



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for September 10, 2015



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

- 7:00 pm **Call to Order**
- 7:01 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:02 pm **Community Presentations**
Update from Mayor Bowser's Office (5 minutes)
- Education Forum - Ward 6 Councilmember Charles Allen, Ward 6 State Board of Education Member Joe Weedon & representatives from our local public schools
- 8:15 pm **Officer Reports**
Chair
Vice-Chair
Secretary
Treasurer
1. Approve Treasurer's Report *pg. 32*
- 8:20 pm **Standing Committee Reports:**
Community Outreach *pg. 38*
1. No reports. Committee did not meet in July and August 2015.
2. Next meeting - 7:00 pm, September 28, 2015 (4th Monday)
- 8:21 pm Alcohol Beverage Licensing *pg. 39*
1. Approve July 2015 committee report.
2. **Recommendation:** ANC 6A support the request by Kitty's Saloon, 1208 H Street NE, to seek a summer garden and entertainment endorsement, provided the hours reflected on such endorsement line up with the hours discussed at the July 21, 2015 ABL Committee meeting (ending 11:00 pm on weeknights, and 12:00 am on weekends), and support a stipulated endorsement.
3. Next meeting - 7:00 pm, September 15, 2015 (3rd Tuesday)
- 8:25 pm Transportation and Public Space Committee *pg. 49*
1. Approve July and August 2015 committee reports.
2. **Recommendation:** ANC 6A send a letter of support for Vendetta's public space application provided the owners agree to adhere to the following conditions: no changes to the hours when the front windows are open, no changes to the current settlement agreement, maintenance of the adjacent tree box, and no placement of an umbrella over the table
3. **Recommendation:** ANC 6A send a letter of support for the traffic calming application for the 400 block of Nineteenth (19th) Street NE.
4. **Recommendation:** ANC 6A support the plan to convert the parking area located in the middle of the square bound by Fifteenth (15th) Street NE, C Street NE, Sixteenth (16th) Street NE and D Street NE into a community garden.
5. Next meeting - 7:00 pm, September 21, 2015 (3rd Monday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 10, 2015**



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

8:35 pm **Economic Development and Zoning pg. 61**

1. Approve August 2015 committee report
2. **Recommendation:** ANC write a letter to the Department of Housing and Community Development (DHCD) in support of an application for DHCD funding by the owners of 1431 E Street NE to support the planned renovation of the ten (10) unit building.
3. **Recommendation:** ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of a special exception from the lot occupancy requirements under § 403, the rear yard requirements under § 404, and the addition to a non-conforming structure requirements under § 2001.3 to allow the construction of a rear spiral staircase at the existing flat at 1617 Gales Street NE (BZA 19104), on the condition that the applicant use best efforts to obtain letters of support from the owners of the adjoining properties prior to the September 10, 2015 ANC meeting.
4. **Recommendation:** 3) ANC write a letter to BZA in support of a variance from the off-street parking requirements under § 2101 to allow the construction of a new one-family dwelling at 1028 D Street, NE (BZA 19084), on the condition that the applicant use best efforts to obtain letters of support from the owners of the adjoining properties prior to the September 10, 2015 ANC meeting.
5. Next meeting - 7:00 pm, September 16, 2015 (3rd Wednesday)

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

8:55 pm **Community Comments (2 minutes each)**

9:00 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of July 9, 2015



Advisory Neighborhood Commission (ANC) 6A Minutes Mia's Coffeehouse, 1500 A Street NE July 9, 2015

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

The meeting convened at 7:00 pm.

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

Community Presentations

The Monument Academy

Ms. Marlene Magrino, Principal, and Mr. Kenneth Walker, Director of Operations, gave a briefing on the status of the opening of the Monument Academy. The Monument Academy should be operational the first week of August 2015. Ms. Connie Spinner, Executive Director, Community College Preparatory Academy (CC Prep), an adult only charter school, was also present to speak in support of the Monument Academy. CC Prep will have a satellite campus located at the Monument Academy.

Ms. Naomi Mitchell, Community Liaison for Councilmember Charles Allen, announced a back-to-school event will take place on Saturday, August 15, 2015 from 12:00 to 3:00 pm, on the DC General grounds.

Representatives from Mayor Bowser's Office

Mr. Seth Shapiro and Mr. Frank Maduro, Ward 6 Outreach Service Specialists, were present.

Mr. Shapiro gave an update on the status of alley repair projects throughout the city. A number of the repair projects are scheduled to take place in ANC6A. Any pending repair projects will be undertaken in conjunction with the DC Water and Sewer Authority.

Mr. Darrell Powe and Ms. Sheila Bracy of the DC Department of Behavioral Health, Recovery Support Services Division were present and provided material on the services offered.

Officer Reports

Chairman Toomajian spoke in tribute to the recently deceased Ms. Roberta Weiner who faithfully chronicled the minutes for the ANC 6A for over a decade. Mr. Toomajian also announced that ANC 6A would focus its September meeting on our community schools. Councilmember Charles Allen and Representative Joe Weedon of the State Board of Education will be present. Mr. Toomajian encouraged Commissioners to request that all community school leaders and parent advocates in the community schools be informed of the meeting to maximize participation in this discussion.

Treasurer's Report Ms. 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 1707) \$250 for agenda/web master services and \$200.00 for June 2015 agenda package; \$200.00 to Gail John (Check 1708) for June 2015 minutes; \$210.30 to FedEx office (June 2015 statement) (Check 1709); leaving a



Advisory Neighborhood Commission 6A Meeting Minutes of July 9, 2015



balance of \$18,316.92 in the checking account and \$13,720.77, with a \$.021 interest deduction in the savings account. The report was accepted and without objection.

Motion: Commissioner Zimny requested that the Commission authorize an additional payment of \$450.00 to Irene Dworakowski to cover her most recent month of services. The amendment was accepted without objection.

Committee Reports

Community Outreach Committee (COC)

The COC report was accepted without objection.

COC will not meet in July 2015. The next committee meeting will take place at 7:00 pm on August 17, 2015 (3rd Monday)

Alcohol Beverage Licensing (ABL)

The ABL report was accepted without objection.

Motion: The ABL moved and Mr. Toomajian seconded a motion that the ANC take no action concerning the patio expansion plans of the Lattice Partners LLC t/a Copycat Co. The motion passed (7-0).

Motion: Mr. Mahmud moved and Mr. Toomajian seconded a motion that 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. The motion passed (6-0).

Motion: Ms. Zimny moved and Mr. Levy seconded a motion that 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. The motion passed (7-0).

Next meeting: 7:00 pm, July 21, 2015 (3rd Tuesday)

Transportation and Public Space Committee (T&PS)

The T&PS report was accepted without objection.

Motion: The T&PS Committee moved and Mr. Toomajian seconded a motion that the ANC 6A send a letter of support to the DC Department of Transportation (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 Tenth (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. The motion passed (7-0).

Motion: The T&PS Committee moved and Mr. Calvin Ward seconded a motion that the ANC 6A send a letter of support to DDOT for Mia's Coffeehouse public space application for a sidewalk café at 1500 A Street NE with the condition that the owners agree to reasonable use and maintenance requirements from the ANC, which will be presented to DDOT for attachment to the public space permit.

Motion: Mr. Mahmud moved and Mr. Toomajian seconded a motion to discuss a curb cut application for 746 Nineteenth (19th) Street NE. The motion passed (7-0). Discussion ensued.



Advisory Neighborhood Commission 6A Meeting Minutes of July 9, 2015



Motion: Mr. Mahmud moved and Mr. Toomajian seconded a motion to send a letter to DDOT opposing the proposed curb cut due to concerns about pedestrian and traffic safety. The motion passed (7-0).

Next meeting: 7:00 pm, July 13, 2015 (3rd Monday)

Economic Development and Zoning Committee (ED&Z)

The ED&Z report was accepted without objection.

Motion: The ED&Z Committee moved and Mr. Mahmud seconded a motion that the ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of a variance from the off-street parking requirements under section 2101 in connection with the operation of a medical office at 702 Fifteenth (15th) Street NE (BZA19021) 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 to use public, to carpool, and/or to be dropped off by another driver;
- 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; and
- 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 for neighboring property owners as possible to the July 9, 2015 ANC meeting.

The motion passed (7-0).

Motion: The ED&Z Committee moved and Mr. Toomajian seconded a motion that the ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of variances from the lot occupancy requirements under section 403.2, the rear yard requirements under section 404.1, and the addition to a non-conforming structure requirements under section 2001.3 to allow the construction of a rear deck to the existing two-story, one-family dwelling at 1007 F Street NE (BZA19064), 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. The motion passed (7-0).



Advisory Neighborhood Commission 6A Meeting Minutes of July 9, 2015



The ED&Z Committee will not meet in July 2015. Next meeting: 7:00 pm, August 19, 2015 (3rd Wednesday).

New Business

Motion: The Commission accepted without objection a motion to amend the agenda to delay the proposed language immersion curriculum at the Miner Elementary School.

Motion: Mr. Toomajian moved and Mr. Mahmud seconded a motion that ANC 6A send a letter to DDOT requesting immediate action on a sidewalk pending repair request on the 900 block of G Street NE of two (2) years duration. The motion passed (7-0).

Motion: Mr. Toomajian moved and Mr. Mahmud seconded a motion that ANC 6A send a letter to the DC Department of General Services (DGS) requesting improved security cameras at the Sherwood Recreation Center at 640 Tenth (10th) Street NE, and the Madison building at Tenth (10th) and G Streets NE, and to the Metropolitan Police Department (MPD) requesting additional resources at the those locations. The motion passed (7-0).

Commissioner Mahmud departed the meeting after this vote took place.

Motion: Ms. Zimny moved and Ms. Phillips-Gilbert seconded a motion that the ANC send a letter to DC Public Schools in support of the language immersion curriculum at the Miner Elementary School. The motion passed (6-0).

Motion: Mr. Malone moved and Mr. Levy seconded a motion that the Commission renew its website and authorize funding in the amount of \$15.00 to do so. The motion passed (6-0).

Community Comments

Members of the community outlined concern about neighborhood schools and support for having a language immersion curriculum at Miner Elementary. Others expressed their opposition to the proposed curb cut for 746 Nineteenth (19th) Street NE.

The meeting adjourned at 9:15 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Letters of July 9, 2015 Meeting



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



July 10, 2015

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

Re: Application for a curb cut and driveway across public space at 746 19th Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting¹ on July 9, 2015, our Commission voted 7-0 (with 5 Commissioners required for a quorum) to express our opposition to a public space application for a curb cut and driveway across public space at 746 19th Street NE.

The location of the proposed curb cut and driveway along this particular portion of 19th Street NE, just south of a busy intersection at Benning Road NE and directly adjacent to a left turn only lane for turning onto Benning Road NE, is troubling for the following reasons. First of all, this is a well-travelled portion of 19th Street with a good deal of pedestrian traffic given the restaurant at the corner (at Benning Road NE). The attached photo shows typical auto traffic flow for the lane of traffic adjacent to the proposed curb cut location (you can see the side of the building adjacent to the applicant’s currently renovated building in the picture). Given that the curb cut and driveway will be for a one-car garage, this means the occupant will have to either back in or back out of this garage across a sidewalk and into a fairly busy street. Based on the traffic at this site, we find it hard to believe the occupant will have an easy time getting traffic to stop so a car can be backed into or reversed out of this garage parking spot. Attempts to do so will likely cause a good deal of confusion and traffic congestion, and create a dangerous situation for motorists and pedestrians.

Further, it is problematic that the proposed curb cut and driveway will be right next to another curb cut and driveway for the property immediately north of the applicant’s lot on 19th Street NE, which also has a garage entrance. We believe having two curb cuts side-by-side with two garages right next to each other in this location unnecessarily increases the risk of accidents and endangers pedestrians.

Finally, it is our policy to view curb cut requests skeptically and to only entertain supporting them when they are very well-justified uses of public space (e.g. the homeowner has no other option to access a pre-existing off-street parking spot). Here, the garage does not currently exist

¹ ANC 6A meetings are advertised electronically on anc6a-announce@yahoogleroups.com, anc-6a@yahoogleroups.com, and newhilleast@yahoogleroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Commission Letters of July 9, 2015 Meeting



and we have been told it is only being built to satisfy a Zoning Administrator parking spot requirement that we believe does not fit this particular location.

Due to the considerations explained above, we respectfully request that you deny this curb cut application.

Thank you for affording great weight to the views of ANC6A feedback on this curb cut application. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at philanc6a@gmail.com or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A



ATTACHMENT A





Commission Letters of July 9, 2015 Meeting



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



July 10, 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 101 15th Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting¹ on July 9, 2015, our Commission voted 7-0 (with 5 Commissioners required for a quorum) to express our conditional support for the above-referenced sidewalk café application for a fourteen (14) seat patio.

The motion our ANC passed on July 9, 2015 supporting the Mia's Coffeehouse public space application related to a sidewalk cafe at 101 15th 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 8 pm Monday through Thursday, from 9 am to midnight Friday, from 10 am to 9 pm Saturday and from 10 am to 8 pm 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.

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Commission Letters of July 9, 2015 Meeting



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

Thank you for giving consideration to our ANC's feedback on this public space proposal for a fourteen seat sidewalk café seating area. 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 or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A



Commission Letters of July 9, 2015 Meeting



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Box 75115
Washington, DC 20013



July 10, 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 meeting¹ on July 9, 2015, our Commission voted 7-0 (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 or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of July 9, 2015 Meeting



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



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 meeting¹ on July 9, 2015, our Commission voted 6-0 (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 neighborhood 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 this neighborhood 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 and others;
- There is a high demand for language immersion programs as evidenced by the lottery process when so many families include language immersion programs among their top choices and the long waitlists for these programs;

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Commission Letters of July 9, 2015 Meeting



- 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;
- 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, which is the in boundary population that should help fill Miner. 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 and DCPS.

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, CHPSP0



Commission Letters of July 9, 2015 Meeting



District of Columbia Government
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Box 75115
Washington, DC 20013



July 10, 2015

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

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

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on July 9, 2015,¹ our Commission voted 7-0 (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. 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

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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 and Mr. Hysell can be contacted at hysell6a06@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A



Commission Letters of July 9, 2015 Meeting



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July 10, 2015

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

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

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on July 9, 2015,¹ our Commission voted 7-0 (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 and Mr. Hysell can be contacted at hysell6a06@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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July 10, 2015

Mr. Leif A. Dormsjo
Director, District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Re: Unresolved two year old request for sidewalk repair at 901 G Street NE (13-00176040)

Dear Mr. Dormsjo,

At a regularly scheduled and properly noticed meeting¹ on July 9, 2015, our Commission voted 7-0 (with 5 Commissioners required for a quorum) to request that the District Department of Transportation (DDOT) take immediate action to address service sidewalk repair request SRN 13-00176040 (901 G St NE). This request has been pending for two years and despite repeated calls and emails to the agency and inquiries from representatives in the each of the past two Administrations, no action has been taken to address the dangerous conditions on site.

The sidewalk on this block is a heavily traffic pedestrian thoroughfare that is used by many of our youngest and oldest residents. The sidewalk is adjacent to the Sherwood Recreation Center, which houses our neighborhood’s most popular playground. It is across the street from the Capital Hill Towers, which is home to hundreds of senior citizens. Both our children and our senior citizens rely on safe, even sidewalks to traverse to our community recreation center and our neighborhood schools and small businesses.

While no one expects immediate attention to sidewalk repair requests and this one requires more work than many due to the large areas of the sidewalk that have sunken in and become overgrown, it is unacceptable that this 311 request has sat stagnant for two entire years. We request DDOT’s immediate action repair this sidewalk as soon as possible.

Thank you for giving great weight to the recommendation of ANC 6A. I can be reached at PhilANC6A@gmail.com.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

cc: Councilmember Charles Allen
Mayor’s Office on Community Relations and Services

¹ ANC 6A meetings are advertised electronically on anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com, and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Commission Letters of July 9, 2015 Meeting



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



July 16, 2015

Joseph Bembry
Department of Consumer and Regulatory Affairs
1100 4th Street, SW
Washington, DC 20024

Re: 1300 H Street NE (BZA Case No. 19026) Building Address Assignment

Dear Mr. Bembry:

The proposed building, located at 13th Street and H Street NE, received Board of Zoning Adjustment approval on July 7, 2015. The building is planned as mixed use with 6,616 SF of ground floor retail and 36 residential units above. To accommodate ground level retail fronting H Street and to benefit the H Street streetscape, the residential entrance is located on 13th Street. The proposed building was approved with a parking variance of to provide less than the required number of spaces.

ANC 6A submitted a letter in support of the application on the condition that the Applicant for all purposes treat the building as fronting on H Street NE, and exhibit best efforts in assigning or causing the District to assign an H Street address to the building and each of its residential units. The assignment of an H Street address would prohibit building residents from obtaining Residential Parking Permits.

At a regularly scheduled and properly noticed meeting on June 11, 2015,¹ our Commission voted 6-0 (with 5 Commissioners required for a quorum) to request that DCRA assign an H Street address for the proposed building. This will importantly aid the Commission by prohibiting residents of the proposed project from obtaining RPP's, which was a condition for the ANC's support of the variance to provide less than the required number of parking spaces.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahogroups.com, anc-6a@yahogroups.com, and newhilleast@yahogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Commission Letters of July 9, 2015 Meeting



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



July 20, 2015

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

Re: Exterior cameras for Madison Building and Sherwood Recreation Center

Dear Acting Director Kayne:

At a regularly scheduled and properly noticed meeting¹ on July 9, 2015, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to request that the District Department of General Services (DGS) take immediate steps to install additional security cameras on the exterior of the Madison Building (651 10th St NE) and Sherwood Recreation Center (640 10th St NE).

The intersection of these two DGS-controlled buildings at 10th and G Street NE pose certain challenges for the surrounding community. In recent years, the lack of adequate exterior security cameras has contributed to a number of unresolved incidents nearby. Between the Madison building, the Sherwood Recreation Center, and the School Within a School at Goding building, DGS controls nearly three quarters of the land on the 600 block of 10th Street NE. None of these buildings provide proverbial eyes on the street after dark and exterior security cameras are necessary to help offset the ensuing issues that stem from that fact.

Thank you for giving great weight to this recommendation of ANC 6A. I can be reached at PhilANC6A@gmail.com should you or your staff have any questions regarding this matter.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

cc: Councilmember Charles Allen
Keith Anderson, Department of Parks and Recreation
Mayor's Office on Community Relations and Services

¹ ANC 6A meetings are advertised electronically on anc6a-announce@yahooogroups.com, anc-6a@yahooogroups.com, and newhilleast@yahooogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Commission Letters of July 9, 2015 Meeting



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



July 13, 2015

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

Re: ABRA #099569 (Imm On "H"), 1360 H Street NE

Dear Ms. Miller,

Advisory Neighborhood Commission 6A has reached a Settlement Agreement with Imm on "H" (1360 H Street NE). The jointly signed SA is attached.

At its July 9, 2015 meeting, the ANC voted 7-0 to reach a Settlement Agreement with the establishment. Included in this 7-0 vote was a motion to support a stipulated license for Imm On "H" while its full license is being vetted by ABRA.

Five Commissioners are required for a quorum. This monthly meeting was publicly announced and properly noticed. ANC 6A meetings are advertised electronically on anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com, and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.

If you have any questions regarding this SA, please do not hesitate to contact me.

On behalf of the Commission,

Christopher Seagle
Co-Chair, ANC 6A ABL Committee



Commission Letters of July 9, 2015 Meeting



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

Page 1 of 4



Commission Letters of July 9, 2015 Meeting



- 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

Page 2 of 4



Commission Letters of July 9, 2015 Meeting



- 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



Commission Letters of July 9, 2015 Meeting



The parties have affixed hereto their hands and seals.

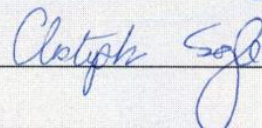
Applicant:

By: NUTTAKORN KETTUTAT Date: 7/2/15

Signature: 

Advisory Neighborhood Commission 6A Representative:

By: Christopher Seagle Date: 7/12/15

Signature: 



Commission Letters of July 9, 2015 Meeting



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



August 29, 2015

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

Re: ABRA #000420 (Jumbo Liquors, Inc. t/a Jumbo Liquors), 1122 H Street NE

Dear Ms. Miller,

Advisory Neighborhood Commission 6A has reached a Settlement Agreement with Jumbo Liquors (1122 H Street NE). The jointly signed SA is attached.

At its May 14, 2015 meeting, the ANC voted 8-0 to protest the applicant's license renewal unless a new signed Settlement Agreement is submitted. Now that a new Settlement Agreement suitable to both parties has been reached, the ANC hereby withdraws its protest of Jumbo Liquors.

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

If you have any questions regarding this SA, please do not hesitate to contact me.

On behalf of the Commission,

Jay Williams
Co-Chair, ANC 6A ABL Committee



Commission Letters of July 9, 2015 Meeting



Made this 20th day of August, 2015

by and between

Jumbo Liquors, Inc. t/a Jumbo Liquors (ABRA #000420)
1122 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 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. If all Class A and B licensees within 1,500 feet of the Applicant are permitted to sell individual containers of beer, malt liquor, or ale in single containers of alcohol of 70 ounces or less, paragraph 1(a) above will automatically be terminated.
 - c. Applicant shall only sell, give, offer, expose for sale, or deliver beer, malt liquor, or ale containers of

Settlement Agreement between Jumbo Liquors and ANC6A

Page 1 of 4



Commission Letters of July 9, 2015 Meeting



70 ounces or less with multiple-container packaging supplied by the manufacturers of two or more individual containers (example: 2-packs, 4-packs, 6-packs, 12-pack cases, etc.).

- d. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of wine or fortified wine in a single container with a capacity of less than 375 ml.

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 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.

Settlement Agreement between Jumbo Liquors and ANC6A

Page 2 of 4



Commission Letters of July 9, 2015 Meeting



- c. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Posting a sign kept in good repair requesting customers to not contribute to panhandlers,
 - 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.
 - iv. 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.
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.
 - b. Applicant shall complete an alcoholic beverage server training course.
 - c. 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. Any previous Settlement Agreements entered into by the Applicant are superseded by entry of this Settlement Agreement.



Commission Letters of July 9, 2015 Meeting



In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Jumbo Liquors Inc. Date: 8.21.15

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: Jay Williams, Co-Chair, ANC 6A ABL Committee Date: 8/20/2015

Signature: [Handwritten Signature]



Officer Reports - Treasurer



ANC 6A Treasurer's Report August 2015

Period Covered 8/1/2015-8/31/2015

Checking Account:

Balance Forwarded		\$	14,695.52
Receipts:	Q1 District Allotment	\$	4,481.70
	Q2 District Allotment	\$	4,481.70
		\$	-
Total Receipts		\$	8,963.40
Total Funds Available		\$	23,658.92
Disbursements:			
	Irene Dworakowski (Agenda/Web Master Services	Ck #1710	\$ 500.00
	Note Taking (Aug 2015 Minutes)	Ck #1711	\$ 200.00
	Yearly Fee for ANC Meeting Use (Miner)	Ck #1712	\$ 1,012.80
Total Disbursements		\$	1,712.80
Ending Balance		\$	21,946.12

Savings Account:

Balance Forwarded		\$	13,720.56
Receipts:	Interest	07/28/15	\$ 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 August 2015

PETTY CASH SUMMARY

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



Officer Reports - Treasurer



GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF GENERAL SERVICES



August 17, 2015

REVISED: September 3, 2015

Mr. Phil Toomajian, Chair
Advisory Neighborhood Commission (ANC) 6A
631 10th Street, N.E.
Washington, D.C. 20002

Dear Mr. Toomajian:

Attached for your records is a copy of the **revised** use agreement for the Advisory Neighborhood Commission (ANC) 6A, requesting permission to use the multipurpose room in Miner Elementary School, to host monthly ANC meetings. The use is scheduled every 2nd Thursday, from ~~6:30~~ pm 7:00 pm until ~~9:30~~ pm 9:00 pm, on the following dates: September 10, 2015, October 8, 2015, November 12, 2015, December 10, 2015, January 14, 2016, February 11, 2016, March 10, 2016, April 14, 2016, May 12, 2016 and June 9, 2016. Please be advised that a separate application to use facilities form must be received in the DGS Realty Office twenty days prior to the proposed summer usage.

The User must also observe all closings of the building due to inclement weather, or cancellation of activities by the direction of the Chancellor. Please be advised that first priority for use of any District of Columbia Public Schools (DCPS) building or grounds is given to DCPS.

This Use Agreement shall terminate upon the earlier of: (a) at the end of the Term of this Use Agreement; or (b) the District's termination of the User's right, to the contrary of the terms and conditions of this Use Agreement, and/or under reasonable circumstances, the District shall have the unilateral right, in its sole discretion, to terminate this Use Agreement upon a thirty (30) days prior written notice to the User; or (c) the User may elect to terminate prior to end of the Term of this Use Agreement upon a written notice to the DC Public Schools (DCPS) and the Department of General Services (DGS), at least ten (10) business days prior to the last date of usage.

In addition, the following terms and conditions govern this use:

- The User accepts the Premises in its "as is, where is" condition as of the commencement of this Use Agreement;
- The purpose of this activity is to conduct Government business;
- Since the ANC is a District Government Entity, a rental fee will not be incurred. The use takes place during the normal tour of duty of the custodial staff and custodial services will be provided. However, this use is scheduled beyond the normal tour of duty of the security staff, and as a result, security services are required and the ANC is responsible for the cost of security coverage;
- The ANC must submit to the DGS Realty Office an executed Acknowledgement and Acceptance of the Terms of Use page, and
- The user does not have the authority to sublease, transfer or assign this agreement. Any violation will result in the immediate termination of this agreement and will jeopardize any future requests to use space in DCPS buildings and grounds.



Officer Reports - Treasurer



ANC 6A
@ Miner Elementary School
September 10, 2015 – June 9, 2016
Page 2


August 17, 2015
REVISED: September 3, 2015

The cost proposal for security services, prepared by the DC Public Schools (DCPS) Security Office, is attached for your information. The revised security services fee is ~~\$1,350.40~~ \$1,012.80. You may make monthly payments in the amount of \$101.28. The first payment is due on or before Friday, September 4, 2015. Thereafter, monthly payments are due the first day of each month.

All payments and requested documents must be received in the Department of General Services (DGS) Realty Office, located in the Frank D. Reeves Center, 2000 14th Street, N.W., 5th floor, Washington, D.C. 20009.

If you have any questions regarding this use, or if this use is cancelled or postponed, please notify the DGS Realty Office, on 202/442-5199, at least forty-eight (48) hours in advance to avoid cancellation fees.

Sincerely,


Yvette A. Cobb
Realty Specialist

YAC

Attachments

cc: Dr. Anne Evans, Principal
Mr. Robert McCullagh, Chief-DCPS Security Office

Acknowledgment and Acceptance of the Terms of this Agreement

Signature:
ANC 6A

Date:



Officer Reports - Treasurer



9/3/2015

9:42 AM



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS
Office of School Security

REVISED – 09/03/2015

Request for Security

By: Advisory Neighborhood Commission 6A

@ Miner ES – 601 15th St., NE

The security officers will provide quality services for the protection of human life, the prevention of loss of DCPS property and the detection/reporting of criminal activity during their **“Monthly ANC Meetings” held on the 2nd Thursday of each month starting Thursday, September 10, 2015.**

Period of Coverage beginning: **September 10, 2015**

Exact number of expected Attendees: **50**

Specific Area Requested: **School – Cafeteria**

Handling of Money: **Yes () No (X)**

Type of Event: **Regular School/Extended: ()**

Special Activities: DCPS () DGS (X)

Sport Activities: DCPS () DGS ()

Will Weapons Screening Be Required

Contact: **Phil Toomajian, Chair**

Yes () No ()

(202) 309-2805 – Phone

() – Fax

Hours of Begin	Operation Ending	Days of Month	Operation Day	Date	# Officers	Rate	# Days	# Hours	Total Amount	
									\$ -	
6:30 PM	9:30 PM	Sept	Thurs	10	1	33.76	1	3	\$ 101.28	
									\$ -	
									\$ -	
TOTAL								1	3	\$ 101.28

Comments: Hours changed for meeting.

Total Estimate: \$101.28

Robert F. McCullagh, Jr.,

Chief

Office of School Security

3535 V Street NE

Washington, D.C. 20018

(202) 576-6962 office – (202) 576-6593 fax

Regina F. Walters – August 4, 2015 / Revised 09/03/15 - aft



Officer Reports - Treasurer



9/3/2015

9:42 AM



Request for Security By: Advisory Neighborhood Commission 6A @ Miner ES – 601 15th St., NE

The security officers will provide quality services for the protection of human life, the prevention of loss of DCPS property and the detection/reporting of criminal activity during their **“Monthly ANC Meetings” held on the 2nd Thursday of each month starting Thursday, October 8, 2015 until June 9, 2016.**

Period of Coverage beginning: **October 8, 2015**

Exact number of expected Attendees: **50**

Specific Area Requested: **School – Cafeteria**

Handling of Money: **Yes () No (X)**

Type of Event: Regular School/Extended: **()**

Special Activities: **DCPS () DGS (X)**

Sport Activities: **DCPS () DGS ()**

Will Weapons Screening Be Required

Contact: **Phil Toomajian, Chair**

Yes () No ()

(202) 309-2805 – Phone

() – Fax

Hours of Operation	Days of Operation	Operation Date	# Officers	Rate	# Days	# Hours	Total Amount
Begin	Ending	Month	Day				
6:30 PM	9:30 PM	Oct	Thurs	8	1	33.76	\$ -
		June	Thurs	9			\$ 911.52
							\$ -
							\$ -
TOTAL						9	27 \$ 911.52

Comments: Monthly Meetings – 2nd Thursday of each Month

Total Estimate: \$911.52

Robert F. McCallagh, Jr.,

Chief

Office of School Security

3535 V Street NE

Washington, D.C. 20018

(202) 576-6962 office – (202) 576-6593 fax

Regina F. Walters - August 4, 2015



Committee Reports
Community Outreach Committee (COC)



No reports. Committee did not meet in July and August 2015.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Minutes

Alcoholic Beverage Licensing (ABL) Committee

Advisory Neighborhood Commission (ANC) 6A

July 21, 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 (10th) Street NE, Washington, DC 20002.

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

Committee Members Absent: Christopher Seagle (Co-Chair).

Commissioners Present: None.

Community Members Present: Ashlee Lawal (Managing Partner, Kitty’s Saloon), Jeff Jackson (Da Luft), Tobi Solaja (Da Luft), Jordan Washington, Victor McCoy, Rafael Martin.

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

- Mr. Williams provided updates on the ongoing protests of certain establishments.
 - The ANC is still speaking with Touché regarding a potential settlement agreement. The protest hearing is scheduled for October 14, 2015.
 - Mr. Williams stated that he was confident a settlement agreement would be reached with Jumbo Liquors, but the terms were still being negotiated.

IV. New Business

A. Discussion of planned summer garden by Kitty’s Saloon at 1208 H Street NE (License No. ABRA-088675).

- Mr. Williams introduced Ms. Lawal, a managing partner for Kitty’s Saloon, to present on the establishment’s expansion plans.
- Ms. Lawal stated that the next phase of the establishment is to build out the second floor and include seating both upstairs and on an outdoor deck.
- The second floor deck would attach to the first floor outdoor space via staircase. Ms. Lawal stated that the look of the outdoor space would be similar to the Queen Vic.
- The establishment is currently awaiting an approved occupancy load for the second floor.
- Mr. Williams noted that the current settlement agreement states that music would not be allowed outside. Ms. Lawal stated that there were no plans for entertainment on the second floor deck. Entertainment would all be acoustic and would be indoors.
- Ms. Lawal stated that seating on the deck would be limited to five to ten (5-10) seats, and the deck would be enclosed.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Oberting asked if food would be served on the deck. Ms. Lawal stated that there would be high-top tables, where patrons could have drinks and food. There would not be a bar on the deck, so servers would bring food and drink from inside.
- Mr. Williams asked for more details regarding the enclosure of the deck. Ms. Lawal stated that the first floor deck is currently enclosed by wood, and the second would be enclosed by wood and hopefully eventually a retractable roof.
- Mr. Oberting asked what hours the establishment planned to have on its deck. Ms. Lawal stated they would close by 12.00 am on Fridays and Saturdays and 11:00 pm on weeknights.
- Mr. Williams asked what entertainment hours the establishment would seek. Ms. Lawal stated they would seek entertainment for just the second floor and would seek the same hours as the outdoor space.

Mr. Williams moved/Mr. Oberting seconded that the ANC support the request by Kitty's Saloon to seek a summer garden and entertainment endorsement, provided the hours reflected on such endorsement line up with the hours discussed at the meeting (ending 11:00 pm on weeknights, and 12:00 am on weekends), and support a stipulated endorsement. The motion carried 5-0.

B. Discussion of request by Da Luft at 1242 H Street NE (License No. ABRA-087780) for a change from a Restaurant to a Tavern license.

- Mr. Williams introduced Mr. Jackson, who presented on behalf of Da Luft. Ms. Solaja also provided information.
- Mr. Jackson explained that the only difference in Da Luft's operation if they make the license change is that they will not have to submit quarterly reports to the Alcoholic Beverage Regulation Administration (ABRA).
- Mr. Jackson stated that the establishment initially expected more food business than it actually got, and food sales have decreased.
- Mr. Oberting asked if Da Luft can and will still serve as much food as they want. Mr. Jackson said yes.
- Mr. Williams asked about a recent incident at the establishment that involved the Chief of Police shutting Da Luft down for a period of time. Mr. Jackson stated that the establishment reached a settlement with ABRA, hired a security trainer/manager to train staff. According to Mr. Jackson, there was a violent incident inside the establishment and security intervened at the time.
- Mr. Rzepka asked if the incident was between two patrons. Mr. Jackson said it was, and seemed to be a "domestic" incident. An individual was cut with an unknown object.
- Mr. Jackson stated that Da Luft was using a security company prior to the incident, but they hired a different company afterward.
- Mr. Williams stated that there were serious allegations that employees did not cooperate with the investigation. Ms. Solaja stated that employees did cooperate, and the only thing that was missing was an immediate sharing of security video recordings, which were turned over within twenty-four (24) hours.
- Mr. McCoy asked about multiple allegations being made against the establishment from that night. Mr. Williams explained that multiple violations were alleged, but the offer in compromise with the board appeared to have resolved those allegations.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Herman asked if Da Luft had been meeting the CR food sales requirements. Ms. Solaja stated that they had, but the sales were declining.
- Mr. Williams stated that he had heard complaints from neighbors attributing noise issues to patrons coming out of Da Luft. Ms. Solaja stated that security monitors patrons leaving the establishment, and to the extent there is any noise it's usually briefly around 2:30 am or 3:00 am when people are leaving. Ms. Solaja stated that they have never received a noise violation from ABRA.
- Mr. Martin asked how people know that noise is coming from patrons of Da Luft. Mr. Williams acknowledged that people could not know conclusively, but neighbors did state that things were quieter during the times that Da Luft was shut down by the Chief of Police.
- Mr. Oberting stated that he believed a protest of this license change would not go anywhere.
- Mr. Herman referenced previous discussions in ANC 6A regarding CR vs. CT licenses. Mr. Williams gave a brief overview of the history of those discussions.
- Mr. Rzepka asked if a CT license meant there was no requirement to serve food. Mr. Jackson stated that they still must serve food, but they would no longer have a minimum amount. Ms. Solaja said they plan to continue selling food at all times.
- Mr. Rzepka asked if the ANC would have fought a CT license if that was what Da Luft sought initially when it opened. Mr. Williams stated they may have, but it was difficult to say.
- Mr. Oberting asked if a protest would provide leverage for raising noise complaints. Mr. Williams said it could. Mr. Oberting stated he believed noise complaints should be raised with ABRA.
- Mr. Martin asked if Da Luft uses third party promoters. Ms. Solaja said they do, but they do not turn over control of the establishment to promoters.
- Mr. Martin asked if the people who had raised noise complaints were aware of this Committee meeting. Mr. Williams said yes, but that one person who raised complaints said he was unable to make it to the meeting.

Mr. Williams moved/Mr. Rzepka seconded that the ANC protest the request by Da Luft to change its license from a Restaurant to a Tavern. The motion failed 1-3-1.

V. Adjourn

The Committee adjourned at 7:55 pm.



Committee Reports
Alcohol Beverage and Licensing (ABL)



THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:)	
)	
18th & D Liquors, Inc.)	
t/a Master Liquors)	
)	
Application for Renewal of a)	Case No. 15-PRO-00035
Retailer’s Class A License)	License No. ABRA-074594
)	Order No. 2015-345
at premises)	
1806 D Street, N.E.)	
Washington, D.C. 20002)	

18th & D Liquors, Inc., t/a Master Liquors (Applicant)
Jay Williams, Co-Chair, Advisory Neighborhood Commission (ANC) 6A
Becky Cook-Shyovitz, on behalf of A Group of Five or More Individuals

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER ON SETTLEMENT AGREEMENT AND DISMISSAL A GROUP OF FIVE OR MORE INDIVIDUALS’ PROTEST

The Application filed by 18th & D Liquors, Inc., t/a Master Liquors, for renewal of its Retailer’s Class A License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 26, 2015, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and ANC 6A entered into a Settlement Agreement (Agreement), dated June 5, 2015, that governs the operation of the Applicant’s establishment.



Committee Reports Alcohol Beverage and Licensing (ABL)



The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Co-Chair Jay Williams, on behalf of ANC 6A, are signatories to the Agreement.

The Board dismissed the Protest of the Group of Five or More Individuals pursuant to D.C. Official Code § 25-609(b), which states that "...In the event that an affected ANC submits a settlement agreement to the Board on a protested license application, the Board, upon its approval of the settlement agreement, shall dismiss any protest of a group of no fewer than 5 residents or property owners meeting the requirements of § 25-601(2)..."

Accordingly, it is this 15th day of July, 2015, **ORDERED** that:

1. The above-referenced Settlement Agreement, dated June 5, 2015, submitted by the Applicant and ANC 6A to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modifications:

Section 4(f) (Signage/Loitering/Illegal Activity) – This Subsection shall be removed.

Section 6(d) (Miscellaneous) – The following language shall be modified to read as follows: "Applicant is encouraged to participate in a Business Improvement District program if one exists."

Section 7 (Enforcement) – The term "assigns" shall be removed.

The parties have agreed to these modifications.

2. The Protest of the Group of Five or More Individuals is **DISMISSED**; and
3. Copies of this Order shall be sent to the Applicant, ANC 6A, and Becky Cook-Shyovitz, on behalf of A Group of Five or More Individuals.



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 D.C. Official Code § 25-433, 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, N.W., Suite 400S, Washington, DC 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, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). 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) (2004).



Committee Reports Alcohol Beverage and Licensing (ABL)



Made this 5th day of June, 2015

by and between

18th 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

Page 1 of 4



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

Page 2 of 4



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 18th 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/loiterers 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)
July 20, 2015

- I. Meeting called to order at approximately 7:00 pm.
- II. Introductions - Committee members in attendance were Commissioner J. Omar Mahmud (Co-Chair), Elizabeth Nelson and Andrea Adelman. Also in attendance were ANC Commissioner Calvin Ward and other members of the community.
- III. Announcements
 - A. Traffic signal at Maryland Avenue and 10th Street NE is slated for installation in early August 2015.
- IV. Community Comment
 - A. A community member complained about public urination in area around H Street and the Capitol Hill Towers, particularly the alley that lies between the Capitol Hill Towers and the H Street Connection.
 - i. Commissioner Mahmud agreed with the resident that this is a serious problem and that he sees this problem first-hand regularly given his house is immediately adjacent to the alley as well. Commissioner Mahmud suggested that this is a particular problem at this location given all of the pedestrian activity at Eighth (8th) and H Streets NE where two major bus lines intersect. Commissioner Mahmud pointed out that some cities like San Francisco offer self-cleaning public restrooms in high pedestrian area traffic areas, but that this solution is expensive and it could attract unwanted activity inside the bathrooms. However, he agreed something needed to be done and that he has asked for Metropolitan Police Department (MPD) support on this issue in the past. Commissioner Mahmud also suggested the best thing to do for now is to call 911 anytime this activity is witnessed. Even if the person is no longer there by the time MPD arrives, MPD will see this is a problem area in need of additional patrol resources if our calls for service are captured by dispatch.
 - B. A community member pointed out that our sidewalks are in need of serious repair, pointing out a couple locations that are extremely difficult to navigate with her wheelchair, including the 700 block of Tenth (10th) Street NE and the 900 block of Tenth (10th) Street NE.
 - i. Commissioner Mahmud thanked the resident for raising this concern given it is something he has been concerned about for some time. Commissioner Mahmud pointed out that the District Department of Transportation (DDOT) needs to do a better job of addressing repair areas that prove to be dangerous for handicapped and elderly pedestrians. Commissioner Mahmud pointed out that he has put in service repairs for the 700 block of Tenth (10th) Street NE for about two (2) years with no response from DDOT. Commissioner Mahmud indicated he would put in a repair request for the 900 block of Tenth (10th) Street NE and update residents once and if he receives a response from DDOT.
- V. New Business
 - A. Presentation from representatives for Midnight on Mars 5K run. Commissioner Mahmud introduced Ashley Lawson and Matt Green representatives for the run, and thanked them for attending our meeting. Ms. Lawson and Mr. Green then shared the following information:



Committee Reports

Transportation and Public Space (T&PS)



- i. Run organizers and participants are part of a growing urban group of runners in the District focused on promoting fitness, culture and running. The run will take place on August 1, 2015 around 9:00-10:00 pm. The organizers indicated this run has taken place along H Street the last two (2) years.
 1. Commissioner Mahmud expressed concern that organizers had not come to the ANC community in prior years to share this information. Commissioner Mahmud also expressed concern that residents may not be aware of this event given it is less than two (2) weeks away so he encouraged the organizers to get the word out immediately. Commissioner Mahmud also encouraged the organizers to come to the ANC with information about the run next year at least three (3) months prior to the event. The organizers agreed to this.
 - ii. The run route will cover areas in Capitol Hill and the H Street corridor. Commissioner Mahmud asked for clarification on the exact route to be run, but the organizers did not seem to have a route finalized on paper. However, it was made clear the run would start at Gallery on H, an art gallery in the 1300 block of H Street NE then head down Fourteenth (14th) Street NE to Maryland Avenue NE, heading along Maryland to Sixth (6th) Street NE where the route turns north towards I Street/K Street NE. Runners will then make their way back to H Street NE and run down the corridor towards the starting point.
 - iii. The run actually does not require permitting because participants will be limited to the sidewalk. The run will have about 200 participants so it is not big enough for participants to run in the streets and seek closure of streets on the route. There is also no need to seek closure of sidewalks to accommodate the run since participants will just run amongst the pedestrians.
 1. Commissioner Mahmud, Committee Members Elizabeth Nelson and Andrea Adelman raised concerns about a large number of participants running down sidewalks that are full of pedestrians going to bars and restaurants in the evening along H Street and people walking with strollers, small children and dogs on quieter side streets along the corridor. They also sought clarification on how the organizers are proactively thinking about pedestrian safety issues. Ms. Adelman also suggested runners not use the bike lanes along the route.
 2. The organizers responded that this is meant to be a fun run and not a competitive event where people are running aggressively for time. All participants will be given safety instructions and reminded before and during the race to be mindful of pedestrians and respectful of their space. Participants will be encouraged to spread out and space themselves so that they do not stampede down a sidewalk leaving nowhere for pedestrians to walk. Participants will also be told not to run with music earbuds in both ears and the organizers confirmed runners will be told not to use the bike lanes.
 3. Commissioner Calvin Ward pointed out that he has seen similar events in the city and that he thought they looked cool.
 4. Commissioner Mahmud thanked the organizers for attending and again stressed the importance of addressing the safety concerns pointed out during the presentation.
- B. Request for support of plan to convert in to a community garden the parking area located in the middle of the square bound by Fifteenth (15th) Street NE, C Street NE, Sixteenth (16th) Street NE and D Street NE. Commissioner Mahmud thanked residents for coming to present information about this matter to the committee, including Commissioner Ward and resident Lee Smith, who gave a slide presentation and provided the following information:



Committee Reports

Transportation and Public Space (T&PS)



- i. The goal is to turn what is now an unkempt nuisance property with abandoned vehicles, illegal parking, garbage, public drinking, drug dealing activity and other problematic activity into a community use like a community green space or garden.
- ii. Mr. Lee also suspects police enforcement may be complicated by the location here, which is between the First (1st) and Fifth (5th) police districts. It is harder to get each police district to focus on resolving this. He has put in countless 311 requests related to this property over the years, but there is a serious lack of vehicle parking enforcement for this area.
- iii. Mr. Lee has also worked with the Office of the Attorney General (OAG) nuisance property division on resolving these issues. OAG discovered the owner of the property is now deceased so the property is in probate with back taxes owed. Mr. Lee also indicated Ward 6 Councilmember Charles Allen wants the city to take possession of the property but that he needs ANC support, which he indicated should come in the form of a petition signed by local residents along with a letter from the ANC.
 1. Commissioner Mahmud suggested this sounded like a reasonable ask and that he would be happy to put this matter on the committee's August 2015 agenda if residents were able to present a petition indicating community support for the proposal to turn this into a city green space or garden. The ANC could then take a full vote on this matter during the September 2015 ANC meeting. Mr. Lee and Commissioner Ward agreed with this approach.

VI. Additional Community Comment

- A. A resident in attendance expressed concern about the proposal to install a traffic signal at Tenth (10th) Street NE and Maryland Avenue NE. She is opposed because she believes there are already too many signal lights on Maryland Avenue and that an additional light will back up commuter traffic, making the commute downtown longer. Commissioner Mahmud informed her that he understood this concern, but that years of safety concerns at this intersection, including the need for safe passage for children given the playground at this intersection and the school on Tenth (10th) Street, resulted in the city finally agreeing to take action. The resident also expressed concern about not knowing much about the design plans for the Maryland Avenue reconstruction that will take place between the Starburst intersection and Stanton Park. Commissioner Mahmud agreed to email her information about the plans the following day.
- B. A resident expressed concern about Mia's Coffeehouse located at 101 Fifteenth (15th) Street NE, a business for which the ANC recently approved a sidewalk café, using public space to store trash. Commissioner Mahmud indicated the ANC's consistent approach was to oppose any public space use that involved the storage of trash on public space.

Meeting adjourned at approximately 8:30 pm.



Committee Reports

Transportation and Public Space (T&PS)



AGENDA

ANC 6A Transportation & Public Space Committee Meeting
Capitol Hill Towers (900 G Street, NE)
August 17, 2015 at 7:00 pm

- I. Meeting called to order at 7:00 pm.
- II. Introductions
 - A. Committee members in attendance: Omar Mahmud (Co-Chair), Todd Sloves (Co-Chair), Jeff Fletcher, Andrea Adelman, and Elizabeth Nelson.
 - B. Commissioners in attendance: Matt Levy, Sondra Phillips-Gilbert, Calvin Ward.
- III. Announcements - none.
- IV. Community Comment
 - A. Sara Alcorn raised an issue regarding Mia's Coffeehouse located at 101 Fifteenth (15th) Street NE. She said that the shop is not operating its sidewalk café within the hours stipulated by the ANC in its conditional letter of support to the District Department of Transportation (DDOT). They are operating Monday through Saturday from 8 am to 6 pm and Sunday from 7 am to 3 pm. Co-Chair Omar Mahmud said he would reach out to the business owner about the issue.
 - B. Commissioner Sondra Phillips-Gilbert asked whether the Committee had followed up with the owner of Tony's Breakfast regarding its trash bins. Co-Chair Todd Sloves explained that the Committee had considered this issue in June 2015 and that the owner of the business had not provided formal plans to the Committee regarding its request to construct an enclosure on public space to house its trash bins nor had the business submitted an application to DDOT. Co-Chair Mahmud said that the Committee had suggested the business owner try to work out a deal with a neighboring business for storing its trash, and that the Committee could not make a recommendation or take a formal action until some type of application was submitted, but that enforcement could be requested. Co-Chair Mahmud said he would follow up with the business's owner.
 - C. Scott Oldstein raised an issue regarding parking on the 1200 block of Florida Avenue NE. He said new parking signs were installed but that they are not the correct ones. He also said Residential Permit Parking (RPP) had not been implemented. Co-Chair Mahmud stated that RPP is a separate issue that will be done through DDOT's own process and timeline, but that we could get them to do the correct thing regarding current parking signage.
- V. New Business
 - A. Presentation from the Bicycle Advisory Council)
 - i. Committee Member Andrea Adelman provided information on the Bicycle Advisory Council (BAC). She explained that it functions like the ANC and that each ward has an appointee in addition to the Mayor's appointees. There are currently vacancies on the BAC and those interested in participating are encouraged to attend and consider joining. Ms. Adelman provided contact information to attendees for follow-up. The BAC meets monthly at 440 Fourth (4th) Street NW.
 - B. Update from the Rappaport Company regarding redevelopment of H Street Connection



Committee Reports

Transportation and Public Space (T&PS)



- i. Emily Struck, representative of the Rappaport Company, explained the history of the site and her company's involvement. The development will contain 419 residential units, 435 parking spaces along with bike parking for customers and residents. The ground level will have retail space.
- ii. The existing retail at the site will be out by the end of 2015 or early 2016. They will begin the raze process in early 2016 and be done by that August 2016. It will then take another two (2) years for full construction schedule.
- iii. They have already filed for raze permits and will submit for building permits in October 2015. For the demolition, the Department of Consumer and Regulatory Affairs (DCRA) will require rodent collection and abatement, which they will carry out.
- iv. Nick Alberti asked if there would be disruption to the sidewalk during demolition and construction. The developers have not yet designed this but have been told by DDOT that they need to try to keep pedestrian traffic uninterrupted.
- v. They are asking for changes in the way the development will occupy certain public space. The developers will ask for a "café zone" on the Eighth (8th) Street NE side of the development (behind the 90/92 bus stop). Any occupant would have to then apply for the use of public space, but DDOT would have approved that the area be available for use as a sidewalk café if requested. DDOT says they want fifteen (15) feet behind the bus stop, but the current standard is six (6) feet and the developers would like to maintain that precedent and use the extra space for a potential café area.
- vi. There will also be small changes to street trees, but no change to street lamps at all. One tree from the Tenth (10th) Street NE side will be moved in order to make space for large trucks to enter the back alley. Originally DDOT wanted to remove parking spaces from the east side of Tenth (10th) Street NE to make room for truck turning radius, but residents would prefer to not reduce any parking. The developers have taken this into account and will ask DDOT for the ability to move the tree instead and will request the ANC's support in making that change to the plans.
- vii. They will also ask for a valet zone for evening hours and a residential drop-off zone on the south side of H Street NE.
- viii. One resident commented that the city needs to reassess whether fifty-five (55)-foot trucks really ought to be allowed to make inner-city deliveries. The infrastructure cannot handle them.
- ix. In response to a question, the developers said that all but one (1) of the spaces will be designed to accommodate a restaurant, although it is not necessarily the case that the retail space will be occupied solely by restaurants.
- x. Co-Chair Sloves asked if the retail spaces will be able to be combined to form one or more larger spaces. Developers responded that due to the differences in slab grades, there is not much ability to unify the retail spaces.
- xi. Committee Member Elizabeth Nelson explained that the process of relocating a tree is not necessarily true as stated. One is removed and a new one is planted in its place that will require considerable attention and watering, and trees must be watered during construction as well. Developers said that any new trees will be planted after construction, they will be planted with guide posts and the property owner will be required to water it. Any complaints can be directed to Rappaport.
- xii. A resident asked if the alley would be dug out. The developers will need to dig out the alley because it houses below-grade utilities that will need alteration. Also, the alley will end up being four (4) feet wider than it currently is.



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Transportation and Public Space (T&PS)



The agenda was amended without objection to consider item V-D ahead of item V-C because it took presenters some time to set up their projector.

- C. Presentation from Department of General Services and Department of Parks and Recreation (DPR) regarding proposed redevelopment of pocket park at Fifteenth (15th) Street NE and North Carolina Avenue NE
- i. DPR is developing a new initiative to activate triangle parks. They have done surveys to come up with ideal candidates for redevelopment in each neighborhood and the one at Fifteenth (15th) and North Carolina seemed like the best fit for Capitol Hill. They heard some initial comments regarding preserving the trees and not excavating.
 - ii. They have developed a “Zen parks” idea that involves the use and the experience in the park rather than the look of it.
 - iii. Their challenge is creating a sort of separation from the streetscape while maintaining sight lines for public safety purposes.
 - iv. They’re looking at creating various small hills in the park that would create some kind of undulating pattern. They would also pave over a central part of the park to allow for pedestrian space and add a couple of benches.
 - v. Committee Member Nelson had a number of questions and concerns. She suggested that they look into coordinating with the city’s Wildlife Action Plan and the overall goal of increasing the tree canopy. She also asked if there is a requirement to use native plants, and how long-term maintenance would be managed. She also said any mounding has the potential to damage the tree. The DPR representatives said they will have to consult with an arborist before construction, but that anything they did in terms of mounds will be along the lines of the infill at the park in southwest waterfront.
 - vi. One neighbor, Heather Schoell, said the concept seems like a nice idea but it is in the wrong spot. There is not enough tree cover there and pavers in the center will make the area even hotter. A better area to look at would be at Sixteenth (16th) and North Carolina Avenue NE, where there is more shade and already at an incline that would add to their plans to create changes in elevation. She also mentioned that even native plants can die during a hot summer.
 - vii. Nick Alberti said that while the ideas are nice, there is not easy maintenance. Current gardeners just mow the lawn at these parks. Anything that requires more manicured maintenance will not get the attention it needs. Also, space with benches and pavers is likely to attract trash.
 - viii. The presentation concluded. Co-Chair Mahmud said he looks forward to future presentations on the concept that incorporate the community’s concerns.
- D. Application for public space permit to operate a sidewalk café at 1210 H Street NE
- i. This is the location of Vendetta restaurant. The space they are asking for is a small nook in the façade. They would like to have a table that is half inside and half outside. The table would fold down and window/doors closed when not using the public space. The seats on the outdoor side would be barstools that would be brought inside when not in use. There will be no separate tables outside, just the one that is partially inside and adjustable.
 - ii. They will not seek any changes to their current Settlement Agreement (SA).
 - iii. The owner agreed to maintain the tree box and said he can mulch it and water it.
 - iv. The owner has agreed to remove the umbrella currently in their plans, which DDOT had told them would not be allowed).
 - v. The owner also agreed to keep the hours for opening their windows to the current hours.



Committee Reports

Transportation and Public Space (T&PS)



- vi. ***Co-Chair Mahmud moved that the Committee recommend that ANC 6A send a letter of support for Vendetta's public space application provided the owners agree to adhere to the following conditions: no changes to the hours when the front windows are open, no changes to the current settlement agreement, maintenance of the adjacent tree box, and no placement of an umbrella over the table. The motion was seconded by Jeff Fletcher and passed unanimously.***

- E. Request for support of traffic calming application for 400 block of Nineteenth (19th) Street NE
 - i. One resident, Tony Hurst, spoke in favor of the application. He said Nineteenth (19th) Street is unsafe in its current form and that with the new school, traffic calming measures are even more needed.
 - ii. ***Co-Chair Mahmud moved that the Committee recommend that ANC 6A send a letter of support for the traffic calming application for the 400 block of Nineteenth (19th) Street NE. The motion was seconded by Co-Chair Sloves and passed unanimously.***

- F. Presentation from Events DC regarding plans to construct a playground on the 2000 block of C Street NE
 - i. A number of playgrounds have been developed partnering with KaBoom, because they are able to do it cheaper through preferred vendors and less expensive equipment. This location has good visibility and is outside the bounds of what could potentially be redeveloped if changes are made at the stadium. The current playground location is not good because it is on the RFK Stadium campus.
 - ii. Some neighbors oppose the new location, arguing that it is located at a busy intersection. Children are likely to cross into the street under dangerous conditions. The current C Street NE Transportation Study does not include any plans to redesign that intersection to make it safer, and DDOT does not have any plan to do so.
 - iii. Other neighbors said that this would make a playground more accessible to those who live south of C Street NE.
 - iv. The Eliot Hine Parent Teacher Organization (PTO) president asked for speed humps by the school but they have not been installed.
 - v. Commissioner Ward said he neither supports or opposes the proposal but wants residents to have to opportunity to weigh in and wants to be involved going forward as plans are further developed.

Co-chair Mahmud moved to add one item of old business to the agenda, which the Committee agreed to unanimously.

VI. Old business

- A. Request for support of plan to convert into a community garden the parking area located in the middle of the square bound by Fifteenth (15th) Street NE, C Street NE, Sixteenth (16th) Street NE and D Street NE.
 - i. Commissioner Calvin Ward, who brought this proposal to the Committee, provided a petition indicating the support of the residents of the adjacent properties.
 - ii. ***Co-Chair Mahmud moved that the Committee recommend that ANC 6A support the plan to convert the parking area located in the middle of the square bound by Fifteenth (15th) Street NE, C Street NE, Sixteenth (16th) Street NE and D Street NE into a community garden. The motion was seconded by Elizabeth Nelson and passed unanimously.***



Committee Reports

Transportation and Public Space (T&PS)



VII. Additional Community Comment - none.

The meeting was adjourned at 8:45 pm



Committee Reports Transportation and Public Space (T&PS)



September ____, 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 Vendetta at 1210 H Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting¹ on September 10, 2015, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to express our conditional support for the above-referenced sidewalk café application.

The motion provides our support based on the following conditions the ANC has asked the applicant to fulfill prior to and during the use of public space for a sidewalk café:

1. the hours when the front windows are open shall not be changed;
2. the establishments shall make no changes to its current settlement agreement with ANC6A;
3. the establishment shall maintain the adjacent tree box; and
4. the sidewalk cafe table shall not be covered by any fixed umbrellas.

These conditions have been negotiated with and agreed to by representatives of the ANC and representatives of the applicant, and include a commitment to make no changes to the establishment's existing settlement agreement with ANC 6A, an agreement to make no changes to the current hours during which the storefront windows are opened, a promise to maintain adjacent tree boxes, and a commitment to not place a large umbrella over the space.

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 or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on the listservs anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Committee Reports Transportation and Public Space (T&PS)



September ____, 2015

Mr. Leif A. Dormsjo
Director, District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Re: Traffic calming assessment for 400 Block of 19th Street NE

Dear Director Dormsjo,

At a regularly scheduled and properly noticed meeting on September 10, 2015², our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the District Department of Transportation (DDOT) examine the 400 block of 19th Street NE for improvements designed to enhance pedestrian, bicyclist and driver safety.

This street is very unsafe in its current form, and the proximity of a new school makes the need to improve safety even more pressing. Based on the testimony of ANC6A residents, the Commission requests DDOT conduct an examination of this intersection and implement solutions to resolve safety concerns.

Thank you for giving great weight to the recommendation of ANC 6A. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at philanc6a@gmail.com or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports

Transportation and Public Space (T&PS)



Commissioner Calvin Ward 6A08

MEMORANDUM

**BY EMAIL
PRIVILEGED**

TO: Department of Parks and Recreation
(DPR)
Council Member Charles Allen

FROM: Commissioner Calvin Ward

DATE: August 14, 2015

RE: Petition to Transform Private Lot into Green Space

As you are probably aware, there are a number of vacancies and private lots throughout the city. These areas are sometimes filled with debris that causes a number of concerns for area residents. The private lot, for instance, that sits in an alley adjacent to 15th & 16th and C Streets N.E. is an area that requires attention and major development. Presently, the area is packed with cars and debris that attracts rodents. According to neighbors, there have also been a number of incidents at the location. These occurrences range from drunken pedestrians, loitering, and the possible increase of crime and pollution from car wreckage.

Notably, the residents near the private lot respectively request that the city transforms the area into green space, possibly a playground for children in the community. Green space would not only allow children to safely play in their neighborhoods but it would also beautify the area and those surrounding it to commence with the landscape, creating an inviting site for tenants. Green space is also likened to well-being.

The people of the community have a vested interest in preserving their community. In which case, they dutifully strive to maintain it and make efforts to bridge the gap by urging green space in the place of a neglected private lot. Below are a list of names and signatures of those who request or likewise agree with the proposal to bring green space to an area that has been ignored for years.

Collectively, the citizens respectively request your recommendation and/or approval of the transition.

Name	Address	Phone	Signature
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



Committee Reports

Transportation and Public Space (T&PS)



Name	Address	Phone	Signature
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[Redacted content]



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
August 19, 2015

The meeting convened at 7:00 pm.

Present

Members: Dan Golden, Michael Hoenig, Justin Thornton, Matt Turkstra
Commissioners: Stephanie Zimny
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.

New Business

1. **1431 E Street NE (Request for DHCD Funding):** Ms. Attila Seymour gave a short presentation on behalf of the E Street Co-Op, which owns the ten (10) unit building at 1431 E Street NE. Ms. Seymour, who is a member of the Co-Op, indicated that she is seeking a letter of support from the ANC to the Department of Housing and Community Development (DHCD) in connection with the Co-Op's request for DHCD (and private) funding to support significant renovations to the building. The Co-Op already has obtained and expended \$900,000 in funding and seeks an additional \$1.6 million. The planned renovation includes installing new windows and a new roof, updating the common areas of the building, and furnishing new electrical and heating systems. A private developer (represented by Michael Milliner) will undertake the renovations (and the funds will be used to pay the developer), but the Co-Op will retain ownership of the building. Ms. Seymour is not aware of any other project in ANC 6A for which such funding is being sought.

Chairman Golden moved the Committee recommend the ANC send a letter to DHCD in support of the Co-Op's request for funding. The motion was seconded by Committee Member Michael Hoenig and passed unanimously.

2. **1617 Gales Street NE (BZA 19104):** Applicant seeks a special exception from the lot occupancy requirements under § 403, the rear yard requirements under § 404, and the non-conforming structure requirements under § 2001.3, to allow the construction of a spiral staircase at the rear of an existing two-story building in the R-4 District. The spiral staircase is replacing (and will be less obtrusive than) the regular staircase that previously was at the rear of the structure. The applicant already has obtained three (3) letters of support from nearby property owners, but has not yet been able to contact the property owners on either side of his property.

Chairman Golden moved the Committee recommend the ANC send a letter of support for seeks a special exception from the lot occupancy requirements under § 403, the rear yard requirements under § 404, and the non-conforming structure requirements under § 2001.3, to allow the construction of a spiral staircase at the rear of an existing two-story building in the R-4 District, on the condition that



Committee Reports Economic Development and Zoning Committee



Applicant use best efforts to obtain letters of support from the property owners on either side. The motion was seconded by Commissioner Stephanie Zimny and passed unanimously.

- 3. 1028 D Street NE (BZA 19084):** Applicant seeks a variance from the off-street parking requirements under § 2101 in connection with the construction of a new two (2) unit building on a vacant lot in the R-4 District. The lot on which the building will be constructed is situated between two (2) existing structures. There is no curb cut and the property has no access to the alley behind it. The applicant shared the stamped drawings that it had submitted to the Department of Consumer and Regulatory Affairs (DCRA), which showed that the new building will resemble the adjoining structures. The Committee commented favorably on the proposed design of the new building.

Chairman Golden moved the Committee recommend the ANC send a letter of support of a variance from the off-street parking requirements under § 2101 in connection with the construction of a new two (2) unit building on a vacant lot in the R-4 District on the condition that Applicant use best efforts to obtain letters of support from the property owners on either side. The motion was seconded by Committee Member Justin Thornton and passed unanimously.

- 4. 1313 to 1323 Linden Court NE (Informational Presentation):** The applicant, Monarch Homes, gave a brief informational presentation regarding its plans to construct four (4) single-family homes with parking, as well as a fifth (5th) structure that would have a partial commercial use, on a series of adjoining alley lots on Linden Court. The applicant indicated that it was interested in obtaining the feedback of the Committee and the community in advance of seeking zoning relief from the Board of Zoning Adjustment (BZA) in connection with the project. The zoning relief to be obtained would include a variance from the fifteen-foot (15') alley width requirement, lot occupancy and rear yard relief, and a use variance for the commercial structure. A special exception from the new building height requirements may also be necessary depending on the Zoning Administrator's interpretation of the regulations. The buildings would each be three (3) stories and all but the commercial structure would have a garage on the ground floor. There would be no excavation for cellars on any of the lots.

Several members of the Committee voiced support for the applicant's inclusion of garages on the ground floor. The Committee's primary concerns related to obtaining the support of the property owners who would be directly behind the new structures and to mitigating the impact of trash generated by any commercial use. The applicant will return at the next meeting of the Committee to seek the Committee's recommendation that the ANC support its requested relief.

The meeting adjourned at 8:30 pm.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, September 16, 2015
7:00 - 9:00 pm
640 Tenth (10th Street) NE
Sherwood Recreation Center, Second (2nd) Floor**



Committee Reports Economic Development and Zoning Committee



September XX, 2015

Ms. Polly Donaldson
Director
Department of Housing and Community Development
1800 Martin Luther King Avenue, S.E.
Washington, DC 20020

Re: Application for DHCD Funding by E Street Cooperative (1431 E Street, NE)

Dear Ms. Donaldson,

At a regularly scheduled and properly noticed meeting on September 10, 2015,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to write you in support of the Applicant's request for \$1.6 million in funding from DHCD and private sources to pay for planned renovations to the 10-unit building at 1431 E Street, N.E., owned by the Applicant (the E Street Cooperative). **The Commission understands that the funding is needed to make necessary repairs to the existing structure, including installing new windows and a new roof, updating the common areas of the building, and furnishing new electrical and heating systems.** The Applicant has indicated that a letter of support from the Commission is a necessary component of its request for the funding.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Economic Development and Zoning Committee



September XX, 2015

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

Re: BZA Case No. 19104 (1617 Gales Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on September 10, 2015,² our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a special exception pursuant to § 223 for a property not meeting the lot occupancy requirement (§ 403.2), the rear yard requirement (§ 404.1), and for an addition to a nonconforming structure (§ 2001.3), in connection with the above-referenced application. The applicant seeks the foregoing relief to permit the construction of spiral staircase at the rear of an existing rowhouse structure.

The Commission supports granting the requested special exception because the proposed addition will not unduly affect the light and air available to neighboring properties nor unduly compromise their privacy of use and enjoyment. The Commission understands that one adjoining property owner has no objection to the construction of the staircase and that the Applicant, after exercising best efforts, was unable to contact the other adjoining property owner.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Economic Development and Zoning Committee



September XX, 2015

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

Re: BZA Case No. 19084 (1028 D Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on September 10, 2015,³ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a variance from the off-street parking requirements set forth at § 2101.1. The applicant seeks the requested relief in conjunction with the construction of a new, two-unit rowhouse in the R-4 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. Relief is particularly appropriate in this case given that the lot at issue lacks vehicular access both to the street and, due to the presence of an intervening lot, to the alley behind the lot.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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New Business

