2015 meeting, the ANC voted 8-0 to oppose the request. After receiving input from the community and discussion among Commissioners, the ANC determined that the singles ban remains a positive and necessary influence in Ward 6, and an exemption for this particular establishment is not warranted.

Five Commissioners are required for a quorum. This monthly meeting was publicly announced and properly noticed. ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC-6A and NewHillEast Yahoo Groups, on the Commission's website, and through print advertisements in the *Hill Rag*.

It is my understanding that 1101 Convenience Mart has not formally requested such an exemption (the owners contacted the ANC and stated their intent to make such a request). I ask that this opposition be considered if and when such a request is made to the Board.

If you have any questions regarding the ANC's position, please do not hesitate to contact me.

On behalf of the Commission,

Jay Williams
Chair, ANC 6A ABL Committee



Commission Letters of February 12, 2015 Meeting



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



February 25, 2015

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

Re: Me & My Supermarket (ABRA #014994), 1111 H Street NE

Dear Ms. Miller,

I am writing to inform you of Advisory Neighborhood Commission 6A's opposition to a request by Me & My Supermarket (1111 H Street NE) for an exemption from the ban on the sale of single containers under D.C. Code § 25-346.

At its February 12, 2015 meeting, the ANC voted 8-0 to oppose the request. After receiving input from the community and discussion among Commissioners, the ANC determined that the singles ban remains a positive and necessary influence in Ward 6, and an exemption for this particular establishment is not warranted.

Five Commissioners are required for a quorum. This monthly meeting was publicly announced and properly noticed. ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC-6A and NewHillEast Yahoo Groups, on the Commission's website, and through print advertisements in the *Hill Rag*.

It is my understanding that Me & My Supermarket has not formally requested such an exemption (the owners contacted the ANC and stated their intent to make such a request). I ask that this opposition be considered if and when such a request is made to the Board.

If you have any questions regarding the ANC's position, please do not hesitate to contact me.

On behalf of the Commission,

Jay Williams
Chair, ANC 6A ABL Committee



Officer Reports - Treasurer



ANC 6A Treasurer's Report February 2015

Period Covered 02/1/15 - 2/28/15

Checking Account:

Balance Forwarded \$ 15,366.64

Receipts:

\$ -

Total Receipts

\$ -

Total Funds Available

\$ 15,366.64

Disbursements:

Irene Dworakowski (Agenda Feb 2015)	Ck #1691	\$ 200.00
FedEx Office (Feb. 01, 2015 Statement)	Ck #1692	\$ 202.50
Roberta Weiner (Feb. 2015 Minutes)	Ck #1693	\$ 200.00
Reimbursement for Dana Wyckoff COC Materials	Ck #1694	\$ 43.25
Reimbursement Phil Toomajian Treasury Training	Ck #1695	\$ 25.37

Total Disbursements

\$ 671.12

Ending Balance

\$ 14,695.52

Savings Account:

Balance Forwarded \$ 13,720.10

Receipts:

Interest	02/28/15	\$ 0.22
Deposit -		
Transfers from Checking Account		

Total Receipts

\$ 0.22

Total Funds Available

\$ 13,720.32

Disbursements

\$ -

Ending Balance

\$ 13,720.32

Prepared March 9, 2015



Officer Reports - Treasurer



ANC 6A Treasurer's Report February 2015

PETTY CASH SUMMARY

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

Prepared March 9, 2015



Committee Reports

Community Outreach Committee (COC)



Minutes

ANC 6A Community Outreach Committee (COC) of
Advisory Neighborhood Commission (ANC) 6A
Regular Meeting - February 23, 2015
Maury Elementary School
1250 Constitution Avenue NE, Washington, DC

Meeting called to order at 7:05 pm.

COC members present: Pat Joseph, Jean Kohanek, Gladys Mack, Joyce West, Shirley Worthy, Dana Wyckoff (Co-Chair) (Quorum)

COC members absent: Roni Hollmon, Raphael Marshall (Co-Chair)

ANC Commissioners present: Sondra Phillips-Gilbert,

Community members present: Hannah Lewis

I. Agenda

Adopted.

II. Old Business

1. Development of Mission Statement/Goals: The Committee reviewed examples of mission statements from ANC Commissions across DC, compiled by Co-Chair Dana Wyckoff, and a draft mission statement submitted by Committee Member Joyce West. Discussion included codifying and bolstering the Committee's leadership role in collecting and disseminating information about the ANC 6A Commission and Committees, ANC 6A-based events and news, DC government and non-governmental resources and programs, and the ANC's grant program.
 - Committee Member West said that many of her neighbors were not aware of, or involved with, the ANC until they had an issue or concern. Committee Member Shirley Worthy concurred, and said that many of her neighbors "keep themselves to themselves." Committee Member Jean Kohanek noted that "awareness is a cost in time and material" and while, in the past, fliers were hand-delivered to every home in the ANC, the ANC may not have the budget for that; any similar effort today would have to be a priority of the Commissioners. Commissioner Sondra Phillips-Gilberts said that COC's outreach efforts should not conflict with those of Single Member District (SMD) representatives.
 - Committee Member Pat Joseph noted that many residents contact a Councilmember's office when they have an issue (i.e., garbage, alley issues, crime), even before they call the city's 311 line. She said that Council staff strongly suggests that residents contact 311, the pertinent agency, and most importantly, the ANC SMD, but that many city residents repeatedly call Council offices.
 - Co-Chair Wyckoff suggested a guide for residents (i.e., "The ABCs of the ANC") to provide contact information for various DC Government agencies and non-government resources, as well as outline the steps for reporting/resolving issues, including the role of individual ANC Commissioners, the Committees, and the ANC as a whole. Committee Member Kohanek said that such a quick resource guide would be beneficial, and could be available in 'information stations' (holders) at ANC and Committee meetings. Other Committee members suggested distribution sites including libraries, recreation centers, businesses, schools, and police stations; also online and to local media.



Committee Reports

Community Outreach Committee (COC)



- Committee Member West suggested the COC assess and identify the concerns and needs of ANC residents; Committee Member Joseph felt this would impinge on the duties of the Commissioners and Committee Member Kohanek strongly agreed. Committee Member Kohanek noted that Committee Member West's suggestion of community initiatives might be beneficial; Commissioner Phillips-Gilbert added that ideas could come from the Committee. Co-Chair Wyckoff was concerned about time constraints and diverting resources from the COC's core mission of outreach, communication, and grant supervision.
 - The Committee discussed alternative ways of expanding outreach and collecting and distributing information about resources available from DC government agencies and non-profit organizations to address issues of concern to ANC residents. Commissioner Phillips-Gilbert suggested an ANC-wide event, similar to former Council Member Wells' Ward 6 Days. Committee Member Worthy supported the concept, but suggested smaller events, focusing on neighborhoods and SMDs to help people meet their neighbors at a grassroots level. This was supported by several committee members, possibly in addition to an ANC-wide event.
 - Committee Member Gladys Mack noted, after reviewing the mission statements of other ANCs, that any proposed draft should be short and concise. The Committee agreed to review the examples of other ANCs in more depth and submit suggestions by March 10, 2015. A draft mission statement and goals will be considered at the March 2015 COC meeting.
2. Grant Application: The Committee did not discuss revisions to the ANC 6A grant application, cover sheet or instructions due to time constraints. Co-Chair Wyckoff has surveyed the online grant applications, instructions and requirements of ANCs across the city, and will provide hard copies at the March COC meeting for discussion. There were no applications for ANC 6A grants in the period ending February 22, 2015.
 3. ANC 6A Flier: Committee Member Kohanek presented a revised version of the ANC 6A flier, reflecting changes requested at the January 2015 COC meeting. These include small edits to allow the inclusion of contact information for all Committee Co-Chairs and other modifications to design and content. Co-Chair Wyckoff will re-confirm contact information for all Commissioners and Committee Chairs and the new email address for the ANC and transmit any changes/updates to Committee Member Kohanek before the next COC meeting. After final approval at the March 2015 COC meeting, the flier will be forwarded for inclusion on the ANC website. The Committee thanked Committee Member Kohanek for her excellent work and dedication to the project.
 4. ANC 6A Website Conversion and Maintenance Update: Committee Member Kohanek reported that the website conversion contractor was about halfway through importing the nearly 8,000 Word and PDF files to the new website platform. The website is currently static, with no additions except for agendas and other meeting materials, until the conversion is complete.
 5. Outreach Contacts: This issue was not discussed due to time constraints.

III. New Business

1. Report on the ANC Meeting (February 12, 2015): This report was not given due to time constraints. Committee Member Kohanek suggested that the report be moved earlier in the agenda for future meetings.
2. Information Sharing Project: This issue was not discussed due to time constraints.
3. ABCs of the ANC: This issue was discussed as part of the conversation about the COC Mission Statement and goals.



Committee Reports
Community Outreach Committee (COC)



IV. Meeting adjourned at 8:30 pm.

The next regular meeting of the ANC 6A COC
Monday, March 16, 2015 at 7:00 pm
Maury Elementary School, 1250 Constitution Ave NE
(enter from 200 block of Thirteenth (13th) Street)



Committee Reports
Alcohol Beverage and Licensing (ABL)



No report. Committee did not meet in February 2015.



Committee Reports

Transportation and Public Space (TPS)



No report. Committee did not meet in February 2015.



Committee Reports Economic Development and Zoning Committee



Report of the Economic Development and Zoning (EDZ) Committee of
Advisory Neighborhood Commission (ANC) 6A
Sherwood Recreation Center, 640 Tenth (10th) Street NE
February 18, 2015

The meeting convened at 7:00 pm.

Present:

Members: Missy Boyette, Dan Golden (Co-Chair), Laura Gentile, Michael Hoenig

Dan Golden chaired the meeting.

Community Comment

There were no community comments at the beginning of the meeting.

Status Reports

Resolution of Previously Heard BZA/HPA Cases:

- The ANC voted to write to the Department of Housing and Community Development (DHCD) thanking the developers who gave presentations at the January 2015 EDZ Committee meeting regarding their proposed designs for the 1600 block of Kramer Street NE. The ANC adopted the “sense of the community” items included in the EDZ Committee’s motion and added two additional items: 1) that during construction DHCD take measures to ensure continued access to parking for properties abutting the shared alley; and 2) that DHCD take into account issues of water accumulation, flooding, and runoff that exist at the site.
- The ANC voted to write to the Board of Zoning Adjustment (BZA) in support of the requested zoning relief for 1371-1375 H Street NE, on the condition that an appropriate agreement be reached on the disposition of trash from the property. (The applicant subsequently submitted an acceptable proposal and the ANC letter to BZA will request that the zoning relief be conditioned on adherence to this plan.)
- The ANC voted to write to BZA in support of the requested zoning relief for 1102 Park Street NE. (The applicant reached agreement prior to the meeting with the neighbors across the alley regarding changes in the proposed design of the structure and the ANC’s support is conditioned on the renovated garage not exceeding 16.5 feet in height and the proposed deck atop the garage not overlooking the alley.)
- The ANC voted to write to BZA taking no position on the requested zoning relief for 721 Eleventh (11th) Street NE and indicating that, in the ANC’s opinion, additional relief would be needed for the accessory structure in light of recent guidance from the Office of Planning regarding the use of a trellis to establish a single structure for purposes of the zoning code. The ANC also voted to write to DCRA raising this issue and asking DCRA to investigate.

New Business

HPA 15-XXX (1102 Park Street NE): Applicant, who previously came before the Committee seeking zoning approval, now seeks Historic Preservation Review Board (HPRB) approval for the expansion of an existing garage and the construction of a two (2) story rear addition to an existing single-family dwelling in the R-4 District. After conferring with the neighbors across the alley, the applicant has revised the design for the garage. The entire garage structure, which had been proposed to measure 21 feet in height, will now only go up to 16.5 feet in height. In addition, the deck that is proposed to be situated atop the garage will no longer overlook the alley, but instead will be set behind the storage level (second (2nd) floor) of the garage. In addition, there will no longer be windows overlooking the alley, but there



Committee Reports Economic Development and Zoning Committee



will be recesses in the brickwork that will correspond to the location where the windows previously were proposed.

Chairman Golden moved that the Committee recommend that the ANC support the requested approval from HPRB. The motion was seconded and passed unanimously (4-0).

The meeting adjourned at 7:30 pm.

**Next Scheduled EDZ Committee Meeting:
Wednesday, March 18, 2015
7:00-9:00 pm
640 10th Street NE
Sherwood Recreation Center, Second (2nd) Floor**



Committee Reports Economic Development and Zoning Committee



March XX, 2015

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

Re: HPA # 15-XXX (1102 Park Street, NE)

Dear Ms. Pfaehler,

At a regularly scheduled and properly noticed meeting¹ on March 12, 2015, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the design of the proposed renovations to the garage and the main structure located at 1102 Park Street, NE. The ANC supports the proposal and believes it will provide an aesthetically pleasing fit with the remainder of the block.

Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Hysell can be contacted at hysell6a06@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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



March XX, 2015

Ms. Jennifer Niles
Deputy Mayor for Education
1350 Pennsylvania Avenue, NW, Suite 303
Washington, DC 20004

Acting Director Jonathan Kayne
Department General Services
2000 14th Street, NW, 8th Floor
Washington, DC 20009

Dear Deputy Mayor Niles and Acting Director Kayne:

The process last fall to designate the Gibbs School surplus government property and the ensuing fast-tracked process to place a charter school there raises serious concerns for us as to transparency and public engagement in these processes. The Commission voted [X-X], with five required for a quorum, to share the following concerns and express our recommendation that the process for deeming government property surplus be revised to provide greater transparency and earlier community involvement in the decision. The vote took place at our regularly scheduled publicly announced monthly meeting.²

Specifically, we urge you to:

- Consult with affected Advisory Neighborhood Commissions *before* deeming government building surplus.
- Give great weight to the recommendations of the ANCs before obtaining applications from charter schools for buildings deemed surplus.
- Conduct community impact studies before leasing vacant buildings to new entities.
- Submit all signed leases to D.C. Council for public review as required for leases of the standard 25 year term.

Our concerns are as follows:

1. The criteria by which DCPS and DGS uses to determine that a DCPS school is excess public property were not clear or transparent during the Gibbs process last fall. It was not clear to Ward 6 ANCs or education stakeholders what these criteria were.

Going forward, the process and criteria used to designate a DCPS property "surplus" needs to be clear and clear and transparent, and take into consideration additional public uses than just a DCPS school building. The decision to deem a property "surplus" cannot be made without consulting the relevant community. DGS should have sought ANC6A's guidance regarding potential uses for the Gibbs site prior to asserting that there were no potential government uses for the property.

2. The ANC(s) governing the area surrounding the property were not given opportunity to weigh in until *after* charter applicants were selected for the a DCPS building no longer in use for DCPS purposes.

Going forward, community members – via their ANCs – should be given the opportunity to participate in the decision regarding a nearby building's use and reuse. Neighbors know their communities the best, and the District should involve surrounding neighborhoods on these questions before making a determination.

² ANC 6A advertises its meetings through the use of our Announce---6A email distribution list, on our website, through the ANC6A and NewHillEast listservs, and in the *Hill Rag*.



New Business



3. No careful analysis was conducted – that we could see during the Gibbs process – of the impact of a new charter opening in the excessed school building. This looks to be in direct opposition direct conflict with to residents' deliberate efforts – through ANCs, education stakeholder groups, neighborhood groups, and our Councilmembers – to create a safe, livable neighborhood for ourselves and a neighborhood feeder patterns for our families with school-age children.

Going forward, the District should – in concert with the governing ANC – objectively determine the impact the charter school applicant(s) has/have on our neighborhood safety, transportation, parking, and other livability factors. The District should also work with ANCs and school stakeholders to determine the impact on enrollment and viability at surrounding DCPS public schools and feeder patterns.

4. Government representatives repeatedly assured community members and our representative on the D.C. Council, that there would be a public process provided which would include D.C. Council review of the proposed lease of this property, but those assurances have now been withdrawn and the lease for this site was reduced from the “standard” 25 years, which would have required Council review, to 20 years, which does not require the lease be submitted to the Council.

Going forward, all such leases should be submitted to Council for review. If leases are going to vary from what DME has deemed the “standard” 25 year term, that should be communicated up front and the need to do so should be provided in writing. Where that does not happen, an inference of an intention to evade the public hearing process that is identified as the standard is made, which does not aid the responsible government entities, the applicant, or the community as they work toward building a new relationship.

Thank you for giving great weight to the recommendations of ANC 6A.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

cc: Chancellor Kaya Henderson, D.C. Public Schools
Chairman David Grosso, D.C. Council Committee on Education
Councilmember Charles Allen, Ward 6 Councilmember



New Business



March ____, 2015

Mayor Muriel Bowser
Executive Office of the Mayor, Sixth Floor
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Re: The District Streetcar Program

Dear Mayor Bowser,

At a regularly scheduled and properly noticed meeting³ on March 12, 2015, our Commission voted x-x (with 5 Commissioners required for a quorum) to send this letter of support for extension of the H Street/Benning Road streetcar line east to the Minnesota Avenue or Benning Road metro station, and west to Georgetown, as communicated to our Commission on several occasions in plans presented by DDOT.

Our Commission is extremely concerned about recent reports indicating your administration's commitment to ensuring the viability of this streetcar line via the proposed extension is waning. Given the considerable investment the District has already made in establishing the H Street/Benning Road line and the tremendous revitalization our neighborhood has experienced, we are extremely disappointed if there are plans to abandon this commitment. The streetcar project has spurred a good deal of excitement along the H Street corridor and has given our community hope that the city is committed to initiatives that promote economic development and enhanced public transit options for our long-neglected part of the city. In addition, our ANC has welcomed new residential development, which brings with it a tremendous amount of population density and demands for residential parking, along the H Street corridor and surrounding areas with the understanding that the city's long-term vision is to provide a viable streetcar line for these new residents. A reversal of the streetcar expansion plan undercuts many assumptions built into development plans for our ANC and sends a poor message to our community.

We understand that your office and the new DDOT team should undergo a thoughtful examination of the streetcar program, and that problems with the current execution of the project need to be resolved, but our hope is that there is a sincere desire to move forward rather than scrap expansion of the current line altogether. The 2.2 miles of track that make up the H Street/Benning Road line will not be viable without meaningful connections to the east and west. Failing to extend the H Street/Benning Road line would render the current line useless and severely jeopardize the city's current investment in this initiative. We urge you to maintain prior commitments to our community by moving this project forward, not backward.

Additionally, we are becoming increasingly concerned about the delay in getting the current H Street/Benning Road line operational. We understand that there are bureaucratic hurdles to overcome when undertaking a project like this, but several months of testing seems excessive by any standard. Seeing the streetcars go up and down the corridor with no passengers has been extremely frustrating for our community. We hope that at the very least there is a concerted effort to resolve any testing issues quickly and gain the necessary approvals to begin passenger service as soon as possible.

³ ANC 6A meetings are advertised electronically on the listserves anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



New Business



Thank you for hearing our concerns about this critical matter for our community. Please feel free to reach out to me at philanc6a@gmail.com or our Commission's Vice-Chair and Co-Chair of our Transportation and Public Space Committee, Omar Mahmud, at mahmud6a01@gmail.com should you wish to discuss this matter further and share any future plans with our community.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

Cc: Leif Dormsjo, DDOT Director
Phil Mendelson, Council Chair
Charles Allen, Councilmember Ward 6



New Business



March 9, 2015

Mr. Anthony J. Hood
Chairman
Zoning Commission for the District of Columbia
441 Fourth Street NW, Suite 2105
Washington, DC 20001

Re: Zoning Commission Case No. 14-20, Map Amendment for Square 1070

Dear Chairman Hood and Members of the Commission:

In October 2014, ANC 6A submitted a Map Amendment request to change the zoning of fourteen lots (Lots 38, 39, 73-76, 80-86 and 94) within Square 1070 (“the northwest quadrant of Square 1070”) from C-2-A (commercial) to R-4 (residential).¹

Square 1070 is unusually divided; the eastern half of Square 1070 is currently zoned R-4, while the western half is zoned C-2-A. Due to the adjacency to the Car Barn, commercial uses may have historically taken place along 15th Street NE starting in the 1920’s. However, over time, with the closing of the Car Barn in the early 1960’s and its re-zoning and conversion to residential condominiums in 1978, the commercial use on Square 1070 diminished and was altogether extinguished within the northwest quadrant.² While currently zoned for commercial, mixed-, or residential use, the northwest quadrant of Square 1070 is currently used only for residential use, and has been *exclusively* residential for almost twenty years.

The current zoning designation would allow the row home properties in the northwest quadrant of Square 1070, along A Street and 15th Street NE, to be converted or further developed for commercial, mixed-, or residential use. The current C-2-A designation for the northwest portion of Square 1070 is not consistent with the residential nature of the neighborhood – both the nature of the square at issue and the neighboring squares. In contrast, the proposed Map Amendment is consistent with the 2006 Comprehensive Plan, will preserve the integrity and quality of this residential neighborhood, and will maintain the scale and density compatible with this neighborhood.

The zoning for the northwest quadrant of Square 1070 needs to be corrected and our community overwhelmingly supports the proposed amendment.

¹ See Cover Letter and Statement in Support from ANC 6A (“ANC Application”), dated October 14, 2014.

² See Office of Planning Setdown Report ZC #14-20 (“Setdown Report”) at 9, dated November 28, 2014.



A. Current C-2-A Designation is Inconsistent with the Residential Nature of the Neighborhood

The current C-2-A (commercial) designation for the northwest portion of Square 1070 is not consistent with the residential nature of the square at issue. The nature of the actual use of the *entire* square is primarily residential. Except for four commercial properties on the western half of the square that front on East Capitol Street NE and one multi-unit residential property on the southernmost portion of 15th Street NE,³ the remainder of the properties in Square 1070 are single-family residential, which are primarily two story rowhouses. The northwest quadrant of Square 1070 consists *only* of 13 rowhouse lots and one alley/garage lot, which are two and three story structures. While currently zoned for commercial, mixed-, or residential use, the northwest quadrant of Square 1070 is currently used only for residential use, and has been *exclusively* residential for almost twenty years.⁴

The current C-2-A designation for the northwest portion of Square 1070 is also inconsistent with the residential nature of the neighboring squares. The adjacent squares to the north, south, and east are zoned entirely R-4. The entire adjacent square to the west is occupied entirely by the Car Barn residential condominiums, which is primarily zoned R-5 and with a lesser zoning of C-2-A for the historically protected structures that primarily front the 1400 block of East Capitol Street.⁵ These adjacent squares are almost exclusively used for residential use.

The current C-2-A designation for the northwest quadrant of Square 1070 is inconsistent with the residential nature of this square and the neighborhood, as a whole, and should therefore be amended to correct this error.

B. Proposed Change is Consistent with the 2006 Comprehensive Plan

The proposed Map Amendment to change the current zoning of the northwest quadrant of Square 1070 is consistent with the 2006 Comprehensive Plan. “[T]he current zoning is C-2-A (a low to moderate density commercial mixed use zone), but the Comp[rehensive] Plan Generalized Land Use Map indicates this square for low to moderate density residential development ...”.⁶

³ The ANC’s request is limited to the 14 lots (Lots 38, 39, 73-76, 80-86 and 94) within Square 1070. In keeping with the Comprehensive Plan policies for the Capitol Hill area element (§ 15072), the existing corner stores and commercial establishments on southwest quadrant of square 1070, facing East Capitol Street NE, are not included in the Map Amendment request.

⁴ According to the Office of Planning, “Original building permits for homes on the western side of Square 1070 show the structures were built primarily between 1909 and the early 1920s. Three “stores” were listed in the original permit records on Lots 44, 42, and 41, all built in 1921. Sanborn maps from 1928 show eight stores on the western half of Square 1070, on Lots 76, 38, 39, 44, 43 (two stores shown on this lot), 42, and 41. ... By 1984, real estate assessment records list six stores, a conversion, a small office building and a flat on the western half of Square 1070. Finally, real estate records from 1998 show the dwindling of commercial uses as there were four stores and a church located on the western half of Square.” See Setdown Report at 9.

⁵ See ZC Commission Order No. 246, Case No. 78-13.

⁶ See Letter to Affected Residents from Joel Lawson, Associate Director of the D.C. Office of Planning, dated July 24, 2014.



According to the D.C. Office of Planning, the Comprehensive Plan Generalized Policy Map describes the northwest quadrant of Square 1070as within a Neighborhood Conservation Area, which are “primarily residential in character and have little vacant land.”⁷ The D.C. Office of Planning concluded that:

“A rezoning of the [the northwest quadrant of Square 1070] to the R-4 District would help achieve the applicable policies and actions; solidify the residential character of the northwestern part of the Square; allow for the established, historically commercial and apartment uses of the south western part of the Square (primarily along East Capitol Street) to remain without creating new nonconformities (if zoned to the R-4 District); and further the Comprehensive Plan Map designations of moderate-density residential use and neighborhood conservation on the Property.”⁸

The D.C. Office of Planning highlighted several policies and actions within the Capitol Hill Area Element of the Comprehensive Plan that support this Map Amendment.⁹ First, the amendment would “protect the character of row house neighborhoods.”¹⁰ Second, the amendment would “provide a better match between zoning and existing land uses in the city’s residential areas” and that rezoning should be pursued to “appropriate densities to protect the predominant architectural character and scale of the neighborhood.”¹¹ Third, the amendment would “reduce the number of nonconforming uses in residential areas.”¹² Finally, the amendment would “rezone the 15th Street commercial district for residential uses, consistent with the corridor’s designation on the Comprehensive Plan.”¹³

The proposed Map Amendment to change the current zoning of the northwest quadrant of Square 1070 is consistent with the 2006 Comprehensive Plan and should therefore be amended.

C. Proposed Change will Preserve the Integrity and Quality of this Residential Neighborhood and Maintain the Scale & Density Compatible with this Neighborhood

The proposed map amendment will preserve the integrity and quality of the residential nature of the neighborhood and the historic architecture of the square and the surrounding

⁷ See Setdown Report.

⁸ See Setdown Report at 7.

⁹ See Setdown Report at 7-9.

¹⁰ § 309.12.

¹¹ § 309.21.

¹² § 311.10.

¹³ § 1508.18.



New Business



neighborhood. This square is one block east of the Capitol Hill Historic District and the Capitol Hill Restoration Society (CHRS) supports this amendment.¹⁴

The current C-2-A designation would allow for the matter-of-right construction of building on 15th Street and A Street NE that are incongruent with the scale and architecture of the surrounding homes. Unfortunately, the integrity and quality of the historic architecture of the neighborhood is already threatened. A developer has proposed to tear down a two-story row house on Lot 94 (1511 A Street NE) and replace it with a matter-of-right multi-unit residential structure of 18 units. An application for a building permit (B1307755) was submitted to the Department of Consumer and Regulatory Affairs (DCRA) in June 2013, but the permit has not been approved. The proposed plans include a 50 foot building, which would tower over the surrounding two-story row houses and all structures in the immediate vicinity.

According to Sections 223.4 and 223.5 of the Comprehensive Plan, new development in Neighborhood Conservation Areas, like the northwest quadrant of Square 1070, which are primarily residential in character and have little vacant land, “should be compatible with the scale and the architectural character of the existing neighborhood.” The design and scale of the proposed building on Lot 94 would be out of keeping with the surrounding homes and detract from the integrity of the historic row house architecture that is predominate on this square and in the surrounding neighborhood. The density of the proposed use would also be incompatible with the remainder of A Street NE and the surrounding row house neighborhoods.

The proposed amendment will maintain the scale and density compatible with this neighborhood and should therefore be amended.

D. Conclusion

For the reason stated above, the Zoning Commission should adopt this Map Amendment. The request to rezone the northwestern portion of Square 1070 has broad support among the homeowners on 15th St NE and A St NE. A petition signed by ten of the affected owners was included with the ANC’s application. Pictures of 15th St NE and A St NE have also been provided to illustrate the residential row house nature of neighborhood.¹⁵

Sincerely,

Calvin Ward
Commissioner, ANC 6A08

¹⁴ See Letter from Gary M. Petersen, dated December 8, 2014.

¹⁵ See ANC Application Attachments for Petition and Photographs.