



**District of Columbia Government  
Advisory Neighborhood Commission 6A  
Agenda for July 9, 2015**



Second (2<sup>nd</sup>) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15<sup>th</sup>) 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 Presentation**  
Report from Mayor Bowser's office (Seth Shapiro/Frank Maduro) (5 minutes)  
Update from Monument Academy on construction at old Gibbs School (5 minutes)
- 7:15 pm **Officer Reports**  
Chair (2 minutes)  
Vice-Chair (2 minutes)  
Secretary (2 minutes)  
Treasurer (2 minutes) *pg. 12*  
1. Accept Treasurer's Report
- 7:23 pm **Standing Committee Reports:**  
**Community Outreach pg. 14**  
1. Approve committee report.  
2. No meeting in July 2015. Next meeting - 7:00 pm, August 17, 2015 (3<sup>rd</sup> Monday)
- 7:25 pm **Alcohol Beverage Licensing p. 17**  
1. Approve committee report.  
2. **Recommendation:** The ANC take no action concerning the patio expansion plans of Lattice Partners LLC t/a Copycat Co.  
3. **Suggested Motion:** The ANC authorize a protest of the request for a change from a CR to CT license by Da Luft at 1242 H Street NE, if the ABL Committee recommends such a protest at its July 21, 2015 meeting, and authorize the Co-Chairs of the ABL Committee and the Chair of the ANC to represent the ANC in such a matter.  
4. **Suggested Motion:** The ANC approve the settlement agreement with IMM on H at 1360 H Street NE and support a stipulated license provided that the placard for IMM on H's license shows that it is not requesting a summer garden endorsement  
5. Next meeting - 7:00 pm, July 21, 2015 (3<sup>rd</sup> Tuesday)
- 7:40 pm **Transportation and Public Space Committee pg. 36**  
1. Approve committee report.  
2. **Recommendation:** ANC 6A send a letter of support to DDOT for the Ben's Chili Bowl public space application related to installation of panda statue in front of the store at the corner of 10th and H Street NE, with the condition that the owners consider moving the statue if the ANC receives complaints about it blocking pedestrian traffic/right-of-way.  
3. **Recommendation:** ANC 6A send a letter of support to DDOT for the Mia's Coffeehouse public space application related to a sidewalk cafe at 1500 A Street NE, with the condition that the owners agree to reasonable use and maintenance



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requirements from the ANC, which will be presented to DDOT for attachment to the public space permit.

4. **Suggested Motion:** ANC 6A send a letter to DDOT expressing its views regarding a proposed curb cut at 746 Nineteenth (19<sup>th</sup>) Street NE.
5. Next meeting - 7:00 pm, July 13, 2015 (3<sup>rd</sup> Monday)

7:55 pm

### Economic Development and Zoning pg. 61

1. Approve committee report
2. **Recommendation:** ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of a variance from the off-street parking requirements under § 2101 in connection with the operation of a medical office at 702 15th Street NE (BZA 19021) on the following conditions: 1) Operating hours are restricted to 9:00 am to 5:30 pm on weekdays. After 6:00 pm, the parking lot gate will be closed and locked and the parking lot accessible only to those entities permitted by the applicant to access the lockbox for the gate. Any cars parked after hours on the lot with the permission of the applicant must be removed prior to 9:00 am on the following weekday morning; 2) No more than thirty-six (36) patients may be present on the premises at any given time. No more than twelve (12) staff members may be present on the premises at any given time. The applicant will use best efforts to evenly allocate the presence of patients over the course of the day; 3) The applicant will provide fourteen (14) onsite parking spaces for the use of patients and staff; 4) The applicant will provide incentives for staff and patients to use public transit, to carpool, and/or to be dropped off by another driver. These incentives will include the applicant making available Metro tokens and/or fare cards; 5) The applicant will provide a bicycle rack for the use of patients and staff that can hold from fifteen (15) to twenty (20) bicycles; 6) Loitering, gathering, and smoking in front of the building will be actively monitored and will not be tolerated; 7) Double parking and idling on the streets outside the building will be actively monitored and will not be tolerated; 8) All children on the premises are required to be accompanied by an adult; 9) If there is an issue involving compliance with any of the foregoing conditions, the applicant will contact ANC 6A to discuss the issue; 10) The applicant will provide the ANC and neighbors with a point of telephone contact. In addition, applicant is to use best efforts to obtain as many letters of support as possible from neighboring property owners as possible prior to the July 9, 2015 ANC meeting.
3. **Recommendation:** ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of variances from the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, and the addition to a non-conforming structure requirements under § 2001.3 to allow the construction of a rear deck to the existing two-story, one-family dwelling at 1007 F Street NE (BZA 19064), on the condition that the applicant use best efforts to obtain letters of support from the owners of the properties at 1008 and 1010 Maryland Avenue NE prior to the July 9, 2015 ANC meeting.
4. No meeting in July 2015. Next meeting - 7:00 pm, August 19, 2015 (3<sup>rd</sup> Wednesday)



**District of Columbia Government  
Advisory Neighborhood Commission 6A  
Agenda for July 9, 2015**



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

**8:15 pm New Business pg. 66**

1. Letter of support for immersion curriculum for Miner Elementary (5 minutes)
2. Letter to DDOT requesting immediate attention to unaddressed, 2 year old request for sidewalk repair adjacent to Sherwood Recreation Center (901 G St NE) SRN 13-00176040. (2 Minutes)

**8:22 pm Single Member District reports (2 minutes each)**

**8:38 pm Community Comments (2 minutes each)**

**8:50 pm Adjourn**



# Advisory Neighborhood Commission 6A Meeting Minutes of June 11, 2015



## Advisory Neighborhood Commission (ANC) 6A Minutes Miner Elementary School June 11, 2015

**Present:** Commissioners Phil Toomajian (Chair), Matt Levy, Patrick Malone, Sondra Phillips-Gilbert, Calvin Ward, and Stephanie Zimny

The meeting convened at 7:00 pm.

1. The minutes for the ANC May 2015 meeting and the agenda for the June 2015 meeting were approved without changes or objection.

### 2. Community Presentations

#### Amazing Love Health Services, LLC

Mr. Thomas Moore, Director of Behavioral Health, gave a brief overview of the services offered through the facility which will focus on addressing general health needs, with an emphasis on mental health. Mr. Moore indicated that this facility has been in operation for approximately two (2) weeks to date.

#### Representatives from Mayor Bowser's Office

Mr. Seth Shapiro, Mayor Bowser's Ward 6 Outreach Service Specialist, was in attendance.

Ms. Kanguen (Kelly) Jeong, Office on Asian and Pacific Islander Affairs, gave a brief presentation of the services offered through this office. Ms. Jeong, advised that they are promoting further outreach to members of the Asian community, including small business owners, in an effort to respond to issues of specific concern.

### 3. Officers Reports

Chairman Phil Toomajian spoke in tribute of Ms. Charnice Milton, a reporter for the Hill Rag, who was killed in a random neighborhood shooting last month.

Chairman Toomajian reported that the Community Outreach Committee (COC) would host a meeting with community members working to bring an immersion curriculum to Miner Elementary and that the Transportation and Public Space Committee (TP&S) would be considering uses for the H Street Performance Parking community benefits funds.

Treasurer's Report: Commissioner Stephanie Zimny presented the Treasurer's Report. The opening balance in the checking account was \$14,695.52, with a forwarding balance of \$4,481.70. The savings account balance was \$13,720.56. There were disbursements of \$450.00 to Irene Dworakowski (Check 1704) \$250.00 for agenda/web master services and \$200.00 for May 2015 agenda package; \$200.00 to Gail John (Check 1705) for May 2015 minutes; \$196.00 to FedEx office (May 2015 statement) (Check 1706); leaving a balance of \$18,275.93 in the checking account and \$13,720.56, with a \$.021 interest deduction in the savings account. The report was accepted without objection.



## Advisory Neighborhood Commission 6A Meeting Minutes of June 11, 2015



#### 4. Committee Reports

##### Community Outreach Committee

The COC report was accepted without objection.

Motion: The COC moved and Commissioner Sondra Phillips-Gilbert seconded a motion that ANC6A approve moving the COC's monthly meeting day to the fourth Monday of each month, pending availability of space at Maury Elementary and following sufficient public notice and discussion. The motion passed (6-0).

Motion: Chairman Toomajian moved and Commissioner Phillips-Gilbert seconded a motion to accept Pat Joseph's resignation from the Community Outreach Committee and to send a letter of appreciation her years of service to the community. The motion passed (6-0).

##### Alcohol Beverage Licensing (ABL)

The ABL report was accepted without objection.

##### Transportation and Public Space Committee

No Committee Report. Committee did not meet in May 2015.

Motion: The TPS Committee moved and Commissioner Phillips-Gilbert seconded a motion to send a letter to DPW requesting enforcement action regarding parking on sidewalk and public space at the northwest corner of Fourteenth (14<sup>th</sup>) and East Capitol Streets NE. The motion passed (4-0-2).

##### Economic Development and Zoning Committee (ED&Z)

The ED&Z report was accepted without objection.

Motion: The ED&Z Committee moved and Chairman Toomajian seconded a motion that the ANC send a letter in support of the design for historic review purposes regarding 242 Tenth (10<sup>th</sup>) Street NE to the Historic Preservation Review Board (HPRB). Chairman Toomajian offered a friendly amendment to send the letter to HRPB staff because the matter was being handled at a staff level, which was accepted. The motion as amended passed (6-0).

Motion: The ED&Z Committee moved and Chairman Toomajian seconded a motion to write a letter to the Bureau of Zoning Adjustment (BZA) in support of variance from the off-street structures requirements under § 411.5 and 770.6, the HS-A Overlay requirements under § 1320.4(f) and the HS Overlay Design and Special Exception requirements under § 1324.10 and 1325.1, to allow construction of a new four (4) story, mixed use building with ground floor retail containing thirty-six (36) residential dwelling units at 1300 H Street NE (BZA 19026). Chairman Toomajian offered a friendly amendment to add a second letter to the Department of Consumer and Regulatory Affairs (DCRA) to request that an H Street address be assigned to the entire development, which was accepted. The motion as amended passed (6-0).

#### 5. Single Member District (SMD) reports

Commissioner Phillips-Gilbert provided an update on several community projects. Commissioner Phillips-Gilbert also mentioned ongoing efforts to establish a language immersion program for Miner Elementary School and advised of a presentation to take place at the June 15, 2015 COC meeting, as well as of a June 13, 2015 meeting at Rosedale Community Center.



## Advisory Neighborhood Commission 6A Meeting Minutes of June 11, 2015



Commissioner Matt Levy advised that a Neighborhood Watch Training session will take place on June 25, 2015 at the Brent Elementary School, 301 North Carolina Avenue SE, at 7:00 pm. Commissioner Levy also spoke briefly about crime issues and the resultant increased presence of Metropolitan Police Department (MPD) officers.

Chairman Toomajian gave an update on the ongoing talks with city officials regarding the activities at Sherwood Recreation Center. Chairman Toomajian also mentioned the need for a resurfacing or a change of the surface on the playground at the Ludlow-Taylor Elementary School where several children have received injuries.

Commissioner Patrick Malone spoke about ongoing efforts to resolve residential parking issues around construction sites.

Commissioner Calvin Ward spoke about need for speed humps on Nineteenth (19<sup>th</sup>) Street NE between C and D Streets NE. He also spoke about crime concerns in the area around Nineteenth (19<sup>th</sup>) Street NE.

Commissioner Zimny spoke briefly about residential parking on F Street, NE in addition to mentioning trash collection issues on Fourteenth (14<sup>th</sup>) Place NE.

### 6. **New Business**

Commissioner Zimny moved, and Commissioner Philips-Gilbert seconded, the nomination of Mr. Matt Turkstra to the ED&Z Committee. The motion passed (6-0).

### 7. **Community Comments**

Member of the community spoke about crime concerns around the Nineteenth (19<sup>th</sup>) Street NE area. There were also mentions about after-hours activity near the parking lot adjacent to the Amazing Love Health Services building.

The meeting adjourned at 8:30 pm.



# Advisory Neighborhood Commission 6A Community Presentations





# Commission Letters of June 11, 2015 Meeting



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



June 12, 2015

Teri Doke

Administrator, Department of Public Works, Parking Enforcement Management  
2000 14th Street, NW, Washington, DC 20009

Dear Mr. Doke:

At a regularly scheduled and properly noticed meeting<sup>1</sup> on June 11, 2015, our Commission voted 4-0-2 (with 5 Commissioners required for a quorum) to request the DPW and MPD enforce the relevant laws and regulations regarding parking on sidewalk and public space at northwest corner of 14<sup>th</sup> Street. NE and East Capitol Street., in front of Al's Pizza.

Residents have expressed concern that couriers for Al's Pizza, a carry-out restaurant on the northwest corner of 14<sup>th</sup> Street and East Capitol Street NE, are regularly parking illegally on public space sidewalk adjacent the store.

The situation poses a safety hazard and concerns for our residents. Cars belonging to the restaurant's staff and owners are entering and exiting the public space area, crossing the sidewalk, very frequently. Not only is this illegal, it is dangerous. The 1300 block of East Capitol St. is the site of very heavy use by pedestrians. There have been multiple reports of near-misses and citizens report that they have complained and spoken to Al's Pizza without success.

We look forward to enforcement action resulting in elimination of this dangerous and illegal activity. Please feel free to reach out to me or our 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 thoughts on how we can work together on this matter going forward.

On behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

<sup>1</sup> ANC 6A meetings are advertised electronically on the [anc6a-announce@yahoogroups.com](mailto:anc6a-announce@yahoogroups.com), [anc6a@yahoogroups.com](mailto:anc6a@yahoogroups.com), and [newhilleast@yahoogroups.com](mailto:newhilleast@yahoogroups.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## Commission Letters of June 11, 2015 Meeting



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



June 12, 2015

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

Re: BZA Case No. 19021 (1300 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on June 11, 2015,<sup>1</sup> our Commission voted 6-0 (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 special exceptions from the roof structures requirements under §§ 411.5 and 770.6, the HS-A Overlay requirements under § 1320.4(f), and the HS Overlay Design and Special Exception requirements under §§ 1324.10 and 1325.1. The applicant seeks the requested relief to construct a new four-story, mixed-use building with ground floor retail containing 36 residential dwelling units in the HS-A/C-2-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) a covenant be recorded in the land records requiring that each lease or contract for sale of a residential unit prohibit the tenant or owner of the unit from obtaining a residential parking permit; and that 2) the applicant for all purposes treat the building as fronting on H Street, N.E., including assigning or causing the District to assign an H Street, N.E. address to the building and each of its units.

The Commission also supports granting the requested special exceptions because the two proposed roof structures with disparate heights will not unduly affect the light and air available to neighboring properties nor will they unduly compromise their privacy of use and enjoyment. In addition, the absence of a residential entrance on H Street, N.E. is, in

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## Commission Letters of June 11, 2015 Meeting



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



the view of the Commission, not inconsistent with the overall goals of the H Street, N.E. design overlay.

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](mailto:philanc6a@gmail.com) and Mr. Hysell can be contacted at [hysell6a06@gmail.com](mailto:hysell6a06@gmail.com).

On Behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A



## Commission Letters of June 11, 2015 Meeting



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



June XX, 2015

Ms. Sarah VanLandingham  
Historic Preservation Office, Office of Planning  
1100 Fourth Street, SW, Suite E650  
Washington, DC 20024

Re: HPA # 15-XXX (242 10th Street, NE)

Dear Ms. VanLandingham,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on June 11, 2015, our Commission voted 6-0 (with 5 Commissioners required for a quorum) to support the proposed two-story rear addition to the main structure located at 242 10th 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](mailto:philanc6a@gmail.com) and Mr. Hysell can be contacted at [hysell6a06@gmail.com](mailto:hysell6a06@gmail.com).

On Behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

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# Officer Reports - Treasurer



## ANC 6A Treasurer's Report June 2015

Period Covered	6/1/2015-6/30/2015		
<b>Checking Account:</b>			
Balance Forwarded		\$	14,695.52
Receipts:	Q1 District Allotment	\$	4,481.70
		\$	-
	Total Receipts	\$	4,481.70
Total Funds Available		\$	19,177.22
<b>Disbursements:</b>			
	Irene Dworakowski (Agenda/Web Master Services Jun	Ck #1707	\$ 450.00
	Note Taking (Jun 2015 Minutes)	Ck #1708	\$ 200.00
	FedEx Office (June 01, 2015 Statement)	Ck #1709	\$ 210.30
	Total Disbursements	\$	860.30
Ending Balance		\$	18,316.92
<b>Savings Account:</b>			
Balance Forwarded		\$	13,720.56
Receipts:			
	Interest 06/28/15	\$	0.21
	Deposit -		
	Transfers from Checking Account		
	Total Receipts	\$	0.21
Total Funds Available		\$	13,720.77
Disbursements		\$	-
Ending Balance		\$	13,720.77



## Officer Reports - Treasurer



### ANC 6A Treasurer's Report June 2015

#### PETTY CASH SUMMARY

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



## Committee Reports

### Community Outreach Committee (COC)



#### Minutes

ANC 6A Community Outreach Committee (COC) of  
Advisory Neighborhood Commission (ANC) 6A  
Regular Meeting - June 15, 2015  
Maury Elementary School  
1250 Constitution Avenue NE, Washington, DC

Meeting called to order at 7:07 pm.

**COC members present:** Roni Hollmon, Gladys Mack, Dana Wyckoff (Co-Chair)

**COC members absent:** Jean Kohanek, Raphael Marshall (Co-Chair), Joyce West, Shirley Worthy

**ANC Commissioners present:** Sondra Phillips-Gilbert, Stephanie Zimny

**Community members present:** Gimbiya Kettering-Lim, Holly Harper, Nicole Coomber, Mulikat Sarumi, Frannie Wooten, Hannah Lewis, Edward Minor, Ed Gilbert, Mary Chang and Leif Findberg.

#### I. **Community Presentation**

Dual Language (Mandarin) Proposal for Miner Elementary School (ES) - presented by Gimbiya Kettering-Lim. (Handouts attached).

Ms. Kettering-Lim and other **community members** are interested in bringing a second dual-language immersion program to Ward 6 Elementary Schools. **Currently there is a Spanish-language program at Tyler Elementary School (ES). The proposal presented by Ms. Kettering-Lim is for a Mandarin Chinese program at Miner ES. The group has spoken with District of Columbia Public Schools (DCPS) officials and are seeking input and support from the community, the Miner Parent Teacher Organization (PTO)/parents, the Miner principal, the ANCs, and the Ward 6 Education Committee.**

Dual-language immersion programs aim to bring the student to a level-4 (of 5) proficiency in the language. At least half of the instruction time would be in the **“partner language,”** Mandarin. Math and science would be taught in Mandarin, while language arts would be taught in Mandarin and English.

Ms. Kettering-Lim noted that studies over more than thirty (30) years show that immersion language programs yield improvement in academics and test scores, and that participants test a half-grade ahead in English. **There are benefits to the schools that have such programs, including increased enrollment, higher test/academic scores, and more parental involvement in the school. There are also community benefits, such as less disruptive behavior inside and outside the school, more involvement between the school and the surrounding neighborhood, and retention of families seeking good schools.**

Currently, DCPS offers only Spanish as a language option. Ms. Kettering-Lim said (and others in the audience agreed) that DCPS does not have a long-term plan for education and programs. Mandarin Chinese is considered a ‘critical needs language’ for business and international affairs and more schools nationwide are teaching or starting Mandarin language programs. A local example is the Yu Ying charter school in Brookland, which had nineteen (19) open slots for its Chinese immersion program and had 11,000 applications.



## Committee Reports

### Community Outreach Committee (COC)



Ms. Kettering-Lim noted that Miner is a “Title 1” school (the federal government program to close the achievement gap between low-income and other students through remedial education, instruction, counseling, parental involvement and program improvement). She said that in the past school year, there were ninety-two (92) homeless children at the school, the highest percentage in the city. Ms. Kettering-Lim said there is a ‘downward trend’ in test scores and enrollment; and provided graphs (attached) that showed falling reading scores from 2010-2014, and declining math scores from 2010-2013, with a slight rise in 2013-14.

Ms. Kettering-Lim said that the Pre-K3 and 4 classes are highly sought-after by parents but that many chose to leave for other in-bounds or charter schools after kindergarten, because of poor performance and inadequate resources in higher grades. Miner has recently lost one of the science teachers due to decreasing enrollment. Many audience members (at least one on the Miner PTO) echoed these concerns about school performance in grades 1 through 5. One man said that all three of his closest neighbors plan to move their children to other schools once they finish Pre-K3/4. Nicole Coomber, who lives in 7D (Kingman Park), said she is putting her older son into first grade at another school because of concerns about Miner’s lack of resources.

There was general and prolonged discussion about the quality and consistency of the academic standards and programs at Miner; Committee Member Roni Hollmon stressed that consistent and long-term participation in the school’s PTO was vital to ensure a voice at DCPS, the Education Committee, etc., and within the school. She offered to communicate with and provide guidance to audience members and the Miner PTO representative (this has been done).

Committee Member Hollmon noted that since DCPS currently does not offer Chinese in middle or high schools, the language skills would not continue past the elementary school level. She also said that Eliot-Hine Middle School (MS) is awaiting International Baccalaureate (IB) accreditation, and asked if there would be support extended to the middle schools and high schools. Ms. Kettering-Lim said that IB and immersion fit together well and that the process should include advocating for specialized teacher patterns for remedial language education for those who did not study the language during elementary school. She added that a dual language program in elementary school would have a cascading effect on students as they move to middle and high schools, with better test scores and learning skills. The group plans to meet with officials at Eastern High School, Eliot-Hine MS and other schools.

Committee Member Hollmon also asked how a parent would help a child with Mandarin homework. Ms. Kettering-Lim said that there would be homework support for both the children and parents, as well as online ‘portals’ and printouts for parents. Increased parent-teacher meetings are also part of the program.

Committee Member Gladys Mack asked why Mandarin Chinese is being suggested as a ‘partner’ language, why at Miner ES, and does DCPS have adequate materials and teachers for such a program. Ms. Kettering-Lim said that Mandarin is a global/business language now and for the future and that Miner has adequate space for a program. To attract and keep students, and really, their parents, the school has to perform better beyond Pre-K3 and K4. If the program is approved, a teacher and materials would be provided by DCPS.

Commissioner Stephanie Zimny asked what the next steps are for the group. Ms. Kettering-Lim said they will hold additional community meetings over the next few months to build interest and



## Committee Reports

### Community Outreach Committee (COC)



support. DCPS requires that the school principal formally request a program, so outreach will center on getting the principal to agree and on identifying interested pupils (40 to 60 the first year). They will also request a letter of support from ANC 6A and other pertinent ANCs (i.e., 7D), and from the Council Member, the PTO, the Ward 6 Education Committee and the ANC 6A community. They are also seeking representation on the Local School Advisory Committee (LSAT).

Co-Chair Dana Wyckoff thanked Ms. Kettering-Lim for her presentation, and offered a forum for the group at future COC meetings and noted that the ANC would discuss education issues at a future meeting.

Community discussion then switched to public safety issues, specifically around Fifteenth (15<sup>th</sup>) and C Streets NE. Co-Chair Wyckoff offered to send safety tips and Metropolitan Police Department (MPD) contact information to the audience member (done).

#### II. Committee Business

The next regularly scheduled meeting of the Committee will be August 17, 2015.

#### III. Old Business

Due to time limitations, this was not discussed.

#### IV. New Business

Due to time limitations, this was not discussed.

#### V. Meeting adjourned at 8:27 pm.

**The next regular meeting of the ANC 6A COC  
Monday, August 17, 2015 at 7:00 pm  
Maury Elementary School, 1250 Constitution Ave NE  
(enter from 200 block of Thirteenth (13<sup>th</sup>) Street)**



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



#### Minutes

#### Alcoholic Beverage Licensing (ABL) Committee

#### Advisory Neighborhood Commission (ANC) 6A

#### June 16, 2015

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm on June 16, 2015 at Sherwood Recreation Center, 640 Tenth (10<sup>th</sup>) Street NE, Washington, DC 20002.

**Committee Members Present:** Jay Williams (Co-Chair), Michael Herman, Roger Caruth, and Justin Rzepka.

**Committee Members Absent:** David Oberting and Christopher Seagle (Co-Chair).

**Commissioners Present:** None.

**Community Members Present:** Devin Gong (Lattice Partners/Copycat Co.) and Coralie Farlee (ABC Committee, ANC 6D).

#### I. Call to Order

Mr. Williams called the meeting to order at 7:05 pm. The meeting having been duly convened was ready to proceed with business with a quorum. There were no additions or edits to the agenda as published.

#### II. Community Comment

None.

#### III. Old Business

- A. Mr. Williams provided updates on the ongoing protests of certain establishments.
- Touche’s license renewal was dismissed for failure to attend the roll call hearing, but was reinstated upon request by Touche (they explained that they had been stuck in traffic). The ANC will negotiate terms of a Settlement Agreement with the establishment, but Mr. Williams was unsure if one would be reached.
  - Mr. Williams will be attending mediation with Jumbo Liquors soon to negotiate an updated Settlement Agreement.
  - The ANC and a group of protestants had reached a Settlement Agreement with Master Liquors.

#### IV. New Business

None.

- A. Discussion of patio expansion plans of Lattice Partners LLC t/a Copycat Co at 1110 H Street NE (Class “C” Tavern) (License Number ABRA-096474).
- Mr. Williams introduced Mr. Gong, who was in attendance to describe the establishment’s plans for its patio expansion.
  - Mr. Gong stated that their license already has a summer garden endorsement and they are in the process of enclosing the back for a patio.
  - Trash bins will be completely enclosed and not located on public space.
  - Mr. Gong stated that his primary concern is to make sure that any noise issues raised by neighbors are taken care of.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- The plan for the patio is an extension of the first floor interior space, where they will be serving food and have the look and feel of a concession stand at a ballpark.
- Mr. Gong described efforts in noise cancellation including high cinder block walls and pointing speakers towards the building.
- Mr. Gong stated he hoped to keep the patio open from 5:00 pm to last call (which is 1:30 am on weeknights and 2:30 am on weekends).
- Mr. Williams noted that Copycat's current Settlement Agreement stated that there would be no music on the patio. Mr. Gong acknowledged this and stated that if that was in the agreement, he would not put music on the patio.
- Mr. Gong agreed to provide his cell phone number in these minutes (914-826-3376) and stated that neighbors who had noise complaints could call him directly.
- Mr. Williams asked what the timeline was for opening the patio. Mr. Gong stated he expected it to be ready in five weeks, but it could take up to eight weeks.
- Mr. Herman asked what the occupancy of the patio would be. Mr. Gong stated it would be twenty-four (24) individuals.

Mr. Williams moved/Mr. Herman seconded that the ANC take no action concerning the patio expansion plans of Lattice Partners LLC t/a Copycat Co. The motion carried 4-0.

#### V. Adjourn

The Committee adjourned at 7:20 pm.





## Committee Reports Alcohol Beverage and Licensing (ABL)



15-251-00081, Service Form. The Notice sets forth grounds for a summary suspension, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Pursuant to the Notice, the Board ordered the suspension of Respondent's license in accordance with D.C. Official Code § 25-826 (2008) and 25-827(a) (2005). The suspension was based upon an investigation conducted by Alcoholic Beverage Regulation Administration (ABRA) Investigator Felicia Dantzer as the result of receiving the PD-251, CCN #15050751 incident report from the Metropolitan Police Department (MPD). D.C. Official Code § 25-827 (2001).

Additionally, the Board's suspension of the Respondent's license was based upon the written request of the Chief of Police Cathy L. Lanier, MPD, dated April 11, 2015, pursuant to D.C. Official Code § 25-827(a), which included a determination made by Chief Lanier that the establishment presented an imminent danger to the health and safety of residents and visitors in the District of Columbia. Notice of Summary Suspension, 2-4 (April 14, 2015).

The Board has the authority to "summarily revoke, suspend, fine, or restrict" a license to sell alcoholic beverages in the District of Columbia if the Board determines after an investigation that the operations of the licensee present "an imminent danger to the health and safety of the public." D.C. Official Code § 25-826(a). If properly requested by the licensee, "[t]he Board shall hold a hearing within 48 hours of receipt of a timely request and shall issue a decision within 72 hours after the hearing." § 25-826(c).

Subsequently, the Respondent requested a Summary Suspension Hearing pursuant to D.C. Official Code § 25-826(c), which was held on April 23, 2015. At the time of the hearing, the Parties submitted to the Board, a proposed Offer in Compromise (OIC) pursuant to 23 DCMR § 1604.5 (2009). The OIC has been reduced to writing and has been properly executed and filed with the Board. The Respondent is a signatory to the OIC. The Board formally accepts the OIC which is appended to this Order.

### ORDER

Therefore, the Board, on this 23rd day of April, 2015, hereby **APPROVES** the OIC submitted on April 23, 2015, and **ORDERS** Da Luft DC, Inc. t/a Da Luft Restaurant & Lounge to operate in accordance with the terms of the OIC.

**IT IS ORDERED** that the Board accepts the terms set forth in the OIC. In addition to the OIC, the Licensee is required to comply with the following terms:

- (1) The Respondent shall provide the W-4 forms of all personnel on staff at the establishment. The W-4 forms are to be appropriately redacted to protect confidential information of the establishment's employees.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- (2) (1)(i) of the submitted OIC terms is hereby amended to include the following: The Respondent shall, in addition to the use of security wands, physically search purses and handbags after 9:00 p.m. every night that the establishment is in operation.
- (3) (5) of the submitted OIC terms is hereby amended to include the following: The Respondent shall provide documentation certifying the completion of first aid training for all employees. The Respondent shall also provide documentation verifying that the facilitator of the first aid training is certified to provide such training.
- (4) (7) of the submitted OIC terms is hereby amended to include the following: The Respondent shall at all times maintain a list of personnel who have access to and the ability to review the establishment's video footage. This list shall be made available upon the request of MPD or ABRA.
- (5) All video footage shall be made available upon request of MPD or ABRA. All video footage must be maintained for a minimum of thirty (30) days. All video of violent incidents must be archived into perpetuity.
- (6) (8) of the submitted OIC terms is hereby amended to include the following: The Respondent shall ensure the completion of a security training of all staff.
- (7) (12) of the submitted OIC terms is hereby amended as follows: The Respondent shall maintain a list of all personnel employed by the establishment which will be kept on premises, with the job title or role of each employee listed. Such list shall be updated upon the hiring or termination of each employee, and shall be available at the establishment upon request by MPD or ABRA.
- (8) (13) of the submitted OIC terms is hereby amended as follows: The Respondent shall conduct and complete training for all existing personnel to include all procedures described in this agreement and in the revised Security Plan prior to the establishment opening. All future employed security personnel shall receive security training at the time of hire. A refresher security training shall be provided to all employees on a bi-annual basis.
- (9) The Respondent must notify the Board a minimum of one week prior to all scheduled training sessions of its employees.
- (10) Should the Respondent's hiring practice of personnel deviate from the practices currently in place, the Respondent must first notify the Board in writing. If the establishment contracts for services currently being performed by any and all employees, the Respondent must first notify the Board in writing within thirty (30) days. Training requirements shall also apply to contracted employees.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- (11) The Respondent shall secure MPD Reimbursable Detail (RDO) for Friday and Saturday nights from 11:30 p.m. to 3:30 a.m. The RDO must consist of no fewer than two officers whenever a live band or disc jockey is offered by the establishment.

**IT IS FURTHER ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action. “If the Board determines, after investigation, that the operations of a licensee present an imminent danger to the health and safety of the public, the Board may summarily revoke, suspend, fine, or restrict, without a hearing, the license to sell alcoholic beverages in the District.” D.C. Official Code § 25-826(a).

**IT IS FURTHER ORDERED** that the Board shall forward this matter to the District of Columbia Office of the Attorney General for a Show Cause Hearing.

A copy of this Order and the OIC shall be sent to the Respondent and to the Government.



## Committee Reports Alcohol Beverage and Licensing (ABL)



District of Columbia  
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson

Nick Alberti, Member

Donald Brooks, Member

Herman Jones, Member

Mike Silverstein, Member

Hector Rodriguez, Member

James Short, Member

Pursuant to 23 DCMR § 1719.1 (2008), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b).



## Committee Reports Alcohol Beverage and Licensing (ABL)



### OFFER IN COMPROMISE<sup>1</sup>

In the Matter of: Da Luft DC, Inc. t/a Da Luft Restaurant & Lounge

Officer/owner: Josephine Ijiti-President

Case number: 15-251-00081

Summary Suspension Hearing Date: April 23, 2015

Incidents occurring on: April 11, 2015

For the Charge of: The Licensee's continued operation presents an imminent danger to the health and safety of the public.

Statutory Authority: D.C. Official Code §25-826 (2012 Repl.)

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This Offer in Compromise ("OIC") will be presented to the Alcoholic Beverage Control Board by the Assistant Attorney General at the summary suspension proceeding. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

The Offer in Compromise consists of the Licensee agreeing to all the following terms:

(1) A security plan shall be submitted by the licensee to ABRA and the OAG by 10 a.m. on Tuesday, April 28. The security plan shall be reviewed and accepted by the ABC Board prior to the establishment opening. The security plan shall be in full compliance with all applicable laws including all requirements for a security plan under Title 25 of the D.C. Official Code, and which incorporates all of the below matters.

- (a) Address the establishment's procedure for preserving a crime scene.
- (b) Address the establishment's procedure for (1) making ownership available to MPD, and (2) maintaining and making staff available at the establishment to be interviewed by MPD.
- (c) The establishment shall have an operational camera system that is accessible to and capable of being reviewed by management. The revised Security Plan shall state the number of cameras that will be utilized by the establishment.
- (d) State that the cameras shall remain operational at all times and reveal no blind spots within the establishment.

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<sup>1</sup> Authorized under 23 DCMR 1604.5 (2011).



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



Offer in Compromise –Da Luft Restaurant  
Page 2 of 3

(e) A diagram of the location of the establishment's floor plan with location of the cameras will be maintained on the premises to facilitate investigations and shall be appended to the Licensee's Security Plan.

(f) The Licensee shall maintain an incident log detailing all violent incidents that occur inside of the establishment. The security plan shall address the establishment's procedures for drafting and maintaining its incident log.

(g) The establishment's process for calling 911 and notifying MPD for assistance; and

(h) The Licensee's patron ejection protocol.

(i) The establishment shall purchase and regularly use a security wand at the entrance.

(2) The security plan shall specify the number and range of the cameras to be utilized. The quality of the video to be utilized by the establishment shall be specified in the security plan and shall meet the approval of the ABC Board. A walk-through of the security system shall be conducted by an ABRA investigator prior to the establishment opening.

(3) The Licensee shall have at least one manager on duty at all times that shall be able to fully operate the equipment necessary to view all cameras in establishment.

(4) The Licensee shall incorporate detailed procedures in its Security Plan on how security personnel are to handle violent altercations in the establishment, including appropriate methods for detaining and controlling aggressive patrons.

(5) The Licensee shall provide its employees with training on how to aid an injured or ill patron inside the establishment, including calling for outside medical services.

(6) The Licensee shall provide its employees with training on situations where it is necessary to contact MPD immediately, such as a violent incident immediately inside or outside of the establishment or when a patron needs or requests medical attention.

(7) The Licensee shall make all future video recordings of a crime of violence available for review immediately upon the request by MPD or ABRA investigators and copies will be given to ABRA investigators or MPD within forty-eight (48) hours of a request. All video footage involving a crime of violence shall be maintained for at least thirty (30) days.

(8) The Licensee shall ensure the completion of a security training of its security staff. This course shall include a training of all security personnel for the establishment that shall cover all items addressed in this Offer in Compromise as well as the items contained in the licensee's security plan.

(9) The Licensee shall immediately call 911 for any altercation or other conduct in the establishment which may violate the law. The licensee shall maintain a logbook documenting its calls to MPD.

(10) All security personnel shall wear uniforms containing the word "Security" in a manner identifiable to patrons.



# Committee Reports

## Alcohol Beverage and Licensing (ABL)



Offer in Compromise –Da Luft Restaurant  
Page 3 of 3

(11) The Licensee shall submit documentation to the Board establishing the names of those security personnel that are or will be on payroll with the establishment.

(12) The Licensee shall submit a list of all security personnel employed by the establishment which will be kept on premises, with the job title or role of each employee listed. Such list shall be updated upon the hiring or termination of each security employee, and shall be available at the establishment upon request by MPD or ABRA.

(13) The Licensee shall conduct and complete training for all existing security personnel to include all procedures described in this agreement and in the revised Security Plan, within thirty (30) days from the date of this Order. All future employed security personnel shall receive security training at the time of hire. A refresher security training shall be provided to all security employees on a bi-annual basis.

(14) The security training required by this agreement shall be completed prior to the establishment opening. The Licensee shall also submit to the Board prior to opening a copy of (1) the materials that were used to train the security staff and (2) training certificates demonstrating the completion of the training course by all security staff members. The security training course shall be conducted in-person and shall not be an on-line training course.

(15) The matter shall be referred to the Office of the Attorney General for a show cause hearing.

The Licensee hereby agrees to the foregoing conditions in resolution of the summary suspension in this matter.

1JITD

1JITD

JOSEPHINE 1JITL  
Licensee

4, 13, 15  
Attorney for Licensee  
MURRAY A. KERR



# Committee Reports Alcohol Beverage and Licensing (ABL)



Made this 6th day of July, 2015

by and between

**Imm on "H", LLC t/a Imm on H**  
1360 H Street, NE  
Washington DC 20002

and

**Advisory Neighborhood Commission 6A**

### Preamble

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

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

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

### Witnesseth

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

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

### The Parties Agree As Follows:

1. **Public Space Cleanliness and Maintenance.** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
  - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
  - b. Maintaining regular trash and garbage removal service, regularly removing trash from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
  - c. Depositing trash and garbage only in rodent-proof dumpsters, and seeing that dumpster covers fit

Settlement Agreement between Imm on H and ANC6A

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## Committee Reports

### Alcohol Beverage and Licensing (ABL)



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

#### 2. Business Operations and Practices.

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron brings an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages “to go.”
- e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
  - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
  - ii. It is illegal to sell alcohol to anyone under age 21;
  - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
  - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and
  - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
  - i. Asking loiterers to move on whenever they are observed outside the establishment;
  - ii. Calling the Metropolitan Police Department if illegal activity is observed;
  - iii. Keeping a written record of dates and times (a “call log”) when the MPD is called for assistance; and
  - iv. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant’s call log and incident log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving Applicant’s license.

Settlement Agreement between Imm on H and ANC6A

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## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
  - l. Applicant shall provide valet parking services only with valet parking companies as defined, licensed, and in compliance with D.C. Municipal Regulations Title 24 Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.
3. **Music / Dancing / Entertainment.**
- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate soundproofing.
  - b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
  - c. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
  - d. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
4. **Cooperation with ANC 6A.** Applicant agrees to work on resolving issues preventing Applicant from fulfilling its obligations under this Agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code Code § 25-446.
6. **Miscellaneous.**
- a. Applicant shall post a copy of this Settlement Agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
  - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to specific laws and regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.
7. **Enforcement.**
- a. Applicant and ANC 6A agree to enter into this Agreement. If Applicant should breach the conditions of this Agreement, it is understood by all parties that ANC 6A and/or its committees shall immediately notify the Applicant and file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
  - b. This Settlement Agreement is binding on Applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

Settlement Agreement between Imm on H and ANC6A

Page 3 of 4



**Committee Reports**  
**Alcohol Beverage and Licensing (ABL)**



The parties have affixed hereto their hands and seals.

**Applicant:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Advisory Neighborhood Commission 6A Representative:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_





# Committee Reports Alcohol Beverage and Licensing (ABL)



Made this 5th day of June, 2015

by and between

**18<sup>th</sup> and D Liquors, Inc. t/a Master Liquors (ABRA #074594)**  
1806 D Street, NE  
Washington DC 20002

and

**Advisory Neighborhood Commission 6A**

### Preamble

Through this agreement, both parties aim to create an environment whereby Applicant may operate as a viable contributing business to the ANC 6A community, while concurrently curtailing any adverse effects a business such as Applicant's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit the retail sale of beer, wine, and spirits for off-premises consumption, and Class B liquor licenses that permit the retail sale of beer and wine for off-premises consumption.

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

### Witnesseth

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

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

Whereas, the parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and pedestrian-friendly.

### The Parties Agree As Follows:

1. **Requirements for Sale/Provision of Single Containers of Alcoholic Beverages.**
  - a. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale in single containers of alcohol of 70 ounces or less.
  - b. Applicant shall only sell, give, offer, expose for sale, or deliver beer, malt liquor, or ale containers of 70 ounces or less with multiple-container packaging supplied by the manufacturers of four or more individual containers (example: 2-packs, 4-packs, 6-packs, 12-pack cases, etc.).
  - c. Class B applicants will not sell fortified wine. Fortified wine is defined as wine that exceeds 14%

Settlement Agreement between Master Liquors and ANC6A

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## Committee Reports

### Alcohol Beverage and Licensing (ABL)



alcohol content.

#### 2. **Ban on Sale/Provision of Other Items.**

- a. Single Cigarettes:
  - i. Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
- b. "Go-cups":
  - i. Applicant shall not sell, give, offer, expose for sale, or deliver "go-cups" or servings of plain ice in a cup.
  - ii. Per the Alcoholic Beverage regulations, a "go-cup" is defined as: "a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment."
- c. Products associated with illegal drug activity:
  - i. Applicant shall not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
  - ii. These items are defined as cigarette rolling papers, pipes, needles, small bags, or any other items that may be regarded as drug paraphernalia.

#### 3. **Public Space Cleanliness and Maintenance.** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free conditions by:

- a. Picking up the trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
- b. Maintaining regular trash and garbage removal service, regularly removing trash from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
- c. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- d. Assisting in maintenance of the curbs in front of the establishment to keep them free of trash, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- e. Promptly removing graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti's appearance.
- f. Requiring the owner and employees not to park on public space between the building and the curb.
- g. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

#### 4. **Signage/Loitering/Illegal Activity.**

- a. Applicant will not directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
- b. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
  - i. The minimum age requirement for purchase of alcohol,
  - ii. The obligation of the patron to produce a valid identification document in order to purchase alcohol,
  - iii. Prohibitions against selling to minors,
  - iv. No panhandling, and
  - v. No loitering.
- c. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:

Settlement Agreement between Master Liquors and ANC6A

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## Committee Reports

### Alcohol Beverage and Licensing (ABL)



- i. Posting a sign kept in good repair requesting customers to not contribute to panhandlers,
      - ii. Asking loiters to move on whenever they are observed outside the establishment,
      - iii. Calling the Metropolitan Police Department if illegal activity is observed,
      - iv. Keeping a written record of dates and times (a "call log") when the MPD is called for assistance.
      - v. Upon request of the Board, Applicant's call log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving Applicant's license.
    - d. Total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
    - e. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
    - f. As long as Applicant (or any owner of Applicant) owns the property across the street from the establishment (located at the southeast side of the intersection of 18<sup>th</sup> Street NE and D Street NE), Applicant shall maintain that property by cleaning up trash at that location at least twice per day. Applicant also agrees to undertake efforts to prevent loitering on this property by asking trespassers/loiters to disperse, posting visible "no parking" signs, and enforcing permit parking on the property. The ANC agrees to revisit this section (4(f)) if the property is changed to anything but a parking lot.
5. **Regulations.**
  - a. In addition to the requirements of this agreement, applicant will operate in compliance with all applicable laws and regulations.
6. **Miscellaneous.**
  - a. Applicant shall not support the installation of pay phones outside of the establishment on its property. Applicant shall have existing pay phones (if any) removed from their exterior of the establishment at the end of the current contract.
  - b. Applicant shall complete an alcoholic beverage server training course.
  - c. Applicant certifies that it does not owe more than \$100 to the District of Columbia government as a result of any fine, penalty, or past due tax for more than six months.
  - d. Applicant will participate in a Business Improvement District program if one exists.
7. **Enforcement.**
  - a. Applicant and ANC 6A agree to enter into this Agreement. If Applicant should breach the conditions of this Agreement, it is understood by all parties that ANC 6A and/or its committees shall immediately file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
  - b. This Settlement Agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.



**Committee Reports**  
**Alcohol Beverage and Licensing (ABL)**



**In Witness Whereof**

The parties have affixed hereto their hands and seals.

**Applicant:**

By: JAMES Boyd Bailey SR Date: 6 JUNE 2015

Signature: James B Bailey SR

**Advisory Neighborhood Commission 6A Representative:**

By: Jay Williams, Co-Chair, ANC 6A ABL Committee Date: 6/10/15

Signature: J Williams

Revised 06/09/14



## Committee Reports

### Transportation and Public Space (T&PS)



#### Minutes

ANC 6A Transportation & Public Space Committee Meeting  
Capitol Hill Towers (900 G Street, NE)  
June 15, 2015 - 7:00 pm

- I. Meeting called to order at approximately 7:00 pm
- II. Introductions  
Committee members present: Co-chairs Omar Mahmud and Todd Sloves, Elizabeth Nelson, Jeff Fletcher, Lara Levison, and Andrea Adleman.
- III. Announcements
- IV. Community Comment
  - A. Two representatives of the Amalgamated Transit Union (ATU) announced that the streetcar companies (Midtown Group and McDonald Transit) had laid off eight (8) workers for engaging in union activity and encouraged attendees to sign a petition.
- V. New Business
  - A. Application from Ben's Chili Bowl (1001 H Street NE) for placement of statue on public space
    - i. This item was moved up on the agenda. Mr. Frank White represented Ben's Chili Bowl in asking for support of placement of a statue—a fiberglass panda or something similar—outside their restaurant on H Street NW. Topics discussed: the degree of setback (more than the required seven (7) feet), possibility of vandalism, whether there would be enough space for pedestrians to pass by without crowding, and whether DC law/regulations allowed setting a time limit on the placement of the statue.
    - ii. ***Co-chair Omar Mahmud offered a motion that the ANC send a letter of support to the District Department of Transportation (DDOT) for placement of the statue with a condition that Ben's Chili Bowl would be willing to discuss relocating the statue if the ANC receives complaints about blocking pedestrian traffic.***
      1. ***Ms. Nelson offered an alternative motion for the ANC to support placement of the statue for a period of five (5) years. There was no second.***
      2. ***Second for the original motion: Fletcher. Voted yes: Adleman, Levison, Sloves, Mahmud, Fletcher. Voted no: Nelson. The motion was adopted (5-1).***
- VI. Update from Streetcar Team
  - A. Ralph Burns, Deputy Associate Director of DDOT, and Manager of the streetcar project, gave the update:
    - i. Mayor Bowser and the DDOT Director are committed to continuing the project. The focus is on the East-West segment, Georgetown to Benning Road. The segment from the Langston Hughes golf course to the Benning Road metro is in the National Environmental Policy Act (NEPA) phase, i.e. environmental review and planning. The Union Station to Georgetown segment is also in the NEPA process.
    - ii. The Mayor and Director asked the American Public Transit Association (APTA) to do a complete assessment; found no fatal flaws; made eighteen (18) recommendations, 50% of which are now complete, and the others have a work plan. From the Federal Transit Administration (FTA) readiness review, only two (2) open items remain (schedule, fares?). To resolve the problem of



## Committee Reports

### Transportation and Public Space (T&PS)



the streetcars scraping platforms, some construction is needed on three to five (3-5) loading docks to trim them back, and alterations to cars are needed as well.

- iii. Safety campaign: Doing outreach to schools (nine (9) assemblies - toolkits to the other schools); outreach team working to get people to park inside the white lines, and pedestrians to take care crossing and stop jaywalking.
- iv. Next: Three (3) weeks of final pre-revenue operation service, including 54 exercises.
- v. Q&A topics
  - Doing outreach to cab drivers via an email blast. Co-Chair Sloves recommended doing the same to Uber and Lyft.
  - They have an operator under contract for this segment: Rap Dev McDonnell Transit - a European company (runs parts of London Tube) and a Virginia company (as Tucson contract) that will operate and maintain.
  - DDOT sets the fare.
  - Using an IPT (integrated premium transit) approach that includes design, build, operation, and maintenance all in one contract is not likely for the other segments.

## VII. Returned to New Business

- A. Presentation from the Washington Metropolitan Area Transit Authority (WMATA) and DDOT on changes to 96 bus route
  - i. Presenters were Spring Wirth, DDOT bus planner, and Dave Arian, WMATA. The 96 bus will be rerouted starting Sunday, June 21, 2015 from East Capitol Street to Massachusetts Avenue. The agency presented the proposed changes to ANC 6C at their meeting, and ANC 6C's Transportation Committee worked with them on bus stop site selection. A map showing the stops was provided. A bikeshare station may be added at one of the stop locations.
  - ii. Background

This is one of the longest bus routes (three (3) hours round trip). The goal is to shorten the route, avoid congestion, and stop using the circuitous route around the Capitol that began after the 9/11 street closings. They did a study, held a public hearing, and the Board of Directors approved the change.
  - iii. Concerns raised
    - WMATA could have let people on Massachusetts Avenue know that the bus was coming back.
    - Congestion may not be better on this route - it is slow getting around Stanton Park, and getting into Lincoln Park.
    - There is a dangerous corner at Massachusetts and Tenth (10<sup>th</sup>) Streets NE.
    - ANC6A did not receive notice of the route change.
    - Will there be a formal evaluation? WMATA evaluates bus routes every year. Co-Chairs Mahmud and Sloves requested that WMATA get back to the Committee with the review.
- B. Application from Mia's Coffeehouse (1500 A Street NE) for placement of sidewalk café on public space
  - i. Jeff Diaz spoke for himself and his wife, Jenohn, about their new coffee house and their request for seven (7) tables (fourteen (14) seats) outside. The hearing is July 23, 2015. Q&A included trash storage; which parts of the area are actually in public space; the proposed hours of business (Monday-Thursday, 6:00 am-6:00 pm); trash will be collected by a staff person/busboy; possibility of early morning noise; no indoor seating under current certificate of occupancy—they are seeking a change to this; no amplified sound or music planned.
  - ii. Two (2) neighbors spoke in support of the café. The owners have done great outreach. The previous market was a problem; we are begging for this—really excited. Another neighbor



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expressed some concerns about trash. Commissioner Calvin Ward expressed support for the café also. Co-Chair Mahmud stated that trash cans have to be on private space, not public space. Mahmud said he would send the owners a set of conditions that can then be presented to the full ANC.

- iii. ***Co-chair Mahmud offered a motion to lend support to Mia's Coffeehouse for a public space permit, including conditions similar to those that the ANC has requested for other cafes using public space. Second: Sloves. Motion passed (6-0) with no opposition.***

#### C. Application from Tony's Breakfast (1387 H Street NE) for placement of enclosed garbage containment area on public space

- i. Justine Choe, owner, presented her request. She does not yet have an application for use of public space. She has had complaints about the appearance of the exposed trash cans and wants to build an enclosure for them. The trash is collected every day. The cans are currently stored on public space. The landlord is very unhelpful regarding other storage options. Ms. Choe is here because ANC Commissioner Stephanie Zimny called her about this issue a couple of weeks ago.
- ii. Co-Chair Mahmud noted that, technically, Tony's Breakfast needed permission to put the trash cans there in the first place. He does not recall ANC support for an application to store trash on public space and thinks Matthew Marcou, Chair of the DDOT Public Space Committee, would not approve it. Chupacabra Taqueria had to find a place to store their trash across the street. Mr. Mahmud advised Ms. Choe to look into other options and update the Committee in July 2015.

#### D. Consideration of and community input on opportunities for using H Street Performance Parking Funds in ANC 6A

- i. Limited time available for this discussion. Co-Chair Sloves will ask Commissioner Toomajian about the timeline. What are the boundaries of the area for using these funds? Ask the residents for ideas?

VIII. Meeting adjourned at 8:49 pm.



## Committee Reports Transportation and Public Space (T&PS)



July \_\_\_, 2015

Mr. Matthew Marcou  
Deputy Director for Public Space Regulation  
District Department of Transportation  
55 M Street SE, Suite 400  
Washington, DC 20003

Re: Public space application for placement of a panda bear statue at 1001 H Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on July 9, 2015, our Commission voted X-X (with 5 Commissioners required for a quorum) to express our conditional support for the above-referenced public space application.

Our expression of support for placement of the proposed statue in public space is conditioned upon the applicant's agreement that it will make a sincere effort to address any future ANC concerns about the placement of the statue if the placement interrupts the pedestrian right of way and sidewalk access, including removal of the statue to another location if necessary. This condition has been negotiated with and agreed to by representatives of the ANC and a representative of the applicant.

Thank you for giving consideration to our ANC's feedback on this public space proposal. We respectfully request that you include the above-described condition to any approved public space application for this applicant. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at [philanc6a@gmail.com](mailto:philanc6a@gmail.com) or the ANC 6A Vice-Chair, J. Omar Mahmud, at [mahmud6a01@gmail.com](mailto:mahmud6a01@gmail.com).

On behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

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<sup>1</sup> ANC 6A meetings are advertised electronically on [anc6a-announce@yahoogroups.com](mailto:anc6a-announce@yahoogroups.com), [anc-6a@yahoogroups.com](mailto:anc-6a@yahoogroups.com), and [newhilleast@yahoogroups.com](mailto:newhilleast@yahoogroups.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## Committee Reports

### Transportation and Public Space (T&PS)



July \_\_\_\_, 2015

Mr. Matthew Marcou  
Deputy Director for Public Space Regulation  
District Department of Transportation  
55 M Street SE, Suite 400  
Washington, DC 20003

Re: Sidewalk café public space application for Mia's Coffeehouse at 1500 A Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting<sup>2</sup> on July 9, 2015, our Commission voted X-X (with 5 Commissioners required for a quorum) to express our conditional support for the above-referenced sidewalk café application.

The motion our ANC passed on July 9, 2015 supporting the Mia's Coffeehouse public space application related to a sidewalk cafe at 1500 A Street NE on the condition that the applicant agree to and adhere to all requirements imposed by the DDOT Public Space Committee and the following requirements:

1. Only operate the sidewalk café space from 9 am to 11 pm Monday through Thursday, from 9 am to midnight Friday, from 10 am to midnight Saturday and from 10 am to 11pm Sunday.
2. 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.) and any other reasonable means to contain noise, but only to the extent allowable by applicable District laws and regulations.
3. 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.
4. If 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).
5. Use easily moveable chairs and tables that shall be moved to the side and locked up when not in use.
6. Applicant will ensure no trash container of any sort will be stored anywhere on public space, including on the sidewalk café itself.
7. 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.

These conditions have been negotiated with and agreed to by representatives of the ANC and representatives of the applicant

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<sup>2</sup> ANC 6A meetings are advertised electronically on [anc6a-announce@yahoogroups.com](mailto:anc6a-announce@yahoogroups.com), [anc-6a@yahoogroups.com](mailto:anc-6a@yahoogroups.com), and [newhilleast@yahoogroups.com](mailto:newhilleast@yahoogroups.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## Committee Reports

### Transportation and Public Space (T&PS)



Thank you for giving consideration to our ANC's feedback on this public space proposal. We respectfully request that you include the attached conditions with any approved public space application for this applicant. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at [philanc6a@gmail.com](mailto:philanc6a@gmail.com) or the ANC 6A Vice-Chair, J. Omar Mahmud, at [mahmud6a01@gmail.com](mailto:mahmud6a01@gmail.com).

On behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A





**Committee Reports**  
Transportation and Public Space (T&PS)



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**Committee Reports**  
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# Committee Reports

## Transportation and Public Space (T&PS)





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## Transportation and Public Space (T&PS)





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SITEPLANDRAWINGS





# Committee Reports

## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

## 2101 SCHEDULE OF REQUIREMENTS FOR PARKING SPACES

2101.1 On and after May 12, 1958, all buildings or structures shall be provided with parking spaces as specified in the following table, except for buildings and structures located in the StE District:

USES	NUMBER OF PARKING SPACES REQUIRED
<b><u>Adult Day Treatment Facility:</u></b>	
All Districts	1 for each employee
<b><u>Art Gallery:</u></b>	
All Districts	In excess of 3,000 ft. <sup>2</sup> , 1 for each 300 ft. <sup>2</sup> of gross floor area and cellar floor area
<b><u>Chancery:</u></b>	
R-5-D	1 for each 1,200 ft. <sup>2</sup> of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
R-5-E	1 for each 1,800 ft. <sup>2</sup> of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
D	1 for each 800 ft. <sup>2</sup> of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
SP, W, CR, C, C-M, M	Same as required for general office
<b><u>Clinic:</u></b>	
R-4, R-5	1 space for each 300 ft. <sup>2</sup> of gross floor area or cellar floor area
<b><u>Electronic Equipment Facility (EEF):</u></b>	
	For EEF use in an existing structure, provide the number of parking spaces required by this title for the use that existed immediately prior to the EEF use or, if the structure is vacant, the use that existed immediately prior to the vacancy.

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# Committee Reports

## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

	For new construction, up to 50% of the number of parking spaces specified in this table may be set aside as a parking reserve and used for non-habitable uses related to the EEf use. If EEf use is discontinued, the parking reserve shall be developed to provide the number of parking spaces required by this title for the succeeding use.
C-3, CR	In excess of 2,000 ft. <sup>2</sup> , 1 for each additional 1,800 ft. <sup>2</sup> of gross floor area
C-4, C-5 (PAD)	Same as required for general office use
C-M, M	1 for each 3,000 ft. <sup>2</sup> of gross floor area
<b><u>Fast Food Restaurant:</u></b>	
C-2, C-3-A:	
In a building having a side yard	In excess of 1,500 ft. <sup>2</sup> , 1 for each additional 100 ft. <sup>2</sup> of gross floor area and cellar floor area
In a building having no side yard	Same as required for retail or service establishment in the district in which located
All other districts	Same as required for retail or service establishment in the district in which located
<b><u>Food Delivery Service:</u></b>	
C-2, C-3-A, C-3-B, W, CR, and other districts in which the use is permitted	1 space for each 500 ft. <sup>2</sup> of gross floor area or cellar floor area
<b><u>Hotel or Inn:</u></b>	
R-5-B, R-5-C, R-5-D	1 for each 2 sleeping rooms or suites
R-5-E	1 for each 4 sleeping rooms or suites
C-1, C-2, C-3-A, W	1 for each 2 rooms usable for sleeping, plus 1 for each 150 ft. <sup>2</sup> of floor area in either the largest function room or the largest exhibit space, whichever is greater
SP, C-3-B, C-3-C, CR	1 for each 4 rooms usable for sleeping plus 1 for each 300 ft. <sup>2</sup> of floor area in either the largest function room or the largest exhibit space, whichever is greater

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## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

C-4, C-5 (PAD)	1 for each 8 rooms usable for sleeping
C-M, M	1 for each room usable for sleeping plus 1 for each 150 ft.2 of floor area in the largest function room or the largest exhibit space, whichever is greater
<b><u>Office - General, including television and radio broadcast studio:</u></b>	
C-1, C-2-A, C-3-A	In excess of 2,000 sq. ft., 1 for each additional 600 sq. ft. of gross floor area and cellar floor area
W, C-2-B, C-2-B-1, C-2-C, C-3-B, C-3-C, SP, CR	In excess of 2,000 sq. ft., 1 for each additional 1,800 sq. ft. of gross floor area
C-4 For a building or structure built on a lot having an area of 10,000 sq. ft. or less	No requirement
For a building or structure built on a lot having an area of more than 10,000 sq. ft.	In excess of 2,000 sq. ft., 1 for each additional 1,800 sq. ft. of gross floor area
C-5 (PAD)	No requirement
C-M, M	In excess of 2,000 sq. ft., 1 for each additional 800 sq. ft. of gross floor area and cellar floor area devoted to that use
<b><u>Office - Medical and dental, clinic, or veterinary hospital:</u></b>	
C-4	Same as required for general office
C-5 (PAD)	No requirement
C-1, C-2-A, C-3-A: If the space devoted to medical or dental use is less than 25% of the gross floor area and cellar floor area of the entire structure	Same as required for general office for district in which located

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## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

<p>If the space devoted to medical or dental use is 25% or more of the gross floor area and cellar floor area of the entire structure, for that portion of the structure devoted to medical and dental offices</p> <p>All other districts:</p> <p>If the space devoted to medical or dental use is less than 25% of the gross floor area of the entire structure</p>	<p>Twice the number of spaces required for general office for district in which located</p> <p>Same as required for general office for district in which located</p>
<p><b><u>Optical Transmission Nodes:</u></b></p>	
<p>All Districts</p>	<p>1 for each 3,000 ft.2 of gross floor area</p>
<p><b><u>Retail or service establishment except gasoline service station and repair garage:</u></b></p>	
<p>C-1, C-2-A, C-3-A, C-M-1, M</p>	<p>In excess of 3,000 sq. ft., 1 for each additional 300 sq. ft. of gross floor area and cellar floor area</p>
<p>W, CR, C-2-B, C-2-B-1, C-2-C, C-3-B, C-3-C, C-M-2, C-M-3</p>	<p>In excess of 3,000 sq. ft., 1 for each additional 750 sq. ft. of gross floor area</p>
<p>C-4</p>	<p>In excess of 30,000 sq. ft., 1 for each additional 3,000 sq. ft. of gross floor area</p>
<p>C-5 (PAD)</p>	<p>No requirement</p>
<p><b><u>Gasoline service station:</u></b></p>	
<p>All districts</p>	<p>1 for each 300 ft.2 of gross floor area, excluding any pump island canopy and any kiosk adjacent to the pumps used exclusively as an attendant's shelter</p>
<p><b><u>Repair garage:</u></b></p>	
<p>All districts</p>	<p>4 plus 1 for each 200 ft.2 of gross floor area</p>
<p><b><u>Ball fields:</u></b></p> <p>All districts</p>	<p>5 spaces</p>

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## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

<b><u>Basketball courts:</u></b>	
All districts	5 spaces
<b><u>Bleachers:</u></b>	
All districts	1 for each 12 seats, plus 1 seat for each 20 seats above 700. If seats are not fixed, each 7 square feet usable for seating or each 18 inches of bleacher/bench space shall be considered 1 seat
<b><u>Driver's License Road Test Facility</u></b>	
C-2-A, C-3-A	4 spaces for each employee.
C-2-B, C-2-C, C-3-B, C-3-C, C-4,	4 spaces for each employee.
C-5, SP, CR, W-2, W-3 C-M, M	4 spaces for each employee.
<b><u>Fire Station, Fire Department Training Facility, Fire Department Administrative Facility or Fire Department Support Facility (established after October 14, 2005, not including the expansion of facilities existing as of October 14, 2005):</u></b>	
All R Districts, C-1, C-2-A, C-3-A	In excess of 2,000 ft.2, 1 space for each 600 ft.2 of gross floor area and cellar floor area
All other districts	In excess of 2,000 ft.2, 1 space for each 1,800 ft.2 of gross floor area
<b><u>Hospital:</u></b>	

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## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

C-4, C-5 (PAD)	No requirement
All other districts	1 for each bed
<b><u>Police Department General Facility or Local Facility (established after January 12, 2004, not including the expansion of facilities existing as of January 12, 2004):</u></b>	
All R Districts, C-1, C-2-A, C-3-A	In excess of 2,000 ft.2, 1 space for each 600 ft.2 of gross floor area and cellar floor area
All other Districts	In excess of 2,000 ft.2, 1 space for each 1,800 ft.2 of gross floor area
<b><u>Public Library:</u></b>	
<b>Full-Service Neighborhood Public Library:</b>	
All residence districts	For libraries constructed after December 19, 2003 and in excess of 2,000 square feet of gross floor area, 1 space for each additional 1,000 square feet of gross floor area.
All other districts	For libraries constructed after December 19, 2003 and in excess of 3,000 square feet of gross floor area, 1 space for each additional 1,000 square feet of gross floor area.
<b><u>Community Public Library:</u></b>	
All districts	For libraries constructed after December 19, 2003 in excess of 2,000 square feet of gross floor area, 1 space for each additional 1,000 square feet of gross floor area.
<b><u>Kiosk Public Library:</u></b>	
All districts	No Requirement
<b><u>Public Recreation and Community Center Use:</u></b>	
All districts	1 for each 2,000 ft.2 gross floor area of bldg. or use
<b><u>Tennis courts:</u></b>	
All districts	1 space for every 2 courts

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## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

<p><b><u>Manufacturing, Industrial, or Wholesale establishment:</u></b></p> <p>All districts</p>	<p>1 for each 1,000ft.<sup>2</sup> of gross floor area</p>
<p><b><u>Area, armory, assembly hall, auditorium, community center, concert hall, convention hall, dance hall, funeral parlor, ice or roller skating rink, public hall, stadium, or theater:</u></b></p> <p>C-4, C-5(PAD)</p> <p>All other districts</p>	<p>No requirement</p> <p>1 for each 10 seats of occupancy capacity for the first 10,000 seats, plus 1 for each 20 seats above the first 10,000; provided, that where such seats are not fixed, each 7 ft.2usable for seating shall be considered 1 seat</p>
<p><b><u>Boat club or marina:</u></b></p> <p>All districts</p>	<p>1 for each 4 berths or slips</p>
<p><b><u>Marina:</u></b></p> <p>W-0</p>	<p>1 for each 4 berths or slips plus 1 for each floating home space within a marina or yacht club</p>
<p><b><u>Boathouse:</u></b></p> <p>W-0</p>	<p>1 space for every 2,000 square feet of gross building area</p>
<p><b><u>Yacht Club:</u></b></p> <p>W-0</p>	<p>The greater of 1 for each 4 berths or slips or 1 for each 800 square feet of clubhouse building area.</p>
<p><b><u>Churches:</u></b></p> <p>C-3-C, C-4, C-5(PAD)</p> <p>All districts</p>	<p>No requirement</p> <p>1 for each 10 seats of occupancy capacity in the main</p>

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### District of Columbia Municipal Regulations

	sanctuary; provided, that where the seats are not fixed, each 7 ft.2 usable for seating or each 18 in. of bench if benches are provided shall be considered 1 seat
<b><u>Recreational building or use:</u></b> All districts	1 for each 2,000 ft.2 devoted to the building or use
<b><u>Apartment house or multiple dwelling:</u></b> R-5-A, C-1	1 for each dwelling unit
R-5-B, C-2-A, C-3-A	1 for each 2 dwelling units
R-4, R-5-C, R-5-D, C-2-B, W, CR	1 for each 3 dwelling units
R-5-E, SP, C-2-C, C-3-B, C-3-C, C-4, C-5(PAD)	1 for each 4 dwelling units
<b><u>Community-based residential facility:</u></b> All districts other than C-3, C-4, C-5 (PAD):	
1 to 8 persons housed	1
9 to 15 persons housed	2
16 or more persons housed	As determined by the BZA
C-3, C-4, C-5 Districts	1 for each 10 persons housed
<b><u>Dormitory, sorority, or fraternity house not approved as part of a campus plan:</u></b> All districts	1 for each 5 beds
<b><u>Flat:</u></b> R-5-A	1 for each dwelling unit
All other districts	1 for each 2 dwelling units
<b><u>One-family dwelling:</u></b> All districts	1 for each dwelling unit
<b><u>Publicly assisted housing, reserved for the elderly and/or handicapped:</u></b> All districts	1 for each 6 dwelling units

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# Committee Reports

## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

<p><b><u>Rooming or boarding house:</u></b></p> <p>All districts</p>	<p>1 plus 1 for each 5 rooming units</p>
<p><b><u>Child/Elderly Development Center:</u></b></p> <p>All districts</p>	<p>1 for each 4 teachers and other employees</p>
<p><b><u>College or other institution of higher learning, business trade, or other school and accessory uses located on the campus:</u></b></p> <p>C-4, C-5 (PAD)</p> <p>All other districts</p>	<p>No requirement</p> <p>For each building: 2 for each 3 teachers; plus either 1 for each 10 classroom seats or 1 for each 12 stadium seats or 1 for each 10 auditorium seats, whichever is greater, except as provided in § 2106</p>
<p><b><u>Elementary and Junior High School:</u></b></p> <p>All districts</p>	<p>2 for each 3 teachers and other employees</p>
<p><b><u>High school and accessory uses:</u></b></p> <p>All districts</p>	<p>2 for each 3 teachers and other employees, plus either 1 for each 20 classroom seats or 1 for each 10 seats in the largest auditorium, gymnasium or area usable for public assembly, whichever is greater</p>
<p><b><u>Pre-elementary schools and pre-kindergarten schools or facilities:</u></b></p> <p>All districts:</p>	<p>2 for each 3 teachers and other employees</p>
<p><b><u>Uses in former public school buildings authorized by 11 DCMR §§ 201.1 (v) or 222</u></b></p> <p>R Districts</p>	<p>Parking requirements will be those that apply in the most restrictive zone district in which the use is otherwise first permitted as a matter of right.</p>
<p><b><u>Warehouse:</u></b></p>	

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# Committee Reports

## Transportation and Public Space (T&PS)



### District of Columbia Municipal Regulations

All districts	1 for each 3,000 ft. <sup>2</sup> of gross floor area
<u>All Other Uses:</u> All districts	1 for each 600 ft. <sup>2</sup> of gross floor area and cellar floor area

- 2101.2 Nothing contained in this section shall be construed to prohibit the establishment of accessory parking spaces in an amount which exceeds that required by § 2101.1; provided, that each case complies with all other applicable provisions of this chapter and Chapter 23.
- 2101.3 Nothing contained in this section shall be construed to prohibit the establishment of parking spaces accessory to buildings or structures for which no required parking spaces are specified in § 2101.1; provided, that each case complies with all other applicable provisions of this chapter and Chapter 23.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6588 (December 28, 1984); as amended by Final Rulemaking published at 32 DCR 4374, 4378 (July 26, 1985); as amended by Final Rulemaking published at 40 DCR 3744, 3747 (June 11, 1993); as amended by Final Rulemaking published at 43 DCR 1624 (March 29, 1996); as amended by Final Rulemaking published at 46 DCR 8284, 8289 (October 15, 1999); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8497-99 (October 20, 2000); as amended by Final Rulemaking published at 48 DCR 9830, 9839 (October 26, 2001); as amended by Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference the text of Proposed Rulemaking published at 49 DCR 11159, 11165 (December 7, 2001); as amended by Final Rulemaking published at 50 DCR 8818 (October 17, 2003); as amended by Final Rulemaking published at 50 DCR 10137 (November 28, 2003); as amended by Final Rulemaking published at 50 DCR 10822 (December 19, 2003); as amended by Final Rulemaking published at 51 DCR 3440 (April 2, 2004); as amended by Final Rulemaking published at 51 DCR 4778 (May 7, 2004); as amended by Final Rulemaking published at 52 DCR 6358 (July 8, 2005); as amended by Final Rulemaking published at 52 DCR 7259 (August 5, 2005); as amended by Final Rulemaking published at 52 DCR 9155 (October 14, 2005); as amended by Final Rulemaking published at 53 DCR 9580 (December 1, 2006); as amended by Final Rulemaking published at 53 DCR 10085 (December 22, 2006); as amended by Final Rulemaking published at 54 DCR 8943 (September 14, 2007); as amended by Final Rulemaking published at 60 DCR 4834 (March 29, 2013); as amended by Final Rulemaking published at 62 DCR 5190 (April 24, 2015).

Zoning

11 DCMR § 2101



**Committee Reports**  
Transportation and Public Space (T&PS)





## Committee Reports Economic Development and Zoning Committee



Report of the Economic Development and Zoning (ED&Z) Committee of the Advisory Neighborhood Commission (ANC) 6A  
Sherwood Recreation Center, 640 Tenth (10th) Street NE  
June 17, 2015

The meeting convened at 7:00 pm.

### Present

Members: Missy Boyette, Dan Golden, Michael Hoenig, Brian Carlson, and Matt Turkstra  
Commissioners: Stephanie Zimny, Sondra Phillips-Gilbert  
Dan Golden chaired the meeting.

### Community Comment

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

### Update

Chairman Golden provided an update on items from the previous month's meeting.

### Old Business

1. 702 15<sup>th</sup> Street NE (BZA 19021): Applicant Amazing Love Health Services, which originally had sought a special exception from the off-street parking requirements under § 2108, now seeks a variance from the off-street parking requirements under § 2101, to allow a medical office in the HS-A/C-2-A District. At the end of the May 2015 ED&Z Committee meeting, Chairman Dan Golden asked the Applicant to return to the Committee next month to present more clear data on the expected impact of their operation on parking in the neighborhood. At that meeting, the Applicant agreed to postpone its BZA hearing and to present at the EDZ's June 2015 Committee meeting.  
In response to concerns raised during the May 2015 meeting, the Applicant handed out a list of conditions the Health Center will adhere to so as to minimize the impact of the health center on the neighborhood. The Applicant noted that he understood that the primary area of concern is related to parking and congestion.  
The Applicant stated that the Health Center will only be open weekdays from 9 am to 5:30 pm. At all other times the parking lot will be locked and parking will be restricted to members of Trinidad Baptist Church through the use of a lockbox. Parking will be limited to ten (10) spaces for employees and the Health Center has entered into an agreement with Trinidad Baptist Church to handle any parking overflow during business hours. The Applicant also noted that the Health Center's service area is within walking distance and he anticipates that very few clients will drive to the facility.  
A Committee member asked the Applicant to clarify the date of his hearing before the Bureau of Zoning Adjustment (BZA) and was informed it was the week following this meeting. Chairman Golden clarified that, at the end of the last meeting, the applicant agreed to delay the BZA hearing to address the concerns that were raised at the May 2015 ED&Z meeting. The Applicant stated he had misunderstood, and that the hearing is set, so the applicant planned to proceed. It was explained that the BZA likely would not rule on his application without a letter from the ANC. The Applicant indicated that he understood and he would look into requesting a postponement of his hearing.  
Committee Member Boyette asked the Applicant to describe the parking. The applicant stated that there are fourteen (14) on-site parking spaces, but under the regulations, is required to have forty (40) to forty-two (42) spaces, depending on how it is calculated (or alternatively, if the building does



## Committee Reports Economic Development and Zoning Committee



not qualify as a medical office, twenty (20) to twenty-one (21) spaces. The Applicant acknowledged that Matt LeGrant has informed him that the correct number is likely forty-two (42) spaces.

Chairman Golden stated that the biggest issue will be spill-over parking and asked what the maximum number of employees that will be working at a given time would be. The Applicant answered ten (10) to twelve (12) employees could be working at the same time.

The Applicant was asked what the maximum number of clients would be at any given time that it depends. The number fluctuates, but never more than three (3) groups at a time and each group would be comprised of a maximum of twelve (12 people), though eight (8) to ten (10) people is the ideal number per group.

Chairman Golden inquired as to whether the Applicant would know ahead of time how many clients will be arriving by car. The Applicant indicated he would not, but that based on the people they have been serving, one (1) of ten (10) would be driving.

Chairman Golden asked about how the Applicant would enforce the “zero-tolerance” for loitering outlined in its list of conditions the center will adhere to. The Applicant stated that the client’s access to the Health Center will be terminated and the client will be referred to another facility.

The Applicant was asked if they would be willing to install bike racks. He stated they would.

The Applicant was asked about incentives it planned to offer clients to take the metro or bus. The Applicant stated he will purchase the tokens and metro cards himself and hand them out to clients for meeting performance measurements. The Applicant was asked if he would offer similar incentives to employees. He stated he would commit to researching the option.

The Applicant was asked if he had received letters of support from neighbors and he stated that he had from the neighbors on Fifteenth (15<sup>th</sup>) Street NE and that the Neighbors on G Street NE had stated they would submit a letter in support.

Commissioner Stephanie Zimny asked for clarification that the parking lot is fenced off. The Applicant stated it is and that only the Trinidad Baptist Church will be allowed to use the lot when the Center is closed. Commissioner Zimny asked for assurances that the Church will not use the lot during the Center’s business hours.

Commissioner Sondra Philips-Gilbert asked if the Center has done any outreach to inform the surrounding Community of the health center programs. The Applicant stated that they have and provided Commissioner Philips-Gilbert with copies of flyers they distribute at neighborhood events.

The Applicant was asked if they could provide rides to clients to reduce the number that may drive. The Applicant stated that they plan to purchase a vehicle in the future to pick up and drop off clients.

Chairman Golden moved to recommend the ANC send a letter in support of the requested variance on the following conditions:

- A. Operating hours are restricted to 9:00 am to 5:30 pm on weekdays. After 6:00 pm, the parking lot gate will be closed and locked and the parking lot accessible only to those entities permitted by the applicant to access the lockbox for the gate. Any cars parked after hours on the lot with the permission of the applicant must be removed prior to 9:00 am on the following weekday morning.
- B. No more than thirty-six (36) patients may be present on the premises at any given time. No more than twelve (12) staff members may be present on the premises at any given time. The applicant will use best efforts to evenly allocate the presence of patients over the course of the day.
- C. The applicant will provide fourteen (14) onsite parking spaces for the use of patients and staff.
- D. The applicant will provide incentives for staff and patients to use public transit, to carpool, and/or to be dropped off by another driver. These incentives will include the applicant making



## Committee Reports Economic Development and Zoning Committee



available Metro tokens and/or fare cards.

- E. The Applicant will provide a bicycle rack for the use of patients and staff that can hold from fifteen (15) to twenty (20) bicycles.
- F. Loitering, gathering, and smoking in front of the building will be actively monitored and will not be tolerated.
- G. Double parking and idling on the streets outside the building will be actively monitored and will not be tolerated.
- H. All children on the premises are required to be accompanied by an adult.
- I. If there is an issue involving compliance with any of the foregoing conditions, the Applicant will contact ANC 6A to discuss the issue.
- J. The Applicant will provide the ANC and neighbors with a point of telephone contact.

In addition to the above conditions, which would be included in the BZA order, the Applicant was also requested to use best efforts to obtain as many letters of support from neighbors as possible prior to the July 9 ANC meeting.

The motion was seconded by Committee Member Boyette and passed unanimously (5-0).

### New Business

1. 1007 F St. NE (BZA 19064): Applicant seeks variances from the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, and the non-conforming structure requirements under § 2001.3, to allow the construction of a rear deck to an existing two-story, one-family dwelling in the R-4 District.

The Applicants and their architect discussed the plans for the rear deck, pointing out that the planned deck is identical to other decks on the block of houses. They further pointed out that at least one of the neighbors was granted a variance for their deck in 1980.

Committee Member Michael Hoenig inquired as to the privacy of the neighboring properties. Based on the plans, it appears that the deck may have a view into adjoining rear yards. He recommended obtaining letters of support from the two adjoining properties located at 1008 and 1010 Maryland Avenue NE.

Chairman Golden asked what it was about the property that meets the variance standard. Committee Member Brian Carlson suggested that an argument in favor of the variance is that the back yard of the property is below grade from the neighboring property, is faced with concrete walls on either side of the property, and, due to the neighbors easement over the property, it is a de-facto alley.

Committee Member Missy Boyette asked about the deck structure itself, and was informed that it will contain a shed underneath, with frame construction and a door on one side.

Chairman Golden moved the Committee recommend the ANC send a letter of support on the condition that Applicant use best efforts to obtain letters of support from 1008 and 1010 Maryland Avenue NE.

Committee Member Hoenig seconded and the motion was passed unanimously (5-0).

The meeting adjourned at 8:30 pm.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, August 19, 2015  
7:00 - 9:00 pm  
640 Tenth (10th Street) NE  
Sherwood Recreation Center, Second (2nd) Floor**



## Committee Reports Economic Development and Zoning Committee



July XX, 2015

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

Re: BZA Case No. 19021 (702 15th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on July 9, 2015,<sup>1</sup> our Commission voted X-X-X (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. The applicant seeks the requested relief to operate a medical office in the HS-A/C-2-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 several conditions that the Commission requests be incorporated into the zoning order, specifically that: 1) Operating hours are restricted to 9:00 a.m. to 5:30 p.m. on weekdays. After 6:00 p.m., the parking lot gate will be closed and locked and the parking lot accessible only to those entities permitted by the applicant to access the lockbox for the gate. Any cars parked after hours on the lot with the permission of the applicant must be removed prior to 9:00 a.m. on the following weekday morning; 2) No more than 36 patients may be present on the premises at any given time. No more than 12 staff members may be present on the premises at any given time. The applicant will use best efforts to evenly allocate the presence of patients over the course of the day; 3) The applicant will provide 14 onsite parking spaces for the use of patients and staff; 4) The applicant will provide incentives for staff and patients to use public transit, to carpool, and/or to be dropped off by another driver. These incentives will include the applicant making available Metro tokens and/or fare cards; 5) The applicant will provide a bicycle rack for the use of patients and staff that can hold from 15 to 20 bicycles; 6) Loitering, gathering, and smoking in front of the building will be actively monitored and will not be tolerated; 7) Double parking and idling on the streets outside the building will be actively monitored and will not be tolerated; 8) All children on the premises are required to be accompanied by an adult; 9) If there is an issue involving compliance with any of the foregoing conditions, the applicant will contact ANC 6A to discuss the issue; and 10) The applicant will provide the ANC and neighbors with a point of telephone contact.

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](mailto:philanc6a@gmail.com) and Mr. Hysell can be contacted at [hysell6a06@gmail.com](mailto:hysell6a06@gmail.com).

On Behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

<sup>1</sup> ANC 6A meetings are advertised electronically on [anc6a-announce@yahoogroups.com](mailto:anc6a-announce@yahoogroups.com), [anc-6a@yahoogroups.com](mailto:anc-6a@yahoogroups.com), and [newhilleast@yahoogroups.com](mailto:newhilleast@yahoogroups.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## Committee Reports Economic Development and Zoning Committee



July XX, 2015

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

Re: BZA Case No. 19064 (1007 F Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on July 9, 2015,<sup>2</sup> our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for variances from the lot occupancy requirements under § 403.2, the rear-yard requirements under § 404, and the non-conforming structure requirements under § 2001.3 in connection with the construction of a rear deck to an existing two-story, one-family dwelling in the R-4 District.

The Commission supports granting the requested variances because strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant and because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. Specifically, the Commission recognizes the unique characteristics of the existing rear yard that justify the relief requested, including the fact that it bounds retaining walls on two sides and that, based on the existence of easements across the neighboring properties, the yard functions as part of a de facto alley. The neighboring property owners that could be contacted support the requested relief.

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](mailto:philanc6a@gmail.com) and Mr. Hysell can be contacted at [hysell6a06@gmail.com](mailto:hysell6a06@gmail.com).

On Behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

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<sup>2</sup> ANC 6A meetings are advertised electronically on [anc6a-announce@yahoogroups.com](mailto:anc6a-announce@yahoogroups.com), [anc-6a@yahoogroups.com](mailto:anc-6a@yahoogroups.com), and [newhilleast@yahoogroups.com](mailto:newhilleast@yahoogroups.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## New Business



Ms. Kaya Henderson  
Chancellor  
D.C. Public Schools  
1200 First Street NE  
Washington, DC 20002

Dear Chancellor Henderson,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on July 9, 2015, our Commission voted X-X (with 5 Commissioners required for a quorum) to write you to express our support for a language immersion program at Miner Elementary School.

Our support is based on the community dialogue in recent months, including:

- ANC Members have been in conversation with in-boundary parents in the community;
- Presentations to the Miner Elementary School Parent Teacher Organization, wider community at Rosedale Recreation Center hosted by ANC6A representatives, ANC6A Community Outreach Committee, Ward 6 Speaks hosted by Capitol Hill Public School Parent Organization (CHPSPO), and meetings of in-boundary families;
- Information has been shared online via numerous neighborhood listservs;
- Support from CHPSPO including the formation of an immersion subcommittee to support the community in this conversation and the school in implementation; and
- Outreach including seeking insight and support from the office of Councilmember Charles Allen, DCPS Ward 6 Community Action Team member, DCPS Language Acquisition Office, Joe Weedon, Ward 6 Representative, State Board of Education, in-boundary ANC7D Commissioners, and Eliot-Hine Middle School Parent Teacher Organization representatives.

We believe that thriving schools are an important component of thriving communities because higher levels of education increase access to steady employment opportunities, decrease the likelihood of risk-taking behavior, reinforce positive social skills and build stronger community ties. Based on the research presented to us and the current context at Miner and in our neighborhood, we believe the addition of an immersion program will strengthen the school and our community because:

- The building facility at Miner is currently underutilized with dropping enrollment and immersion programs can serve as a “magnet” program drawing greater enrollment from the in-boundary community, surrounding neighborhoods, and across the city;
- There is a high demand for language immersion programs across DC are evidenced by the lottery process when so many families include language immersion programs among their top choices and the long waitlists for these programs;
- Faced with low test scores at Miner, we are encouraged that more than fifty (50) years of research on language immersion education has heralded benefits such as academic achievement (including raising test scores), language and literacy development and cognitive skills;

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<sup>1</sup> ANC 6A meetings are advertised electronically on the listservs [anc6a-announce@yahoo.com](mailto:anc6a-announce@yahoo.com), [anc-6a@yahoo.com](mailto:anc-6a@yahoo.com) and [newhilleast@yahoo.com](mailto:newhilleast@yahoo.com), at [www.anc6a.org](http://www.anc6a.org), and through print advertisements in the Hill Rag.



## New Business



- There is a well-established positive relationship between basic thinking skills and being a fully proficient bilingual individuals who maintains regular use of both languages. Fully proficient bilingual individuals outperform monolingual individuals in the areas of divergent thinking, pattern recognition, and problem solving;
- Increasingly, proficiency in a second language and intercultural competency skills open up employment possibilities. High-level, high-paying employment will demand competence in more than one language. We believe the Miner community would be a great fit for this type of educational opportunity; and
- Immersion programs have shown to be successful for reinvestment in neighborhood schools, creating learning environments that reflect and enhance the diversity of the community, where students develop strong self-esteem and cultural identity, and their families have greater commitment to the program increasing retention in enrollment and stability in the wider community.

As members of the community, we want to be involved in the long term planning vision for Miner Elementary and are eager to work with the school administration to ensure that the school is meeting the needs of its students, families, and our community. We have recently become aware that there is an upcoming strategic vision/planning process for Miner Elementary School. The ANC would like a language immersion program to be part of that work. We would provide our support to additional surveys of community support and feasibility. Additionally, we believe it is important for the team working on the vision for the school includes representation from the wider community –including Ward 6 education leaders, inbound families who will have students in the school during the years the program will be implemented, and the ANC.

A thriving neighborhood school with a unique, in-demand program is sorely needed in our community and would benefit the District as a whole.

On Behalf of the Commission,

Phil Toomajian  
Chair, Advisory Neighborhood Commission 6A

cc: Jennifer Niles, Deputy Mayor for Education  
DC Councilmember Charles Allen, Ward 6  
Joe Weedon, State Board of Education, Ward 6  
Maurice Wilkins, DCPS Ward 5 and 6 Community Action Team  
Tammy Alexander, Miner PTO Chair  
Suzanne Wells, CHPSPO



New Business





New Business

