



District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for April 12, 2007



7:00 pm **Call to order**, adopt agenda and approve previous meeting's minutes.

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

7:10 **Community Presentation:** Holly Smith, H Street Community Market

7:15 **Officer Reports:**

Chair (2 minutes)

1. Councilmember Tommy Wells Ward 6 Initiatives

Vice-Chair (2 minutes)

1. Joint ANC6C/6A Historic District Expansion Meetings

Secretary (2 minutes)

1. RFK Visitors Passes – Residents should have received them by now. If not, please contact Ms. Delois Fields at (202) 671-2740 to request a mailing of the packet.

Treasurer (2 minutes) - *starts on page 51*

1. Approve treasurer's report and previous month's disbursements.
2. Approve monthly photocopying expenses.
3. Establish petty cash account
4. Audit of ANC 6A financial records

7:30 **Single Member District reports** (2 minutes each)

Standing Committee Reports:

7:40 **Alcohol Beverage Licensing (5 minutes) – starts on page 54**

1. **Recommendations:** None
2. Next meeting: 7 p.m., April 17, 2007. (third Tuesday)
3. Accept Committee Report

7:45 **Economic Development and Zoning (20 minutes) – starts on page 56**

1. **Recommendation:** send a letter of support to the BZA for a special exception to allow the construction of a basement at 1404 Constitution Ave NE.
2. **Recommendation:** send a letter of support to the BZA for a special exception or a variance to allow the construction of a garage at 314 12th St. NE.
3. **Recommendation:** send a letter to DCRA requesting copies of the applications, plans, permits and records of notifications to adjacent property owners for 1225 Wylie St. NE.
4. **Recommendation:** send a letter to DCRA requesting copies of the applications, plans, permits and for 423 18th St NE and notify DCRA about the illegal construction that has taken place at the property.
5. **Recommendation:** send a letter of support to the Zoning Commission for the new definitions of a fast food establishment and recommend that the Zoning Commission adopt modifications in the definition as recommended by the ANC.



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6. Next meeting: 7:00 p.m., April 24, 2007 (fourth Tuesday).
7. Accept Committee Report

8:05 **Community Outreach (5 minutes) – starts on page 59**

1. **Recommendation:** ANC 6A provide a letter of support for the Capitol Hill Classic.
2. Next meeting – 7:30 p.m., April 16, 2007 (third Monday)
3. Accept Committee Report.

8:10 **Public Safety (5 minutes) – starts on page 61**

1. Nominations:
 - a. Annie Earley – Approve Nomination to Committee
 - b. Daniel Wolff – Approve Nomination to Committee
2. Next meeting – 7:00 p.m., April 18, 2007 (third Wednesday)
3. Accept Committee Report.

8:15 **Transportation and Public Space Committee (5 minutes) – starts on page 64**

1. **Recommendation:** Adopt resolution regarding proposed dog park regulations.
2. **Recommendation:** Send letter to DPW and DDOT (copying Commander Groomes and Horace and Dickie's) regarding illegal parking on public space in front of Horace & Dickie's.
3. **Recommendation:** Send letter to DDOT, WMATA, DPW, MPD, and the National Marathon race organizers thanking all for bringing the marathon to our ANC, and expressing various concerns for next year's planning.
4. Next meeting – 7:00 p.m., April 23, 2007 (fourth Monday)
5. Accept Committee Report.

8:20 **Unfinished Business**

8:25 **New Business – starts on page 71**

1. Removal of Mr. Mike Seneco from the Public Safety Committee (Fengler)
2. Commission request party status to the BZA regarding the pending request to adjust the current parking requirements with respect to Specialty Hospital of Washington, the former MedLINK. (Holmes).
3. Send community impact statement to Judge Rufus King and AUSA re: David Vines. (Fengler/Nixon)
4. Send letter to H Street CDC requesting their assistance in negotiating the use of their parking lots at Autozone and the H Street connection for shared parking or valet service use for businesses along the H Street corridor that operate after their tenants have closed until such a time that these properties are redeveloped.
5. Send letter of support for: **Bill 17-0102, "Advisory Neighborhood Commissions Clarification Amendment Act of 2007"**. To amend the Advisory Neighborhood Commissions Act of 1975 to clarify that a Commission may provide reimbursements



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for purchases made with credit cards. Chairman Gray, to the Committee of the Whole.

6. Refer to Public Safety Committee: Bill 17-0111, "Hot Spot Loitering Zone Amendment Act of 2007". To amend the Anti-Loitering/Drug Free Zone Act of 1996 to require the Chief of the Metropolitan Police Department to declare a Hot Spot No Loitering Zone, and to prohibit the congregation of 2 or more persons on any public space on public property, within an area currently designated as a Hot Spot, for the purposes of participating in the use, purchase, or sale of illegal drugs, within the perimeter of the Hot Spot No Loitering Zone. Councilmember Graham, to the Committee on Public Safety and the Judiciary.
7. Refer to Economic Development and Zoning Committee: **Bill 17-0086, "Nuisance Properties Abatement Reform and Real Property Classification Amendment Act of 2007"**. To amend the Office of Administrative Hearings Establishment Act of 2001 to authorize the Board of Real Property Assessment and Appeals to hear appeals from a notice of final determination on vacancy and to exempt appeals from a notice of final determination on vacancy from the purview of the Office of Administrative Hearings; to amend An Act To Provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, to consolidate the overlapping responsibilities for the designation, registration and assessment of vacant properties, to provide for the consolidation of exemptions under the Department of Consumer and Regulatory Affairs and a reduction in the overall number of exemptions from the registration of vacant buildings, to provide for the establishment of regulations governing vacant property, to provide penalties for the filing of false or misleading vacant property registration of vacant buildings, to provide penalties for the filing of false or misleading vacant property registration information by an owner, to provide for the petition for reconsideration of a vacancy determination, to provide for the appeal of a notice of final determination to the Board of Real Property Assessment and Appeals; and to amend Title 47 of the District of Columbia Official Code to restate the classes of property subject to taxation, to vest fully with the Department of Consumer and Regulatory Affairs the determination of the vacant status of buildings for Class 3 real property tax purposes, and to create a specific appeals process for Class 3 Properties. Councilmembers Evans and Cheh, sequentially to the Committee on Finance and Revenue and the Committee on Public Services and Consumer Affairs with comments from the Committee on Public Safety and the Judiciary.
8. Refer to Transportation Committee: **Bill 17-0090, "Bicycle Commuter and Parking Expansion Act of 2007"**. To provide for the installation of increased secure and convenient bicycle parking racks located at the John A. Wilson Building to encourage alternate means of transportation and commuting for District employees and visitors, to require the Mayor to publish a study on bicycle parking availability at all buildings occupied by the District of Columbia government, and to require the Mayor to add residential buildings to those buildings required to provide bicycle parking spaces. Councilmembers Wells, Brown and Thomas, to the Committee on Public Works and the Environment.
9. Refer to Transportation Committee: **Bill 17-0091, "Bicycle Registration Reform Act of 2007"**. To provide for the repeal of mandatory bicycle registration and creation of a new voluntary registration system that utilizes national registries to track



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and locate stolen bicycles. Councilmembers Wells, Brown and Thomas, to the Committee on Public Safety and the Judiciary.

8:50 **Community comments** – Round 2 (if time permits)

9:00 **Adjourn**



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Advisory Neighborhood Commission 6A Miner Elementary School

The meeting was called to order at 7:00 p.m.

Present: Commissioners Alberti, Beatty, Fengler, Holmes, Mack, Nixon, and Schultheiss.

Absent: Commissioner Marshall

1. Approval of agenda

Motion: The agenda was moved and accepted without objection.

2. Minutes

Motion: Mr. Schultheiss moved adoption of the minutes for the January meeting. Mr. Holmes asked that "to request," be added to the sentence "...that the Zoning Commission revisit..." The minutes were adopted, as amended, without objection.

3. Community Comments

Vanessa Ruffin reported that 1225 Wylie Place NE was under investigation by DCRA for a non-conforming second story.

Robert Pittman asked whether the ANC could seek office space, saying that materials sent to the ANC were for the community, and that the checkbook shouldn't be in a person's home. Mr. Fengler responded that they tried for two years to find office space, and Mr. Alberti suggested that Mr. Pittman write to the Mayor and City Council expressing his concerns.

4. Presentations

Interim DC Fire Chief Brian Lee

Interim DC Fire Chief Brian Lee reported to the ANC that the Fire Department was currently heavily involved in improving life support services, getting response time down to arriving within nine minutes. Another current concern is vacant dwellings and the potential for fire in them. He spoke about the availability of having fire department officers coming to people's homes for home safety surveys, and they could be arranged by calling 727-1600. He also mentioned that there is a CPR program that's open to City residents, as well as a smoke detector giveaway program for people who need them.

ABRA H Street Moratorium

Chuck Burger, chairman of the ABC, reported on the ABRA ruling granting a moratorium on the sale of single cans on H Street. He said that the ABC had heard testimony from the ANC, MPD, neighbors, industry representatives, and the affected stores, and the ABC had been intent on a rulemaking and developing legislation to forward to the City Council.

There are four major points in the rulemaking:



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- The H Street Moratorium Zone will be from 7th to 14th Street
- A and B licensees shall not sell single containers of a half pint or smaller
- Packages (e.g. six-packs) will not be divided for the sale of individual bottles
- Moratorium Zone will be in effect for a three-year period, to see if the situation improves. The moratorium will be revisited after three years to see how it's working.

The procedure now is not to create law, but it goes to the Attorney General's office for review, and then to the Council, which has 90 days to act, at which time it is returned to ABC, which can make any necessary adjustments, and then it gets published. It is already at the Attorney General's office and they will talk with the Council. Procedures have to be developed for licensees to work through their remaining stock of singles.

Finally, he said, the decision on the part of ABC was unanimous.

5. Officer Reports

Chair:

Commissioner Fengler said that the agenda contained 40 recommendations, and hoped that the meeting would move in a timely fashion

Vice-Chair

Commissioner Holmes said that he has been attending the meetings of ANC 6C and 6B, and that they had a lot in common with 6C. He said that 6C was planning to ask 6A to work together on public meetings on expanding the historic district.

Secretary

Commissioner Schultheiss reported that it was his intent to distribute flyers; that two of the letters approved at the last meeting had not yet been sent; that everyone should sign off on business cards; and that Councilmember Wells was having morning office hours on H Street twice a month.

Mr. Pittman mentioned that information on SMD meetings should be included with information on regular ANC meetings.

Treasurer

Commissioner Alberti presented the Treasurer's Report. The report shows that the opening checking account balance was \$18,482.30, and that the savings account balance was \$4,165.33. There were disbursements of \$135 to Roberta Weiner for transcription of minutes (Check #1302); \$564.52 to Fed-Ex Kinko's for copying (Check #1303), leaving a balance of \$17,782.78 in the checking account, and \$4,165.33 in the savings account.



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Motion: Commissioner Alberti moved to approve the Treasurer's Report. It was seconded by Commissioner Fengler, and approved without objection.

Motion: Commissioner Alberti moved that \$600 be approved for copying for ANC materials, and that up to \$60 be approved for copying for each Committee's materials and each SMD's materials for the next month. The motion was accepted without objection.

Motion: Commissioner Alberti moved that \$210 be approved for a twelve month rental of a post office box. It was seconded by Commissioner Schultheiss and approved without objection.

Motion: Commissioner Alberti moved approval of the Treasurer's Report. The motion was approved without objection.

6. Single Member District Reports

Commissioner Schultheiss reported that his SMD will be very involved in the discussions about expansion of the historic district, and there will be public meetings over the next few months to assess community views on the issue.

Commissioner Mack reported that the National Child Care Center in her community is closing. She also said that there will be a public meeting on the Benning Road improvement project on March 12 at Miner School. Finally, she mentioned the protest of the CTR license for the Langston Tavern. (see ABL Committee report).

Commissioner Nixon reported that a body had been dumped at 1729 D Street NE. She said that the problems at 1638 D Street NE continue, and there is no Certificate of Occupancy for the property.

Commissioner Fengler said that he is working on a multi-agency plan for Pickford Place, where there are rodents, lights not working, etc. He said there is a stop work order on the illegal curb cut at 701 10th Street NE. He reported too that the developer has removed the illegal third story on a building at 812 8th Street NE.

Commissioner Alberti reported that that the property 1405 North Carolina Ave. NE has been cleaned up, but that DCRA still hasn't ruled on the legality of the project. He said that the work on Apple Tree is ongoing, and he working with the neighbors to try to stop the project. He said that he tried to present testimony at the Charter School Board but was prevented by the Chairman from doing so.

Commissioner Holmes reported that he is also working on the challenge to the Apple Tree School BZA decision, and that three alleys in his SMD are to be paved and trees will be planted.

7. Committee Reports



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Alcoholic Beverage and Licensing

Atlas Performing Arts Center

Commissioner Beatty reported that the Atlas Performing Arts Center wished to apply for a liquor license for sales of beer and wine during intermissions, and for special events (e.g.-weddings, Bar Mitzvahs). It would be either a CX or CH license. The Atlas, she said, is willing to pursue a voluntary agreement with the ANC.

Motion: Commissioner Beatty moved that the ANC approve the committee's recommendation to pursue a voluntary agreement with the Atlas Performing Arts Center. It was seconded by Commissioner Schultheiss and passed without objection.

Langston Bar & Grill

This is an application for a CR license (modified from a CT) sit-down soul food restaurant with a capacity of 25-30 people on Benning Road. There will be no entertainment, and his expected hours are Sunday, from 11 a.m. to 12 a.m.; Monday-Thursday, 8 am-2:00 a.m.; Friday 8:00 a.m.-3:00 a.m.; and Saturday, 11 a.m.-3:00 a.m.

Commissioner Mack expressed her concerns about the hours of the restaurant, which she feels are too late; the fact that children are not welcome; that there will be Sunday sales of alcohol, and the place is just not community-friendly. Commissioner Nixon added that security is also a problem, as a lot of police are needed at the time that clubs close.

Motion: Commissioner Beatty moved that the Commission accept the recommendation of the ABL Committee that it protest the existing CT application; and, further, that when the Applicant applies for a CR license, the ANC protest that application and negotiate a standard voluntary agreement that addresses the hours for serving liquor. It was seconded by Commissioner Mack, and passed without objection.

Motion: Commissioner Beatty moved that annual goals for the Alcoholic Beverage and Licensing Committee be accepted. The motion passed without objection.

Motion: Ms. Beatty moved/Mr. Alberti seconded a motion to accept the Committee report. It passed without objection.

Economic Development and Zoning

139 11th Street NE

Drew Ronneberg reported that this is a request for support before the HPRB for the extension of the third floor of a row house to accommodate a larger bedroom and bathroom. The addition would extend approximately 17' from the current back of the third floor over an existing 2nd floor addition. Dr. Ronneberg said that there were letters of support from neighbors of the project.



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Motion: Mr. Fengler moved that the Commission accept the recommendation of the Committee to send a letter of support to HPRB for the extension of the third floor of the rowhouse at 139 11th Street NE. It was seconded by Commissioner Alberti and passed without objection.

SE 06-5762

This is a request for support of an alley closing behind 1359 H Street NE. According to Dr. Ronneberg, the application was submitted without the support of other property owners in that square, and simply because the Applicant cited such reasons as crime, dumping, etc. in the application. It was felt by the Committee that these are items to be addressed by police enforcement. It was also pointed out that the Applicant is not the owner of the abutting property and had not been declared by the owner as her/his representative.

Motion: Commissioner Fengler moved that the ANC accept the Committee's recommendation that it send a letter to the Office of the Surveyor opposing the alley closing behind 1359 H Street NE. It was seconded by Mr. Schultheiss, and passed without objection.

Upzoning Moratorium on H Street

Dr. Ronneberg reported that the Committee had determined that rather than fighting each case where there was a request to upzone the properties on the western area of the H Street corridor from C-2-A to C-2-B, in contradiction of the carefully crafted Zoning Overlay. He said that the Office of Planning appears to be supportive of the Dreyfus Group's desire to upzone a portion of the square bound by 2nd and 3rd and G and H Streets from C-2-B to C-3-C. He said he fears that further upzonings and large scale developments will overwhelm the existing two and three story buildings. He said that the request for a moratorium should be made immediately so that the Zoning Commission can act on it prior to Dreyfus' appearance requesting the upzoning.

Motion: Mr. Fengler moved that the Commission accept the Committee's recommendation that it request that the Zoning Commission, on an emergency basis, enact a five-year moratorium on upzonings within the H Street Neighborhood Commercial Overlay District; and that Rich Luna be designated the ANC's representative in the matter. It was seconded by Commissioner Beatty, and passed without objection.

Joint ANC 6A/6C Meetings to Discuss Expansion of the Historic District

Motion: Commissioner Fengler moved that the ANC accept the recommendation of the Committee that it work with ANC 6A's Planning, Zoning and Environment Committee to learn more about expanding the Capitol Hill Historic District, and that the two committees formally establish joint meetings to discuss the expansion of the district. It was seconded by Commissioner Holmes. Mr. Fengler offered an amendment that a joint ad be placed in the Voice of the Hill to advertise the meetings. The amendment was accepted without objection, and the original motion, as amended, passed without objection.

1705-1729 East Capitol Street

A new development, being built by the Comstock Company, at 1705-1729 East Capitol Street, is located in ANC 6B, but according to Commissioner Nixon is within 200 feet of 6A. The



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development, which will be out of scale with the rest of the neighborhood, will create traffic problems and other disruptions during construction.

Motion: Mr. Fengler moved that the ANC accept the Committee's recommendation that the ANC seek party status in the Comstock PUD case at the Zoning Commission; and that Stephanie Nixon be authorized to represent the ANC in the matter. It was seconded by Ms. Nixon, and passed without objection.

Motion: Commissioner Fengler moved that annual goals for the Economic Development and Zoning Committee be accepted. The motion passed without objection.

The Committee report was accepted without objection.

Community Outreach

Motion: Commissioner Fengler moved the appointment of Kenneth Wicks to serve on the Community Outreach Committee, and the resignation of Astri Klievdal. Both were accepted without objection.

A series of recommendations by the Committee were presented for ANC approval as a bloc:

- that the ANC publish a semi-annual report of ANC 6A activities that are relevant to the entire ANC, not time sensitive, or duplicative of other publications.
- Commissioners will be responsible for distribution—no mailing
- Appoint an editor who will coordinate publication of the report and solicit suggestions for content from all commissioners and committee chairs
- Content of the report shall be as described in the minutes, in a section “production of the semi-annual report.
- Approve a sum not to exceed \$42200 to pay for printing two, four-page issues in 11x17 format.

The motion was seconded by Commissioner Schultheiss. There was a discussion of the distribution of the report. Mr. Schultheiss said that it was not possible to have access to apartment buildings.

Motion: Mr. Schultheiss moved that some money should be added to the distribution plan for the flyer for mailing to apartment buildings. Ms. Nixon said it was unnecessary because there were plenty of grocery and other stores that could be used, and that condo board presidents could be solicited for permission to distribute the flyers. Mr. Alberti said he has no objection to the mailings, and suggested that the Committee look at mailing costs and come back to the Commission with an estimate. Ms. Mack said that she has apartments in her SMD and agreed that mailing might be a good idea. Mr. Fengler suggested that the phrase “no mailing” be eliminated from the sentence on distribution. The amendment was accepted without objection, and the original motion, as amended, passed without objection.



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Motion: Commissioner Fengler moved that annual goals for the Community Outreach Committee be accepted. The motion passed without objection.

The Committee report was accepted without objection.

Public Safety

Commissioner Nixon presented a series of recommendations from her Committee. They were seconded as a group by Commissioner Schultheiss:

Motion: Ms. Nixon moved that the ANC accept the Committee recommendation that She be authorized to represent ANC 6A at City Council budget hearings on the MPD, Department of Youth Rehabilitative Services, Fire and Emergency Medical Services and the Office of the Attorney General, as availability permits. The motion passed without objection.

Motion: Commissioner Nixon moved that the ANC accept the Committee recommendation that she be appointed to represent ANC 6A at City Council budget hearings regarding Sherwood Recreation Center and Rosedale Recreation Center. The motion passed without objection.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Mendelson with Committee recommendations on the MPD 1st District budget.

Commissioner Alberti noted that this letter, and the six following, say that the ANC wants an increase in funding. He said he feels it is up to the City Council to decide how to allocate funds, and asking for across the board increases dilutes the credibility of the ANC. Mr. Fengler said that he doesn't mind sending such letters on areas in which the ANC has a long-time involvement, such as the rec centers. Commissioner Schultheiss said that it might appear that these are all top priorities of the ANC, and Commissioner Beatty agreed, saying that the letters are too specific and she is uncomfortable with specific items, and the letter makes recommendations she's never seen before.

Motion: Commissioner Alberti moved that the letter be modified, keeping the first three paragraphs and striking everything until the last paragraph. The amendment passed 4-3, with Commissioners Fengler, Mack and Nixon voting in opposition. The original motion, as amended, passed without objection.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Mendelson with Committee recommendations on the budget for the Department of Youth and Rehabilitative Services. The motion did not receive a second.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Mendelson with Committee recommendations on the budget for the Fire and Emergency Management Services.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Mendelson with Committee recommendations on the budget for the Office of Attorney General.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Thomas with Committee recommendations on the budget for the Department of Parks and Recreation.



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Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Thomas with Committee recommendations for the budget of the Rosedale Recreation Center.

Motion: Commissioner Nixon moved that the ANC approve a letter to Councilmember Thomas with Committee recommendations on the budget for the Sherwood Recreation Center.

Commissioner Alberti said that the letter on the Fire and Emergency Management budget contains good things, such as increased staffing, but he still would like to see no discussion of increases in the budget. Commissioner Nixon agreed to remove all language having to do with increases in the various budgets from the letters. All the above motions passed, as a bloc, without objection.

Motion: Commissioner Nixon moved that the ANC accept the Committee's recommendation to approve a letter to the Metropolitan Police Department requesting the development of a multi-agency plan for the Pentacle Apartments. It was seconded by Commissioner Beatty and passed without objection.

Motion: Commissioner Nixon moved that the ANC accept the Committee's recommendation to send a letter to Councilmember Mendelson requesting revisions to the DC Anti-Loitering law modeled on the existing Baltimore law. It was seconded by Commissioner Beatty and passed without objection.

Motion: Commissioner Nixon moved that the ANC accept the Committee's recommendation to approve a letter to Councilmember Mendelson requesting changes to papering procedures for MPD officers. It was seconded by Commissioner Beatty and passed without objection.

The committee report was accepted without objection.

Transportation and Public Space

Motion: Commissioner Fengler moved that the resignation of Aryeh Fishman as a member of the committee be accepted. It was approved without objection.

Sign at Mount Moriah Baptist Church

Motion: Commissioner Fengler moved that the ANC accept the Committee's recommendation to send a letter to DCRA Sign Committee supporting the request by Mt. Moriah Baptist Church for an electronic message sign on their property at 1636 East Capitol Street NE.

Mr. Alberti said that the sign is not appropriate for that corner, and it impacts the aesthetics of its location, and the ANC shouldn't comment on it. Commissioner Nixon said the sign will change with the traffic lights, and that the people at the church had gone above and beyond what they had to do to get permissions. Mr. Alberti said that the ANC should have neutral position, and if the Commission supports the sign, it's on record as approving a sign that doesn't fit into the community. Commissioner Fengler said that the church has worked with the community, and at the minimum, the ANC should approve the sign, a sentiment echoed by Commissioner Schultheiss, who added that they went out of their way to get the support of their neighbors. He also said the sign is not as large as some others in the neighborhood. The motion was approved by a vote of 4-3, with Commissioners Holmes, Beatty and Alberti in opposition.



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Motion: Commissioner Fengler moved that the ANC accept the Committee's recommendation to send a letter to DDOT supporting the installation of multi-space parking meters throughout the city. It was seconded by Commissioner Holmes and passed without objection.

Motion: Commissioner Fengler moved that the ANC accept the committee's recommendation to send a letter to DDOT supporting an interim bus route along the future H Street/Benning Road streetcar line. It was seconded by Commissioner Alberti and passed without objection.

The committee report was accepted without objection.

8. New Business

Nine motions were considered as a bloc by the ANC, and presented by Commissioner Fengler:

Motion: A motion to send a resolution to send a resolution to the Department of Parks and Recreation to ask for a 45-day extension to review proposed regulations for the establishment of dog parks, and if denied, to oppose the proposed rules. The resolution also authorizes Commissioners Holmes and Schultheiss to testify on behalf of the ANC as needed on this issue.

Motion: A motion to send a letter to Councilmember Wells requesting that the District assist ANC 6A with obtaining low-cost interpretive services for public meetings as requested.

Motion: A motion to send a letter to DPW to conduct a pilot project along Maryland Avenue NE consisting of modifying all public trash cans to prevent to placement of household trash into cans, for the purpose of reducing abuse and decreasing litter.

Motion: Motion to send a letter to DCRA requesting denial of Certificate of Occupancy for a Community Residence Facility at 1537 E Street NE until the owners of the facility utilize the special exception process.

Motion: A motion to OAG to discover if the DC Administrative Procedures Act applies to the activities and meetings of the Public Charter School Board and, if so pointing out the failure to follow that procedure at the PCSB meeting of February 28th.

Motion: A motion to request that the OAG determine whether proper procedures were followed with respect to the purchase of goods and services by Appletree Institute at 138 12th Street NE (RFP required to be posted in DC Register).

Motion: A motion to ask the Zoning Commission to consider the proposal by the Office of Planning to amend §401.1 of the Zoning Regulations regulating Charter School Locations.

Motion: A motion to request that DCRA fully fund its budget for inspectors.

Motion: A motion to send a letter to DCRA and to the Zoning Commission reporting on the vacant properties that exist in ANC 6A.

Commissioner Alberti said that on the motion regarding the Certificate of Occupancy for 1627 E Street NE, the letter to CFSA should request that the license be denied until a proper C of O issued for the building.



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On the motion regarding creating an inventory of vacant properties, Ms. Mack said there are 22 that she knows of in her SMD. Dr. Ronneberg said that the definition of vacant property is that which appears in the DC Code, which is close to nuisance properties.

All the motions passed without objection, except for one on vacant properties, which passed 6-1, with Commissioner Mack in opposition.

ANC Goals for 2007

Motion: Commissioner Fengler moved that the ANC accept the Goals for 2007 document as presented. It was seconded by Commissioner Alberti. Commissioner Nixon pointed out that the Public Safety goals had not been included, and should be. The motion passed without objection

ANC 6A Joint Initiatives with Council Member Wells

1. Improve recreation center management and facilities: building grounds, programs, identification checks, partnerships and volunteer groups.
2. Approve funding for the light rail cars for H Street NE in the Fiscal Year 2008 budget.
3. Implement a Ward 6 singles moratorium.
4. Improve nuisance property policies.
5. Eliminate publicly owned, abandoned housing.
6. Facilitate traffic calming requests and guide systematic implementation.
7. Implement public space improvements - locate and provide for: dog parks, recreation areas, play equipment and passive pedestrian green space.
8. Improve enforcement of illegal construction.
9. Improve transparency of Department of Consumer and Regulatory Affairs and District Columbia Department of Transportation public records and decision making process.
10. Consider expanding Capitol Hill Historic District.
11. Improve transportation demand management strategies for new development.
12. Ensure even distribution of social services across the city.

ABL Committee Goals

1. Pursue and negotiate Voluntary Agreements with all liquor license applications in ANC6A.
2. Hold at least one joint meeting with Public Safety Committee and ensure attendance at all PSC meetings.
3. Assist ANC6C with single sales moratorium
4. Pursue legislation for Ward 6 and/or citywide moratorium on the sale of singles
5. Initiate public awareness campaign of liquor laws and initiate recognition program of licensees who sign VAs.
6. Work cooperatively with ABRA regarding enforcement of VAs.
7. Discussion of moratorium on the # of CT licenses along H Street.



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COC Committee Goals

1. Recruitment of grant applicants / grant writing assistance / review of grant applications
2. Improve and maintain the website.
3. Handle advertising arrangements with The Voice of the Hill and The Hill Rag. Keep the ANC 6A flyer and contacts list up-to-date.
4. Increase public awareness, including press coverage, of ANC 6A activities, especially grant making activities. The COC will evaluate the creation of the semi-annual report (see IV) and make recommendations to improve the process
5. Investigate the possibility of making recordings of ANC 6A meetings available to the public.
6. Increase awareness of community events, including school events.
7. Arrange sign language interpretation for ANC functions as needed.
8. Work with Public Safety Committee and others to create instructions for public on how to access City services

ED&Z Committee Goals

1. Provide a regular public forum for Commissioners and residents to obtain information and discuss land use issues in the ANC 6A area or that affect the ANC 6A area.
2. Review and report to the ANC on all significant activities by the Board of Zoning Adjustment, Zoning Commission, Historic Preservation Review Board, Office of Planning, National Capital Planning Commission, and other agencies that affect land use in the ANC 6A area.
3. Make timely recommendations to the ANC that permit informed participation in city decisions on zoning, historic preservation, economic development, and other topics related to land use in the ANC 6A area.
4. Monitor public and private development activities on H Street NE for consistency with the Strategic Development Plan and Neighborhood Commercial Overlay.
5. As needed, schedule speakers from city or federal agencies who can address the interests or concerns of residents related to land use in the ANC 6A area.
6. Develop a SMD captain with the Transportation and Public Space Committee to systematically collect and report all 1) vacant and nuisance properties, 2) building permit violations and 3) public space violations.
7. Major topical focus areas will be a) making sure DCRA applies the provisions of the H Street NE NC Overlay district to all properties on H Street, b) working with other groups to pass legislation to insure that City-funded social services are spread fairly and evenly across DC and c) expansion of the Capitol Hill Historic District.

Transportation and Public Space Committee Goals

1. Provide a forum for the ANC 6A community to discuss and recommend solutions to transportation and public space-related issues impacting ANC 6A.
2. Provide the ANC 6A Commission with timely, well-informed recommendations regarding transportation and public space-related issues so that it may weigh in on city decisions affecting ANC 6A including, but not limited to, streetscape improvements for the H Street



ANC6A Meeting Minutes March 08, 2007



corridor, the proposed streetcar line serving the H Street/Benning Road corridor, proposed uses for public spaces and implementation of the Capitol Hill Transportation Study.

3. Track progress of streetscape improvements for the H Street corridor, creation of a streetcar line serving the H Street/Benning Road corridor and implementation of the Capitol Hill Transportation Study, and report to the ANC 6A Commission on these matters.
4. Work with the District Department of Transportation, Deputy Mayor for Planning and Urban Development and/or other city agencies to implement the proposals contained in the H Street Corridor and Capitol Hill Transportation Studies, including upcoming studies and initiatives aimed at making the city more bicycle rider and pedestrian friendly.
5. Review and report to the ANC 6A Commission all significant transportation and public space-related activities conducted by the District Department of Transportation, Washington Metropolitan Area Transit Authority, Deputy Mayor for Planning and Urban Development, Office of Planning, National Capital Planning Commission, and other agencies that directly or indirectly impact ANC 6A.
6. Expand relationships and coordinate efforts with other city ANCs and community groups having a stake in transportation and public space matters impacting ANC 6A.
7. Assist the District Department of Transportation with development of a transportation management plan (parking, public transit, car sharing, etc.) for areas in ANC 6A facing increased demands on transportation infrastructure, such as the H Street/Benning Road corridor and the surrounding neighborhoods.
8. Help educate the ANC 6A community on transportation and public space-related concepts.
9. Work with other ANC 6A committees to address committee crossover issues including, but not limited to, zoning and public safety concerns.

The meeting was adjourned at 9:05 pm.



Approved Letters from March 08, 2007



April 6, 2007

Ms. Wanda Durden, DPR Interim Director
Department of Parks and Recreation
3149 16th Street, N.W. - 4th Floor
Washington, D.C. 20010

Re: Proposed Dog Park Establishment Rules Published in DC Register March 02, 2007

Ms. Durden:

At our regularly scheduled public meeting on March 8, 2007, our Commission voted unanimously to request a 45 day time extension to review the proposed dog park establishment rules published in the DC Register on March 02, 2007. The Department of Parks and Recreation's website states that all comments on the proposed rules must be submitted no later than April 2, 2007. The late notice of the rulemaking and the proposed due date for comments, do not allow sufficient time for ANC 6A to thoroughly review the proposed rules.

Based on our initial review, our Commission can not support the proposed rules as they will prevent the establishment of dog parks within in our community. It is our view that the rules as currently written are not within the spirit or the intent of the City Council Dog Park Establishment Act.

It is our hope that the granting of a 45 day time extension will allow us to develop specific recommendations for improvements to the existing rules. If the time can not be extended, ANC 6A opposes the rules as written.

We look forward to your response. If you have any questions, you may contact Commissioner William Schultheiss at schlthss@yahoo.com or 202-257-9994.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Sharon Dendy, DPR Landscape Architect (sharon.dendy@dc.gov)
Marie-Claire Brown DPR General Counsel (marie-claire.brown@dc.gov)
Tanya Washington, DPR Community Planner (tanya.washington@dc.gov)
Clark Lilly, DPR Landscape Architect (clark.lilly@dc.gov)
Councilmember Wells, Ward 6
Councilmember Thomas, Ward 5
Councilmember Graham, Ward 1



Approved Letters from March 08, 2007



March 13, 2007

Karen Wirt, Chair
ANC 6C
P.O. Box 77876
Washington, D.C., 20013-7787

Commissioner Wirt:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to request a series of joint meetings between ANC 6A and ANC 6C to review the options for expanding the historic district beyond F Street, NE – the current boundary of the Capital Hill Historic District. Our Commission proposes we hold three joint meetings of ANC 6A's Economic Development and Zoning Committee with ANC 6's Planning, Zoning and the Environment Committee on the following dates:

- Wednesday, April 4, 2007, 7:00pm, at the regularly scheduled ANC 6C Planning, Zoning and Environment Committee meeting
- Tuesday, April 24, 2007, 7:00pm, at the regularly scheduled ANC 6A Economic Development and Zoning Committee meeting
- Wednesday, May 23, 2007, 7:00pm, a joint meeting between ANC 6C Planning, Zoning and Environment Committee and ANC 6A Economic Development and Zoning Committee at Sherwood Recreation Center

In addition, our Commission approved sharing the cost of a half-page advertisement in the Voice of the Hill to provide public notice of these meetings. The total cost for the advertisement is \$502 and our respective shares would be \$251 per Commission.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A



Approved Letters from March 08, 2007



March 13, 2007

Uma Ahluwalia, Director
Child and Family Services Agency
955 L'Enfant Plaza, SW, Suite 5200
Washington, DC 20024

Director Ahluwalia:

This is a follow-up status request with respect to a contract and license that Child and Family Services Administration is reviewing that will involve 1637 E Street NE and Martin Pollack Project. These questions are with respect to the contract application for a "Teen Bridge Program" made by the Martin Pollack Project, Inc in response to the Request for Proposals CFSA-06-R-0013 and licensing of facilities associated with this application. Please provide an update about this application with regards to the following questions:

1. Will the Martin Pollack Project application be among those selected? If the answer to this question is unknown, then please provide an update regarding the status of the application and review process.
2. Has Martin Pollack Project specified the facilities that will be used for housing the 17-21 year old males and females? If so, what are the addresses? If not, at what point are they required to provide this information to CFSA?
3. Has this address, 1637 E Street NE, been licensed as a youth residential facility, an adult residential facility, or any other type of facility for which CFSA would license? If so, please provide copies of all licenses and documentation.

We request this information based on the District of Columbia Municipal Regulation (DCMR), which states that each Commission shall have access to District government officials and to all District government official documents and public data pursuant to §2-531 *et seq.* that are material to exercise of its development and recommendations to the District government.

Thank you for your assistance with respect to this request. If you have any questions, please contact Commissioner Stephanie Nixon at 202-222-8570 or via email smnixon6a@prodigy.net.

On behalf of the Commission,

Joseph Fengler, Chair
Advisory Neighborhood Commission 6A

Cc: Jim R. Moye, Contracts and Procurement Administrator, CFSA
Jearl J. Ward, Licensing and Monitoring Administrator, CFSA
Councilmember Tommy Wells



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Harry Thomas
Chair, Libraries, Parks, and Recreation Committee
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Ste 402
Washington, DC 20004

Dear Councilmember Thomas:

At our regularly scheduled meeting on March 8, 2007 with a quorum present, our Commission voted unanimously to support the following budget requests regarding Sherwood Recreation Center.

First, we request a new fence with a wrought iron fence that is durable, strong, and attractive. The existing fence is flimsy and has fallen down in some places. The community notes that children enter the facility to ride mopeds around the walking/riding track, activity that will cost Department of Parks and Recreation more funds in maintenance than it would gain by replacing the current fence with a wrought iron fence around the area. .

Second, to continue promoting safety, we request a camera facing the parking lot to act as a deterrent to congregation of individuals after hours and vandalism of cars parked in the lot.

Third, we ask that the carpet be replaced with a material that will not deteriorate as the present has done. Currently, the carpet is filthy and cannot be cleaned of dirt and grime.

Fourth, we seek additional lighting to the front of the building that will highlight it should promote public safety by making activity at the center more visible. This has been requested by both the Sherwood Recreation Advisory Council and employees at the center.

Our Commission has authorized Commissioner Stephanie Nixon, or her designee, to provide testimony at the committee's hearings.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Councilmember Tommy Wells, Ward 6
Marcus Ellis, DPR, Ward 6
Sherwood Recreation Advisory Council



Approved Letters from March 08, 2007



March 13, 2007

Phil Mendelson, Councilmember
Chair, Committee on the Public Safety and Judiciary
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Councilmember Mendelson:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to support the following recommendations for the 2007 Metropolitan Police Department (MPD) Budget, particularly as referenced below for the 1st District and Patrol Service Areas (PSAs) 102 and 103.

First, with the development of Benning Road and H Street NE, it is necessary to have a facility (e.g., station or substation) where Patrol Service Area 102 and 103 officers can be housed. In addition, the facility should be flexible to accommodate Fifth District officers working the same corridor on an as needed basis. There is not enough space to adequately incorporate the officers of PSA 102 and 103 into the existing First District stations. Accordingly, it would seem prudent to go a step further and create a First and Fifth District joint operations unit to facilitate a safer Benning Road / H Street NE Corridor as these two police districts need to share techniques, tactics and procedures to combat crime on this emerging corridor.

Second, we request that the number of officers Patrol Service Areas 102 and 103 be increased to appropriate levels. PSA 102 is allotted 45 officers (10 unavailable) and PSA 103 is allotted 50 officers (2 unavailable). There is a need for full staffing in these PSAs at all times and such staffing should account for the number of officers detailed outside of the PSAs or officers on administrative leave. If an increase in officers can not be supported, then we request that Chief Lanier and Council consider adjusting allocation of resources to provide full staffing of these PSAs.

Please note, MPD officers respond to after-hours calls that would typically be handled by other District agencies (e.g., noise, illegal construction, illegal dumping, etc.). Furthermore, not only is full staffing needed to maintain peace, order, and quiet, but to all police officers to receive appropriate leave so as they can maintain happy and productive lives at work and home as well as to attain the education that MPD requires these officers to complete.

Our Commission has authorized Commissioner Stephanie Nixon, or her designee, to provide testimony at the committee's hearings.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Chief Cathy Lanier, Metropolitan Police Department
Councilmember Tommy Wells, Ward 6
Commander Diane Groomes, First District



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Phil Mendelson
Chair, Committee on the Public Safety and Judiciary
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Dear Councilmember Mendelson:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to support the following recommendations for the budget of the Office of the Attorney General (OAG).

Our Commission has noted the dedicated manner in which the OAG pursues prosecutions. We know first hand that the employees of the OAG regularly work with the community. Their efforts are much appreciated. However, the prosecution arm of OAG has been understaffed for quite some time. We request funding to fully staff the OAG prosecution office, which would allow flexible scheduling to speed case processing for attorneys and officers.

Our Commission has authorized Commissioner Stephanie Nixon, or her designee, to provide testimony at the committee's hearings.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Linda Singer, Director, Office of the Attorney General
David Rubenstein, Office of the Attorney General
Councilmember Tommy Wells, Ward 6



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Phil Mendelson
Chair, Committee on the Public Safety and Judiciary
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Dear Councilmember Mendelson:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to support the following two recommendations for the Fire and Emergency Management Services (FEMS) budget.

First, we appeal for higher staffing. We need 100% full-time staffing for the increase in ambulances and fire trucks. To promote safety of our community, we would like to ensure that funding is available for ambulances and emergency vehicles to be staffed with the appropriate number of paramedics. Each person in need of assistance needs to be provided with the necessary medical care when in an emergency medical situation.

Second, we ask for funding to combat illegal fireworks. The District has substantial problem with illegal fireworks used on holidays and other days during the year. We call for the Metropolitan Police Department to pair police officers with armed arson investigators on dates with historical high call volume for fireworks and firecrackers. Accordingly, an increased budget to provide for armed arson investigators with training and certification are required as well as the funding for the use of shifts beyond normal work hours during the fireworks season.

Our Commission has authorized Commissioner Stephanie Nixon, or her designee, to provide testimony at the committee's hearings.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Fire and Emergency Management Services (FEMS) Director
Councilmember Tommy Wells, Ward 6



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Harry Thomas
Chair, Libraries, Parks, and Recreation Committee
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Ste 402
Washington, DC 20004

Dear Councilmember Thomas:

At our regularly scheduled meeting on March 8, 2007 with a quorum present, our Commission voted unanimously to forward the following recommendations to the committee:

1. Strengthen the sign-in policy of Department of Parks and Receptions with the use of identification. This would require new equipment for the recreation centers. At a minimum, library cards could be required as a form of identification.
2. Provide posters that list the rules behind the counters and throughout the centers with which all who enter agree to abide.
3. Enhance the use of barring notices for those who violate DC laws/code.
4. Increase coordination between DPR and Metropolitan Police Department to ensure public safety is maintained.
5. Increase the maintenance staff and hire people who will respond in a timely manner to requests for service.
6. Ensure that each center has enough staff to manage the property and coordinate activities.

Our Commission has authorized Commissioner Stephanie Nixon, or her designee, to provide testimony at the committee's hearings.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Councilmember Tommy Wells, Ward 6
Marcus Ellis, DPR, Ward 6



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Harry Thomas
Chair, Libraries, Parks, and Recreation Committee
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Dear Councilmember Thomas:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, our Commission voted unanimously to support funding for a new building for the Rosedale Recreation Center.

On February 16, 2007, our Commission approached your committee with significant concerns about the structure and operation of Rosedale Recreation Center. Now we come to you with request for capital funding of a new Rosedale Recreation Center for the Community. In early 2005, Commissioner Gladys Mack proposed construction of a new Rosedale Recreation Center. In 2006, citizens began forming a coalition, including such groups as Rosedale Youth Institute, ACORN, Rosedale Citizens Alliance, and the Pilgrim African Methodist Episcopal Church to obtain funding for a new recreation center.

We need a new facility to provide a safe harbor for our children -- a place that brings peace and joy to this community.

We respectfully request that you will provide the necessary funds to make Rosedale Recreation Center a state-of-the-art facility. In the interim, we seek continued support for the necessary maintenance and minor improvements to make this facility a safe for continued community use.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Councilmember Tommy Wells, Ward 6
Marcus Ellis, DPR, Ward 6



Approved Letters from March 08, 2007



March 13, 2007

Commander Diane Groomes, First District Commander
Metropolitan Police Department
415 4th Street, SW
Washington, DC 20024

Commander Diane Groomes:

At our regularly scheduled meeting on March 8, 2007 with a quorum present, our Commission voted to request that the Metropolitan Police Department (MPD) assist with setting up a Multiple Agency Plan (MAP) for dealing with crime and drugs at the Pentacles Apartments. The purpose of a MAP is to focus the collective energy of the city's agencies on one location to immediately improve the conditions for the residents.

Our Commission is willing to work with you by finding citizens to participate in this plan. However, given the challenge of the current situation, we request that MPD can take the lead in the MAP as it will be important to protect, and even keep confidential, the citizens who assist this project. Many of the community members willing to work with these agencies would fear retaliation if they participated in creating such a plan at public meetings.

Based on participation in the Patrol Service Area (PSA) 103 meetings, we are aware that MPD has been working closely with the owners on these concerns. However, we need a comprehensive approach involving District agencies to restore peace, order, and quiet.

Accordingly, we would recommend the following agencies to participate in the MAP: District of Columbia Housing Authority, Department of Consumer and Regulatory Affairs, Department of Public Works, Department of Health, Department of Youth and Rehabilitative Services, Fire and Emergency Management Services, Metro Transit Authority Police, Child and Family Services Agency, U.S. Attorney's Office, Office of the Attorney General, Court and Social Services, and the DC Superior Courts.

Thank you for your consideration and we look forward to working with you.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Councilmember Tommy Wells, Ward 6
Councilmember Phil Mendelson, At-large
Hiram Brewton, Neighborhood Services Coordinator, Ward 6
Simone Green, Neighborhood Community Outreach Coordinator, Ward 6



Approved Letters from March 08, 2007



March 13, 2007

Phil Mendelson, Councilmember
Chair, Committee on the Public Safety and Judiciary
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Councilmember Mendelson:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to request that your committee hold hearings to discuss developing anti-loitering legislation similar to the existing laws used in Baltimore, Maryland.

The lack of anti-loitering laws creates opportunities for illegal activities to take place on our sidewalks. Currently, the city uses anti-loitering restrictions near schools. The same logic used to implement anti-loitering restrictions in front of our schools should be applied to the streets of our city. Over time an anti-loitering law would return the sidewalks and streets of our neighborhoods to the community for easy passage, legal transit and lawful assembly.

We appreciate your consideration of this and look forward to an update. If our Commission can be of any service on this matter, please contact Commissioner Stephanie Nixon at (202) 396-7234 or by e-mail smnixon6a@prodigy.net.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Tommy Wells, Councilmember Ward 6
Cathy Lanier, Chief MPD
Jeffrey Taylor, U.S. Attorney's Office
Lisa Marie Singer, Directors Office of the Attorney General



Approved Letters from March 08, 2007



March 13, 2007

Phil Mendelson, Councilmember
Chair, Committee on the Public Safety and Judiciary
Council of the District of Columbia
1350 Pennsylvania Ave, NW, Suite 402
Washington, DC 20004

Councilmember Mendelson:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to request that your committee assist with reforming the process of “papering” cases that currently is required in the District of Columbia. Papering, the process by which officers must appear in person to present charges to the prosecutor before pursuing a case, has been cited in the past as a substantial cost to the taxpayers.

The exact amount of time that our Metropolitan Police Department Officers spend “papering” remains unknown. In September of 2006, our Commission received the total amount of court compensation time used by officers in 2005. For that year, 5,094 officers spent 331,863 hours on court compensation time. That translates into an annual requirement of 160 officers spending 40 hours a week to participate in the current papering process.

In the District, not only must officers present the charges to prosecutors in person, this must be done the next day that the court is open for business, even if the officer’s shift ended at 3:00 am that morning or if the officer is off the next day. This antiquated method is not used by any other local jurisdiction.

Officers and government attorneys are losing valuable time during the meetings after each arrest. Solutions might include videophones in computers, night court, telephones, anything that will allow the officer to be on patrol throughout his shift on a regular basis versus in the courthouse. At minimum pilot projects should be implemented with third party monitoring to provide assessments on the effectiveness of reducing time spent on papering.

Even if the changes provide a 30% reduction in time spent on papering, that would return the equivalent of 48 existing, trained officers back to the street on an annual basis. We look forward to working with the committee on solutions that will decrease the amount of time spent on papering so that officers can spend more time on the combating crime. If our Commission can be of any service on this matter, please contact Commissioner Stephanie Nixon at (202) 396-7234 or by e-mail smnixon6a@prodigy.net.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

CC: Tommy Wells, Councilmember Ward 6
Cathy Lanier, Chief MPD
Jeffrey Taylor, U.S. Attorney’s Office
Lisa Marie Singer, Directors Office of the Attorney General



Approved Letters from March 08, 2007



March 16, 2007

Mr. Roland F. Dreist, Jr., Surveyor
Office of the Surveyor
941 North Capitol Street, NE, Suite 2700
Washington, DC 20002

Re: SO 06-5762 (alley closing)

At a regularly scheduled and properly noticed meeting on March 8, 2007, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to oppose the above referenced application for an alley closing behind 1359 H Street NE.

The ANC opposes this application for the following reasons:

1. We can find no evidence in the application that the owner of the properties designated Ms. Shante Parker as the owner's agent. We can only find evidence that Ms. Parker claims to be the owner's agent.
2. The application does not specify which lots are owned by the applicant.
3. No letters of support for the alley closing from the adjacent property owners were provided by Ms. Parker.
4. We believe that the problems of loitering and other unwanted activities in the alley cited in the application should first be dealt with by reporting any incidents to the MPD and other city agencies. Only when these measures fail should an alley closing be considered.

If you have any questions regarding this matter, please contact Mr. Drew Ronneberg, ANC 6A Economic Developing and Zoning Committee Chair, at ronneberg6a02@gmail.com.

On behalf of the Commission,

Joseph Fengler.
Chair Advisory Neighborhood Commission, 6A



Approved Letters from March 08, 2007



March 15, 2007

Councilmember Tommy Wells
1350 Pennsylvania Avenue, NW
Suite 408
Washington, DC 20004

Re: Rehabilitative Services Administration Oversight Hearing March 19, 2007 at MLK Library

Councilmember Wells:

For several years, our Commission has been endeavoring to identify free/low cost interpreting services in the hopes that we could encourage the deaf community to become more involved in the ANC. To date, such services have not been identified although we have been in contact with a provider who charges market-rate. Most recently, we have been in touch with the Advisory Neighborhood Commission coordinator, Mr. Gottlieb Simon. He confirms that ANCs are required, by the Americans with Disabilities Act (ADA), to provide this service. Currently, ANCs are responsible for identifying and paying for these services themselves.

As our ANC is home to a large deaf population, this is of particular importance to us; but must also affect other ANCs as well. Meeting the ADA requirements could potentially absorb a large portion of an ANC budget and places a potentially disproportionate burden on those ANCs who represent a large deaf community. Even locating a service provider is a challenge. It does not make good sense for each ANC to deal with this problem independently.

Accordingly, we request the District provide this service for the ANCs. Failing that, the District should negotiate a contract, with favorable rates, that ANCs can access at their own expense.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Mr. Gottlieb Simon



Approved Letters from March 08, 2007



March 14, 2007

Mr. William Crews
Zoning Administrator
Department of Consumer and Regulatory Affairs
District of Columbia
941 North Capitol Street
Washington, DC 20002

Mr. Crews:

At our regularly scheduled meeting on March 8, 2007, and with a quorum present, we voted unanimously to bring to your attention a letter (attached) received by Councilmember Wells from Thomas Nida, Chair of the Public Charter School Board, addressing concerns raised by Board of Zoning Adjustment (BZA), case #17532, an appeal by AppleTree Institute for Education Innovation (the Institute) of the denial of building permits at 138 12th Street, NE, by the Zoning Administrator.

In his letter, Mr. Nida states that the Institute: "*...is a D. C. non-profit organization and is not a public charter school.*" He further states that the PCSB: "*...has received no petition from the (AppleTree Public) Charter School...to approve an additional campus at this site.*"

Since the applicant for the permits is not a public school, and since no public school has been authorized at this site by the chartering authority, our Commission asserts that no valid request for a school "by-right" modification of 138 12th Street is, or ever has been, pending. We consequently assert that the original application is void, and the subsequent appeal by the Institute of the decision of the Zoning Administrator is moot.

Accordingly, we request that any building permits for this site, located at 138 12th Street, NE, that claim public school status for a matter of right development be denied.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Councilmember Wells



Approved Letters from March 08, 2007



March 13, 2007

Councilmember Tommy Wells
Suite 408
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Councilmember Wells:

At our regularly scheduled meeting on March 8, 2007, with a quorum present, we voted unanimously to request the District of Columbia City Council ensure inspections positions at the Department of Consumer and Regulatory Affairs (DCRA) are fully funded and rapidly filled with qualified individuals. Our community has noted, albeit painfully at times, the numbers of unfilled positions in the Department of Consumer and Regulatory Affairs offices that inspect construction, investigate permit violations, and pursue fraud.

This Commission has had extensive difficulty obtaining timely, comprehensive, and accurate action from DCRA inspectors. DCRA inspectors are a core element of the quality of life concerns raised at the recent Ward Six Crime Summit. Illegal construction and a failure by DCRA to investigate, pursue, and require alteration or demolition of illegally permitted or un-permitted modifications, houses and other structures is a constant, serious problem in community. We have become aware by reliable report that DCRA has inadequate numbers of inspectors and investigators.

To protect our community, we ask that the Council take immediate action to ensure all vacant positions be filled with qualified inspectors within the next 120 days. To that end, we request your office provide a list of all unfilled DCRA inspectors positions by July 20, 2007. It is our hope that your report will have one sentence – “All inspector vacancies at DCRA have been filled by qualified personnel.”

Submitted on behalf of the Commission,

Joseph Fengler

cc: Councilmembers
Bill Crews, DCRA Zoning Administrator



Approved Letters from March 08, 2007



March 14, 2007

Attorney General Linda Singer
Office of the Attorney General
Government of the District of Columbia
1350 Pennsylvania Avenue NW
Suite 407
Washington, DC 20004

Re: Sunshine laws regarding the Public Charter School Board

Attorney General Singer:

At our regularly scheduled meeting on March 8, 2007, and with a quorum present, we voted unanimously to request your assistance to determine if:

- (1) If there are legal requirements under DC law that require the Public Charter School Board (PCSB) to conduct open proceedings, hearings, and meetings, and to make available for public inspection the files and records of the PCSB?
- (2) Whether the City's ANCs are entitled to the standard DC Government 30-day notice requirements of hearings, meetings, decisions and pending actions on matters that affect their ANC?
- (3) Whether documents and communications of PCSB are available without charge to ANCs or, at the very least, subject to FOIA?
- (4) Whether the communications, written and electronic, between members of the Board, the officers and/or the staff are subject to FOIA?
- (5) Whether the communications, written and electronic, between members of the Board, the officers and/or the staff and the staff of the schools under its jurisdiction are available without charge to ANCs or, at the very least, subject to FOIA?

Background:

On February 26, 2007, a representative of Advisory Neighborhood Commission 6A, Commissioner Nicholas Alberti, attempted to present a letter/resolution formally adopted by our Commission to the PCSB. The Commissioner also declared his intention to read a letter, addressed to the Board, from Councilmember Tommy Wells. He was denied the right to speak, even though the ANC's resolution addressed a matter under consideration at that meeting - whether AppleTree Early Learning Public Charter School should be granted an enrollment increase.

The Board Chairman, Thomas Nida, announced that this was not a public hearing, and that no one would be heard. He also stated that there was a requirement to give one week's notice of an intention to



Approved Letters from March 08, 2007



speak. There is no mention of this requirement on the website or in any document sent to us by the PCSB over the past two years. The agenda was posted no more than three business days before the hearing. Consequently the decision on AppleTree's request was made with no public comment or participation. The entire process was opaque to public view and without public input.

The Board's website displays no notice of any required pre-arrangement to address the Board. The website asks simply those participants: "...confirm their attendance with board staff by calling 202/328-2660 at least one business day before the scheduled meeting." The Board's offices are located behind locked exterior doors with no external display board to indicate meeting time, place or subject.

Mr. Nida also stated that, if we desired to speak in the future, we must give one week's notice, submit a summary of what we want to say, and the Board would decide whether or not they want to hear what we have to say.

In close, the ANC is the official voice of the neighborhood; we had formally voted, at a posted public meeting, and with a quorum present, to urge our views on this matter to the PCSB. We were denied. Citizen groups from our neighborhood were also denied the right to participate.

Your swiftest possible response would be appreciated.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Councilmember Wells
Councilmember Cheh



Approved Letters from March 08, 2007



March 28, 2007

William O. Howland, Jr.
Department of Public Works
Government of the District of Columbia
2000 14th Street NW 6th Floor
Washington, DC 20009

Re: Public Trash Can Modified Lid Pilot Program

Mr. Howland:

At our March 8, 2007, Commission meeting, and with the required quorum present, we voted unanimously to request the Department of Public Works (DPW) initiate a pilot program along Maryland Avenue between 7th and 15th Streets NE to modify or replace existing public trash can lids to prevent the placement of large bags of household garbage in public trash cans.

We believe this pilot project will prove successful at eliminating the abuse, reduce the need for enforcement, and improve the cleanliness of our streets. Specifically, this would prevent bulky objects from being placed in the public trash cans and maintain adequate space for the intended use of handheld trash.

The residents of Capitol Hill appreciate the presence of the public trash cans on our streets which provide a place for handheld trash, dog waste, and other debris to be properly disposed. Currently these cans are primarily located at bus stops. We view these public trash cans as an essential tool in the effort to combat public littering, which can negatively affect the image of the neighborhood and the quality of life of the citizenry.

Unfortunately, these trash cans are often utilized by residents for the disposal of bags of household trash, which quickly fills the can rendering them useless to the passing pedestrian. Request for the placement of additional street cans are denied, with the reason stated, that these cans are not being properly utilized which creates an undue burden on the collection crews.

In close, we welcome the opportunity to work with DPW to implement this pilot program. If you have any questions, please contact Commissioner William "Bill" Schultheiss by e-mail (schlthss@yahoo.com) or telephone (202-543-5003).

On behalf of the Commission

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Councilmember Tommy Wells



Approved Letters from March 08, 2007



March 23, 2007

Zoning Commission
c/o Office of Zoning
One Judiciary Square
441 4th Street NW, Suite 210S
Washington, DC 20001

Re: ZC Case #06-34 (Comstock – PUD @ 1705-1729 East Capitol St, SE)

Dear Zoning Commissioners,

At a regularly scheduled and properly noticed public meeting on March 8, 2007, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to provide this letter to seek party status in ZC Case #06-34.

Our Commission is seeking party status in this case because we are within 200 feet of the Planned Unit Developments along East Capitol St SE and will be significantly impacted by this development. Accordingly, we are concerned with the following issues in ZC Case No. 06-34:

5. The applicant is proposing that a portion of the property be upzoned to R-5-B from R-4. We are concerned that the upzoning will increase the density will negatively impact surrounding community and exceed the existing infrastructure capacity for a residential neighborhood.
6. The current plans indicate that only 11 of the planned units will be “affordable”. ANC6A strongly believes that affordable housing is a must and that the builder should allot 20% of the planned development as affordable units.
7. The current renderings of the facade are inconsistent with the architectural vocabulary of the surrounding neighborhood. For example, Comstock is requesting a 50’ height, with the top floor of inconsistent and inappropriate material (appears to be stucco) contrasting unpleasantly with the brick veneer used on the first three floors. The cornice should be moved to the top of the structure. Beyond that, the utility structures on the roof are only sketched in. These elevator housings and other utilities would be an unpleasant contrast to the architectural vernacular of beautiful historic Capitol Hill.
8. The value of community amenities is meager compared to over 35,000 additional square feet that the developer is seeking from the upzoning and PUD. ANC 6A estimates that the value to the developer is over 9 million dollars, while the value of the community amenities is around meager 15,000 dollars. The developer must increase the amenities package for the entire community.

Please be advised that the following team of people is authorized to act on behalf of ANC6A for the purposes of this case: Commissioner Stephanie Nixon (202-222-8570), Dana Wyckoff, Brit Wyckoff, Linda Whitted, and officers of the Commission.



Approved Letters from March 08, 2007



On behalf of the Commission,

Joseph Fengler
Chair

cc: Esther Bushman, Esq., General Counsel, Office of Zoning
Maxine Brown-Roberts, Office of Planning
Julie Olson, Chair, ANC 6B
Francis Campbell, ANC 6B Planning and Zoning Chair
Antonette Russell, ANC 6B09
Gary Peterson, Capitol Hill Restoration Society, Zoning Chair
Holland & Knight, LLP
Pastor Lucius Dalton, Mt Moriah Baptist Church



Approved Letters from March 08, 2007



March 23, 2007

Ms. Donna Hanousek
District of Columbia Department of Transportation
941 N. Capitol Street NE
Washington, DC 20002

Re: Mount Moriah Baptist Church Proposed Sign

Ms. Hanousek:

At our regularly scheduled public meeting on March 8, 2007, our Commission voted to support a proposed sign at the northwest corner of East Capitol and 17th Streets NE, on public space adjacent to the property of Mount Moriah Baptist Church.

The church has demonstrated its commitment to our community by hosting community functions, polling neighbors on the proposed sign, and attending and several public meetings regarding its sign proposal. The church plans to continue this involvement by posting information about community meetings and events on the proposed sign. Mr. James Burrell of Mount Moriah Baptist Church provided a sign rendering (attached) and a copy of the sign permit application. In addition, Mr. Burrell clarified aspects of the church's sign proposal:

- The sign will consist of two panels in an "L" configuration. Each panel will be approximately 19 square feet.
- The sign will be lit by glare-resistant "amber red" LEDs. Only text will be displayed. The text will change periodically such that one message cycle will coincide with the traffic light cycle. Text will not scroll.
- The intensity of the light will vary depending on ambient light.

Accordingly, we support the proposed sign with the above clarifications. If you have any questions, please contact ANC 6A Transportation Committee Chair Omar Mahmud at (202) 546-1520 or via email at familymahmud@yahoo.com.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc:
Mount Moriah Baptist Church, 1636 East Capitol Street NE, Washington, DC 20002
Commander Diane Groomes, First District, Metropolitan Police Department



Approved Letters from March 08, 2007



Rendering of Mount Moriah Sign provided to ANC6A

INNOVATIVE SIGNS
SCHOOLS CHURCHES MUNICIPALITIES
America's Best Looking & Longest Lasting Signs

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84"

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3'

1'-10"

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1636 EAST CAPITOL STREET, NE
WASHINGTON, DC 20003

GOD LOVES YOU
AND SO DO I

Sketch Number	61221/011
Sign Contentment	Very Positive
Sign Model	Custom 175-175H
Sign Size	84" x 10'
Sign Content	Top Content: 18" x 60" LED Content: 24" x 60"
LED Message	
Panel Size	33" x 66 Panels
Panel Price	15 each
Notes	226-Block of AMBER
Number of Lines	
1 Line of 22"	no
2 Lines of 10.8"	no
3 Lines of 7"	no
4 Lines of 5"	no
Colors	
Colors	EMD
Font & Spacing	EMD
Font Background	EMD
Letter Outline	EMD
Options	
Temperature Range	
Warranty Months	
EMD Wash board including the software	
EMD Electronic Support	
<p><small>Due to the digital operation of the signs, and the digital display content, the color content shown here is for approval purposes only. The actual color and size of the signs will vary. Customer Approval</small></p>	



Approved Letters from March 08, 2007



March 28, 2007

Colleen Hawkinson, Citywide Planner
Dana Chieco, Capital City Fellow
District Department of Transportation
2000 14th Street NW, 7th Floor
Washington, DC 20009

Re: H Street/Benning Road Interim Bus Route

Ms. Hawkinson and Ms. Chieco:

At prior community meetings concerning the H Street/Benning Road streetscape improvement project, Ms. Karina Ricks indicated that the District of Columbia Department of Transportation was exploring options to create an interim bus route to service Union Station and the corridor's future streetcar line. Moreover, the buses used on the interim line would have unique markings / colors to differentiate these buses from the normal Metro buses that travel this corridor.

Accordingly, our Commission voted unanimously to express support for this proposal at our regularly scheduled public meeting on March 8, 2007. We believe that such a bus line would:

- (1) Improve access to businesses along the H Street/Benning Road corridor,
- (2) Enhance entrance to Union Station's many transit options for residents, and
- (3) Help residents become familiar with the new streetcar route and enhance the new streetcar line's visibility as a viable transportation alternative.

If you have any questions regarding this matter, please contact Mr. Omar Mahmud, chair of our Transportation and Public Space Committee, at (202) 546-1520 or by electronic mail at familymahmud@yahoo.com.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Karina Ricks, DDOT
Mohamed Dahir, DDOT
Christopher Delfs, DDOT



Approved Letters from March 08, 2007



March 23, 2007

District Department of Transportation
Transportation Services Administration
Citywide Support Division
2000 14th St NW
Washington, DC 20009

Re: Multi-Space Parking Meters

Dear Sir or Madam:

At our regularly scheduled public meeting on March 8, 2007, our Commission voted unanimously to support District of Columbia Department of Transportation (DDOT) citywide installation of new multi-space parking meters, the pilot program for which was announced in DDOT's January 25, 2007 press release: "DDOT Seeks Input on 'Multi-Space' Parking Meters Through Online Survey." Our Commission supports installation of these new multi-space parking meters because they take up less public space than conventional parking meters, allow greater parking flexibility and promote energy efficiency through the use of solar power.

We also encourage DDOT to install these new multi-space parking meters along the H Street/Benning Road NE corridor once streetscape construction improvements are completed. We would, however, ask that DDOT provide ample bicycle parking racks along the corridor once conventional parking meters are removed since those meters are often used to secure bicycles when no better alternative is available.

If you have any questions regarding this matter, please contact Omar Mahmud, chair of our Transportation and Public Space Committee, at (202) 546-1520 or by electronic mail at familymahmud@yahoo.com.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Karina Ricks, DDOT
Mohamed Dahir, DDOT
Christopher Delfs, DDOT
Colleen Hawkinson, DDOT
Dana Chieco, DDOT
Erik Linden, DDOT



Approved Letters from March 08, 2007



March 16, 2007

Mr. Tersh Boasberg, Chair
District of Columbia Historic Preservation Review Board
801 North Capitol Street, NE, 3rd Floor
Washington, DC 20002

Re: HPA #07-121 (139 11th St NE)

At our regularly scheduled and properly noticed meeting on March 8, 2007, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the above referenced application for a rear addition to this property.

Mr. Rosen presented plans for the 17 foot rear addition to the third story of his row house at the February 27, 2007, ANC 6A Economic Development and Zoning Committee meeting and presented letters from the abutting property owners expressing support for the project. In addition, Mr. Rosen and his architect proposed an addition which uses materials and an architectural style that is common among brick buildings in the Capitol Hill Historic District.

If you have any questions regarding this matter, please contact Mr. Drew Ronneberg, ANC 6A Economic Developing and Zoning Committee Chair, at ronneberg6a02@gmail.com.

On behalf of the Commission,

Joseph Fengler.
Chair Advisory Neighborhood Commission, 6A



Approved Letters from March 08, 2007



April 2, 2007

Ms. Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning
One Judiciary Square
441 4th Street NW Suite 210S
Washington, DC 20001

Re: ANC 6A Petition for Emergency Text Amendment to H Street NE Commercial Zone Overlay District

Ms. Schellin:

At our regularly scheduled and properly noticed public meeting on March 8, 2007, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to petition the Zoning Commission to adopt on an emergency basis a text amendment to the H Street NE Commercial Zone Overlay District (“HS Overlay”) that will preserve the integrity and goals of the HS Overlay from anomalous pinpoint changes in the HS Overlay.

The mechanism that our Commission proffers to achieve its goal is an instruction to the Director of the Office of Zoning to suspend and refuse acceptance of applications for more permissive zoning for any property which is governed by the HS Overlay. However, our Commission is receptive to other mechanisms that accomplish the same objective. Furthermore, this emergency rulemaking is justified by the immediate danger posed by the application for rezoning and a PUD in Zoning Commission Case No. 05-37. Richard Luna is currently authorized to represent ANC 6A for this petition and the authorization includes the power of the agent or representative to bind the person in the case before the Zoning Commission.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A



Approved Letters from March 08, 2007



BEFORE THE DISTRICT OF COLUMBIA ZONING COMMISSION

**PETITION OF ADVISORY NEIGHBORHOOD COMMISSION 6A FOR AN EMERGENCY
TEXT AMENDMENT
TO PRESERVE THE INTEGRITY AND GOALS OF THE
H STREET NE NEIGHBORHOOD COMMERCIAL ZONE OVERLAY DISTRICT**

Advisory Neighborhood Commission 6A (“ANC 6A”),¹ hereby petitions the District of Columbia Zoning Commission (“Zoning Commission”) to adopt on an emergency basis an amendment to the H Street NE Neighborhood Commercial Overlay Zone District (“HS Overlay”) to prevent the Office of Zoning from accepting, for a limited period of time, any application or petition to rezone property to a more permissive zone district (“upzone”) in the HS Overlay area.²

I. Proposed Emergency Text Amendment

ANC 6A respectfully requests that the Zoning Commission amend the text of the HS Overlay to include the following section, or one with substantially the same effect:

§ 1327. Action to preserve the policies, goals and integrity of the HS Overlay.

As of the effective date of the HS Overlay and for five years thereafter, the Zoning Commission directs the Director of the Office of Zoning to refuse to accept, and to suspend consideration of, any application or petition for zoning relief that meets the following two criteria:

9. The HS Overlay applies to the property or lot that is the subject of the application or petition; and
10. The application or petition seeks any zoning relief that has the effect of rezoning the property to a more permissive or less restrictive zone district.

II. Justification for the Emergency Rulemaking

The Zoning Commission has authority to amend the zoning regulations.³ It also has authority to take emergency action for a period not to exceed 120 days “for the immediate preservation of public peace, health, safety, welfare or morals.”⁴ ANC 6A unanimously supports this request for the Zoning Commission to exercise its emergency rulemaking authority to prevent the Office of Zoning from accepting upzoning applications for a limited time in a limited area for the reasons stated below.

A. The HS Overlay came about through a comprehensive and integrated planning process.

The HS Overlay is the product of an extended, comprehensive and integrated planning process between Office of Planning, ANC 6A, ANC 6C, Stanton Park Neighborhood Association, Capitol Hill

¹ At a regularly scheduled and duly noticed meeting of ANC 6A held on March 8, 2007, the Commission, by unanimous vote, authorized the filing of this petition and authorized Richard Luna as the ANC representative for that purpose.

² The Zoning Commission has used the term “upzone” to refer to rezoning a property from a less permissive, more restrictive zone district to a more permissive, less restrictive zone district. *See, e.g.*, Zoning Commission Order No. 493 at 19 (Aug. 4, 1986) (“upzone”); Zoning Commission Order No. 975 at 3 (July 12, 2004) (“up-zoning”).

³ D.C. Code § 6-641.01 (2001); 11 DCMR § 102 (2003).

⁴ D.C. Code § 1-1506 (c).



Approved Letters from March 08, 2007



Restoration Society, H Street Main Street and individual residents of neighborhoods surrounding H Street, Northeast. The groups and residents reluctantly agreed with Office of Planning's suggestion to upzone western portions of the HS Overlay in exchange for text amendments that encourage the reuse of the historic building stock on H Street and a zoning map that would remain stable for a significant period of time.

In addition, the Zoning Commission itself held public hearings, accepted letters from affected ANCs, community stakeholders and the development community in support of the HS Overlay.⁵ As such, the HS Overlay itself is a “necessary implementation action” of the H Street N.E. Strategic Development Plan, which the Office of Planning began in 2002 and which the Council approved on February 17, 2004.⁶

B. Given time, the HS Overlay will accomplish the clear and consistent goals it articulates.

The purpose of the HS Overlay is to implement the policies and goals of the NC Overlay District,⁷ the Comprehensive Plan Amendment Act of 2006,⁸ and the H Street NE Strategic Development Plan.⁹ Among those goals are building designs “that are consistent with the **historic character and scale** of the overlay district.”¹⁰ In addition, the Comprehensive Plan seeks to “recognize the importance of its **historic architecture** and housing stock.”¹¹ To achieve these goals, “the scale of development must be **sensitive to adjacent uses**” and must “**improve buffering** and urban design transitions between the emerging office and high-density residential corridor north of Union Station (‘NoMA’) and the **adjacent row house neighborhoods** of Capitol Hill.”¹²

C. Upzoning lots in the HS Overlay District at this early stage undermines the restrictions, policies and goals embodied in the HS Overlay and the Comprehensive Plan Amendment Act of 2006.

The HS Overlay and underlying zoning have been in effect only since March 10, 2006.¹³ In that short period, few structures have been rehabilitated or built in the westernmost section of the HS Overlay area. The short period of time since the effective date has been insufficient for the HS Overlay district to rehabilitate its existing cohesive, stable and dominant character. Moreover, some of the property along the western end of the H Street Corridor was upzoned as a result of the HS Overlay. Now, proposals for new oversized property developments endanger the HS Overlay by exceeding the

⁵ Zoning Commission Order No. 04-27 (Jan. 9, 2006).

⁶ *Id.* at 1, 5.

⁷ 11 DCMR § 1300 *et seq.*

⁸ *Comprehensive Plan Amendment Act of 2006*, 10 DCMR §§ 100-1930, *as amended*, published at 54 DCR 924-928 (Feb. 2, 2007). The 2006 Revised Comprehensive Plan became effective on March 1, 2007. ANC 6A’s Statement in Support refers to the page numbers of the Comprehensive Plan Amendment Act of 2006 as transmitted to the D.C. Council from the Office of Planning.

⁹ Zoning Commission Order No. 04-27 (HS Overlay).

¹⁰ 11 DCMR § 1320.2 (d).

¹¹ *Comprehensive Plan Amendment Act of 2006*, District Elements, Policy CH-1.1.1, 2-10 (emphasis added).

¹² *Comprehensive Plan Amendment Act of 2006* at 2-11 (Dec. 19, 2006) (emphasis added).

¹³ Zoning Commission Order No. 04-27 at 14.



Approved Letters from March 08, 2007



density and other limitations the HS Overlay established.¹⁴

Upzoning is an extreme and permanent measure that is not necessary to achieve large-scale improvements or development on H Street. For example, the recently approved 601-645 H Street project was designed without upzoning or PUD applications.¹⁵ It will likely result in a development that will benefit the community as well as the developer. In addition, the Steuart Development on Square 776 (300 block of H St. NE) received approval for the PUD (ZC Case 06-01) on December 11, 2006, in a case where no upzoning was proposed.¹⁶ By contrast, the proposed Dreyfus development threatens the uniformity and consistency of the HS Overlay with anomalous pinpoint rezoning. In short, further changes in zoning are not only unnecessary; they would undermine the thoughtful, comprehensive zoning changes embodied in the HS Overlay.

D. Upzoning vacant or abandoned lots harms the rehabilitation and economic well-being of the area by encouraging land speculation, while the number of empty lots show there is no justification for increasing the density of any one lot.

The existing vacancy rate for lots in the HS Overlay area demonstrates that there is no need or benefit to an increase in the density of any one lot in the HS Overlay at this time. The D.C. Department of Consumer and Regulatory Affairs (“DCRA”) and D.C. Office of Tax and Revenue (“OTR”)¹⁷ have classified 38 lots in the HS Overlay as vacant for purposes of real property tax assessments.¹⁸ Even more properties that do not qualify for Class 3 vacancy classification are actually vacant.¹⁹ A change in zoning for one lot at a highly visible portion of the HS Overlay only serves to both increase the disparity in development within the HS Overlay and destabilize a portion of the neighborhood.

Moreover, in the HS Overlay area, upzoning has fostered land speculation without reciprocally benefiting the District or the neighborhood. For example, lots in square 752 were upzoned and approved for a PUD in 1988.²⁰ The Zoning Commission extended the PUD approval in 1991.²¹ The upzoning substantially increased the scale of potential development on square 752. As a result, the owner at that time was able to dispose of the property at a substantial profit even though the lots remained underused as a parking lot.

Now, a new owner seeks to upzone property in those squares yet again, and seeks approval for an even larger PUD.

Likewise, just one block over at 329 H Street, NE, the aptly-named Vulture LLC purchased that lot for under \$400,000.²² In February 2006, after the HS Overlay upzoned many lots on H Street,

¹⁴ See, e.g., Zoning Commission Case No. 05-37.

¹⁵ See BZA Case No. 17521.

¹⁶ Zoning Commission Transcript 061211zc.pdf at 101

¹⁷ Both DCRA and OTR are involved in the identification, classification and registration of properties as Class 3 vacant properties. See <http://otr.cfo.dc.gov/otr/cwp/view,a,1330,Q,609719.asp>.

¹⁸ D.C. Dept. of Consumer and Regulatory Affairs, *Vacant Properties Listing 20-21* (March 19, 2007), [http://dcra.dc.gov/dcra/cwp/view,a,3,q,625194,dcraNav_GID,1691,dcraNav\[33420\].asp](http://dcra.dc.gov/dcra/cwp/view,a,3,q,625194,dcraNav_GID,1691,dcraNav[33420].asp).

¹⁹ DCRA and OTR do not consider properties advertised for sale within a certain time period before their evaluation to be vacant for purposes of real property tax assessments.

²⁰ Zoning Commission Order No. 591 (Oct. 17, 1988).

²¹ Zoning Commission Order No. 591-B (Aug. 5, 1991).

²² D.C. Recorder of Deeds, Document No. 2004173214 (Dec. 21, 2004).



Approved Letters from March 08, 2007



Vulture LLC sold that lot to the H Street Community Development Corporation (“H St. CDC”) for almost twice what they paid for it.²³

By contrast, the east end of the H Street corridor has seen healthy redevelopment because it has been free of land speculators who envision increased density and profits through upzoning. No fewer than eight buildings have been renovated.²⁴ A huge development—the 60,000 square foot Atlas Performing Arts Center—is part of the development occurring without upzoning.²⁵

In short, repeated upzoning rewards land speculators by increasing the permissible density, and therefore value, of vacant lots while the speculators leave their lots vacant and deteriorating. The fact that so many properties in the HS Overlay district have been on sale but vacant for years demonstrates that the only beneficiaries of upzoning on the H Street corridor are land speculators. The District, the HS Overlay and the surrounding residents are harmed through the blight and related problems that this speculation on upzoning for vacant land encourages.²⁶

E. ANC 6A’s proposed text amendment is an appropriate solution.

The amendment that ANC 6A proposes merely preserves the status quo. It is limited to the narrow geographic area to which the HS Overlay applies. In addition, the amendment is effective for only a finite and well-defined amount of time. ANC 6A projects that five years is a sufficient period of time for the HS Overlay to take root, for the HS Overlay to manifest itself in a refurbished H Street corridor, and for the long-dormant H Street corridor to achieve a cohesion, stability and dominance that sets a clear standard for future development. In addition, the proposed text amendment reaffirms the principle that comprehensive rational planning that resulted from years of community consensus-building should be allowed a reasonable amount of time for implementation before alterations to it merit consideration. After the corridor undergoes the rehabilitation, renovation and development on the limited scale contemplated by the HS Overlay, the H Street NE Strategic Development Plan, and the Comprehensive Plan, the area and the community will be prepared to contemplate alterations to the HS Overlay zone district.

Finally, ANC 6A’s proposed text amendment accomplishes the Zoning Commission’s statutory mandate of uniformity and consistency in zoning. The proposed amendment merely maintains the existing uniformity of character across the existing HS Overlay district. Moreover, the proposed amendment discourages pinpoint aberrations and “anomalies” in the zoning maps, which contradict the statutory mandate for uniformity in zoning²⁷ and which the Zoning Commission disfavors.²⁸ Also, by maintaining the *status quo* for a limited period of time, the proposed amendment encourages stability of the HS Overlay district and land values therein.²⁹ Finally, the proposed text amendment ensures that the

²³ H St. CDC purchased the undeveloped lot from Vulture for \$770,000. D.C. Recorder of Deeds, Document No. 2006017912 (Feb. 8, 2006).

²⁴ See Erin Killian, *One bar at a time, Englert transforms the spirit of H Street*, Washington Business Journal, Feb. 16, 2007.

²⁵ See www.atlas.arts.org.

²⁶ ANC 6A embraces the rehabilitation and renovation of the HS Overlay area. However, ANC 6A opposes continuous upzoning that upsets the balance of character, scale and stability of the neighborhood.

²⁷ D.C. Code § 6-641.01.

²⁸ See, e.g., Zoning Commission Case No. 05-34 Tr. of April 20, 2006 at 22-:4-24, 33:9-19.

²⁹ D.C. Code § 6-641.02.



Approved Letters from March 08, 2007



zoning maps and regulations are “not inconsistent with the comprehensive plan for the national capital.”³⁰

III. Emergency rulemaking is warranted because a specific proposal for an oversized development immediately threatens the express policies, goals and objectives of the HS Overlay and Comprehensive Plan Amendment Act of 2006.

ANC 6A requests this emergency text amendment because an oversized development proposal contemplates upzoning for existing underused lots. Moreover, other upzoning proposals are expected. These upzoning proposals violate the compromises and concessions between stakeholders, city agencies and the community that had the goal of limiting future increases in density and encroachments through repeated upzoning.

New oversized property developments are already eroding the HS Overlay. For example, in late 2006, Louis Dreyfus Property Group (“Dreyfus”) applied for both upzoning and a PUD for a large development at the western gateway of the HS Overlay (“Dreyfus Property”).³¹ The Dreyfus Property is currently split-zoned C-2-A/C-2-B, while most of the property in the H Street Overlay is zoned C-2-A. The initial Dreyfus Property proposal sought to upzone 60% of the lot that was zoned C-2-A to C-2-B. Now, Dreyfus still proposes to upzone 36% of the property to a C-3-C zone. Dreyfus’s proposed upzoning would increase the matter-of-right density by over 88,000 square feet, from 226,000 square feet to 315,000. The combined effect of the proposed upzoning and PUD would increase the floor area of the development to over 403,000 square feet. This oversized development, which contravenes the express policies and objectives of the Comprehensive Plan Act of 2006, is currently under review.³²

Dreyfus seeks to upzone its property even though the Dreyfus Property has been repeatedly upzoned before. In 2006, the Zoning Commission upzoned portions of the lot from C-2-A to C-2-B as part of the H Street Overlay.³³ Less than a decade earlier in 1997, the C-2-A portion of the aggregated lots had been upzoned to C-2-A from a C-1 zone.³⁴ In the meantime, the surrounding neighborhood has not changed.³⁵

In all this time and during all these zoning changes, the land owned by Dreyfus that fronts on H Street has remained unimproved as a parking lot despite promises and plans to the contrary.³⁶ The portion of the Dreyfus Property that fronts on 2nd and G Streets contains 14 rowhouses that contribute to the historic architecture and housing stock. Dreyfus will demolish the historic rowhouses to make way for a building that is so large it will be entirely inconsistent with the scale, design and character of the adjacent neighborhood. There are numerous similar aggregated lots that are likely to face similar treatment. Developments like the Dreyfus Property are oversized by every measure contemplated in the zoning regulations, namely, height, size, density and lot occupancy.

³⁰ *Id.*

³¹ 200 H St., Northeast. *See* ZC Case No. 05-37.

³² *See* Zoning Commission Case No. 05-37.

³³ *See* Zoning Commission Order No. 04-27 at 2 (Jan. 9, 2006) (square 752 rezoned from C-2-A to C-2-B).

³⁴ *See* Zoning Commission Order No. 821 at 3, 6 (Aug. 4, 1997); Zoning Commission Order No. 591 at 12 (Dec. 2, 1988).

³⁵ The sole exception to this statement is another oversized Dreyfus development known as Station Place.

³⁶ *See* Zoning Commission Order No. 591-B () (extending validity of orders granting PUD application for square 752).



Approved Letters from March 08, 2007



Another pressing danger is that repeated upzoning to accommodate larger and larger developments exacerbates the encroachment of developments that have a scale and character that violate the Comprehensive Plan Act's policies for the Capitol Hill District Element. Individual property owners, like those that sold their property to Dreyfus, become discouraged at the prospect of living in the shadows of such oversized buildings and incompatible uses. In turn, the incompatibility provides an incentive for owners to leave their properties vacant and hope that large-scale developers like Dreyfus will at least buy them out as a part of a similar oversized development.

For developers, this upzoning cycle facilitates the process of aggregating properties, upzoning them and demolishing the existing historic building stock in favor of oversized structures that will compensate the developers with the oversized profits they seek at the expense of the vibrant communities they decimate. Moreover, continuous upzoning encourages property owners to keep their properties vacant and unimproved. Indeed, if the Zoning Commission denies this text amendment, it is blessing the destruction and permanent loss of the inventory of historic structures that the HS Overlay is designed to protect, and that the Council and community stakeholders sought to preserve through the Comprehensive Plan Amendment Act of 2006.

In short, the repeated zoning changes and cycle of encroachment are diametrically opposed to the goals of the HS Overlay and Comprehensive Plan Amendment Act of 2006, which are to stabilize "the historic character and scale of the Overlay District" and "[e]ncourage the reuse of existing buildings along the corridor."³⁷ The goal of preserving the historic character and scale of H Street is so important that the HS Overlay mentions preservation twice.³⁸ Moreover, the high number of developments proposed in a short period of time on the H Street corridor, and the Dreyfus property in particular, are taxing the attention, time and resources of ANCs and residents in the area.³⁹ By contrast, there is no urgency or need for upzoning empty lots. Therefore, an emergency text amendment is warranted.

IV. Conclusion

ANC 6A's proposed emergency text amendment furthers the goals and policies of the HS Overlay and Comprehensive Plan by preserving the status quo for a limited period of time in a very limited geographic area in response to an immediate threat. It also crystallizes OP's promise to the community that the upzoning achieved through the HS Overlay would be the last for a substantial period of time. It also discourages the kind of land speculation that has allowed developers to reap the rewards of upzoning while they allow their properties remain vacant and blighted. Finally, emergency rulemaking is warranted in this case because of the threat posed by the Dreyfus Property and the number and frequency of other anticipated upzoning applications in the HS Overlay area.

For the reasons stated herein, and for such other reasons that the Zoning Commission deems just and proper, ANC 6A respectfully requests that the Zoning Commission:

1. Adopt the above-mentioned text amendment to the zoning regulations on an emergency basis; and
2. Set down the text amendment for a public hearing to determine the whether the Zoning Commission should adopt the amendment on a permanent basis.

³⁷ 11 DMR § 1320.2 (d), (e).

³⁸ *Id.*

³⁹ *See, e.g.*, ZC Case No. 05-37.



Approved Letters from March 08, 2007



Respectfully submitted,

Joseph Fengler
Chair, ANC 6A
804 F Street, NE
Washington, DC 20002

Advisory Neighborhood Commission 6A

P.O. Box 75115

Washington, DC 20013



Commission Officer Reports



ANC 6A Treasurer's Report

March 2007

Period Covered: 03/01/07 03/31/07

Checking Account:

Balance Forwarded		\$	17,782.78
Receipts:			
District Allotments 1st Quarter FY07 DC Allotment	\$	5,794.43	
Interest Income	\$		
Transfers from Saving Account	\$		
Total Receipts	\$	5,794.43	
Total Funds Available	\$	23,577.21	
Disbursements:			
Maury PTSA (Grant)	\$	50.00	
Roberta Weiner (Feb. '07 Minutes)	\$	127.50	
Postmaster (USPS PO Box 1yr rental)	\$	210.00	
Total Disbursements	\$	387.50	
Ending Balance	\$	23,189.71	

Savings Account:

Balance Forwarded			4165.33
Receipts:			
Interest (1/31/07)	\$	1.06	
Interest (2/28/07)	\$	0.96	
Transfers from Checking Account	\$		
Total Receipts	\$	2.02	
Total Funds Available	\$	4,167.35	
Disbursements:			
Total Disbursements	\$		
Ending Balance	\$	4,167.35	



Commission Officer Reports



Printing Expenses for SMD 6A06 Newsletter and Historic District Flyer

ecommerce@fedexkinkos.com wrote:

Date: Fri, 30 Mar 2007 08:39:08 -0700 (PDT)

From: ecommerce@fedexkinkos.com

Subject: File, Print FedEx Kinko's order completion (GTN 1015427372997870)

To: schlthss@yahoo.com

Dear William Schultheiss,

Thank you for choosing FedEx Kinko's. This email confirms that we have completed your order placed on Mar 29, 2007 at 10:36 AM EDT and it is ready for pick-up.

If you have questions concerning your order, please call the FedEx Kinko's store producing the order and ask for the Project Coordinator. You can reference your order by Order Number 1015427372997870.

If you have questions, comments or concerns regarding FedEx Kinko's, please contact customer relations at 1-800-254-6567. You can reference your order by Order Number 1015427372997870.

ORDER -- SUMMARY DETAILS

Order GTN number: 1015427372997870

Order Price

Subtotal: \$140.00

Tax: \$8.05

Total: \$148.05

Payment by: FedEx Kinko's Commercial Account *****0014

Due Date: Mar 30, 2007 at 12:00 PM EDT

Please pick up your order at the following FedEx Kinko's Office and Print Center:

715 D Street SE

WASHINGTON, DC 20003-2153

UNITED STATES

Phone: (202) 547-0421

E-mail: usa1810@fedexkinkos.com

Print Job:

Microsoft Word - SPRING 2007 (700)

Color: Black and White

Sides: Double

Paper: R100 - 20#, 100% Rec 10M Encore

Binding Type: None

Front Cover: None

Back Cover: None

Collation: Collate



Commission Officer Reports



Printing Expenses for SMD 6A06 Newsletter and Historic District Flyer

ecommerce@fedexkinkos.com wrote:

Date: Mon, 02 Apr 2007 09:09:22 -0700 (PDT)

From: ecommerce@fedexkinkos.com

Subject: File, Print FedEx Kinko's order completion (GTN 1015664126130472)

To: schlthss@yahoo.com

Dear William Schultheiss,

Thank you for choosing FedEx Kinko's. This email confirms that we have completed your order placed on Apr 02, 2007 at 10:39 AM EDT and it is ready for pick-up.

If you have questions concerning your order, please call the FedEx Kinko's store producing the order and ask for the Project Coordinator. You can reference your order by Order Number 1015664126130472.

If you have questions, comments or concerns regarding FedEx Kinko's, please contact customer relations at 1-800-254-6567. You can reference your order by Order Number 1015664126130472.

ORDER -- SUMMARY DETAILS

Order GTN number: 1015664126130472

Order Price

Subtotal: \$30.00

Tax: \$1.73

Total: \$31.73

Payment by: FedEx Kinko's Commercial Account *****0014

Due Date: Apr 03, 2007 at 12:00 PM EDT

Please pick up your order at the following FedEx Kinko's Office and Print Center:

715 D Street SE

WASHINGTON, DC 20003-2153

UNITED STATES

Phone: (202) 547-0421

E-mail: usa1810@fedexkinkos.com

Print Job:

Microsoft Word - SPRING 2007 (100)

Color: Black and White

Sides: Double

Paper: R100 - 20#, 100% Rec 10M Encore

Binding Type: None

Front Cover: None

Back Cover: None

Collation: Collate



Committee Reports

Alcohol Beverage and Licensing (ABL)



REPORT OF THE ALCOHOL BEVERAGE AND LICENSING COMMITTEE OF ANC 6A

Tuesday, March 20, 2007 at 7:00 pm

Minutes

Meeting called to order at 7:00 pm.

Committee members present: Mary Beatty; Jeremy Marcus; Michael Herman; Mary Koszinski

Committee members absent: Malcolm Ross; Tish Olshefski

ANC Commissioners: Gladys Mack (ANC6A07); Raphael Marshall (ANC6A08)

Community members present: 3 (No sign in sheet)

I.

- a. **Welcome/Introductions** - Committee members introduced themselves.
- b. **Agenda** - Motion to accept the agenda. No objections.
- c. **Minutes** - Motion to accept minutes of February meeting. No objections.

II. Community Comment

No community comment on any issues not already on the agenda.

III. Updates

A. Twelve VA

Chair Beatty stated that a Voluntary Agreement had been signed and submitted to ABRA which addressed the issue of rooftop noise. She described the mitigation measures which Bernard Gibson agreed to including placing speakers in plant boxes below the brick wall surrounding the dining area, trees between the plant boxes, and privacy fencing in the rear. Commissioner Marshall stated that he had tried to contact Mr. Gibson and Commissioner Beatty to discuss the rooftop noise issue, but had not gotten return calls, so he protested the application. The hearing is on April 4. Commissioner Marshall also stated concerns about the wording of a clause in the standard VA which states that the applicant should work "with the SMD member" representing the area, rather than stating that the applicant should work with the ANC. Chair Beatty agreed that they should not be mutually exclusive and would amend the standard VA to include both.

B. Langston Bar and Grille VA

Chair Beatty notified the Committee that she and Commissioner Mack had met with Mr. Roberson, owner of the Langston Bar and Grille and negotiated the issue of closing hours. The VA was signed by all parties and submitted to ABRA.

C. Par Bar VA

After hearing from Mr. Englert, the owner of Par Bar, in January the ABL committee asked that we receive the filed application before initiating negotiations on a VA, primarily to be certain that Mr. Englert's filing was in line with his description at the meeting. Committee Chair Beatty reported that she had received the application 2 weeks prior and was therefore prepared to submit the standard VA to Joe Englert.

- D. **Atlas Theater VA**- Similarly to action on Par Bar, the committee wanted to see an application prior to negotiating a VA. Chair Beatty has contacted Paul Pascal twice to get this filing, but so far has not received it.

IV. New Business

1. H Street Moratorium Review Period/Potential Amendment



Committee Reports

Alcohol Beverage and Licensing (ABL)



2. The timeperiod for review of the ABRA rulemaking which establishes a moratorium on the sale of single containers of alcohol was discussed. There is still confusion regarding the exact date on which the 30 public comment period and 90 day City Council review began. Chair Beatty indicated that she would speak to ABRA staff to get clarification. The Committee also discussed the possibility of amending the current ABRA rulemaking to include the portion of H Street (300-700 Blks) within 6C. Committee members discusses pros including a more consistent approach along the commercial corridor, a deterrent to moving consumption and sale of singles down the corridor, a faster result than having 6C pursue this on their own. The cons included potentially slowing our process down in the council, and not giving resident of 6C the opportunity to fully “vet” the idea. After a thorough discussion of all pros and cons it was decided that we should wait until we hear from 6C before moving forward with this concept.

3. Selected 2007 Goals-Action Items

The Committee then discussed action needed to begin work on three of our 2007 goals:

- 1) Pursue legislation for Ward 6 for a Ward moratorium on the sale of singles.
After discussion, the Committee decided that the next step should be to determine how the other ANC's feel about this initiative. To do this, it was suggested that our committee hold a joint meeting with those ANC's. We gave ourselves a 2-3 month timeline to accomplish this first step.
- 2) Initiate public awareness campaign of liquor laws/benefits of calls to MPD and initiate recognition program of licensees who sign VA's.
Everyone agreed that the best way to recognize licensee's who are working with the community would be to have a sticker or placard that could be used in the store window. The design would be our ANC6A logo with words in a circle above and below stating “I'm Working with My Community”. Mary Kosinski felt that we should pilot this program with the Mayor's office in order to cover expenses and provide greater coverage. She volunteered to get a rough estimate of printing costs for the stickers. A recommendation will be made at our next ABL Committee meeting, depending on cost.
- 3) Discussion of moratorium on # of CT licenses along H Street.
Both Commissioner Marshall and Commissioner Mack commented that he # of CT's currently along the corridor is a problem. The noise and general environment of drinking are a problem for these Commissioners and their constituents. The Committee members expressed a desire to hold off on any action on this item at this time. Mary Kosinski felt that we should concentrate on doing a good job on the things we currently have on our plate and move this item to 2008. Michael Hermann felt that the development of H is still underway and a cap would be premature. Commissioner Marshall stated that he would like the development to include other types of stores, particularly retail. The Committee decided that we should seek a broader community consensus on this topic, therefore we will leave it on our agenda for at least the next 3 months to solicit public comment.

V. Adjourn. Move to adjourn 8:45 pm. Next meeting: April 17, 2007.



Committee Reports

Economic Development and Zoning (ED&Z)



REPORT OF THE ECONOMIC DEVELOPMENT AND ZONING COMMITTEE OF ANC 6A

Tuesday, March 27, 2007 at 7:00 pm

Minutes

Present: Citizen Members: Drew Ronneberg, Vanessa Ruffin, Rich Luna, Jeff Fletcher, Heather Scott, Linda Whitted.

Commissioners: Nick Alberti, David Holmes, Raphael Marshall, Stephanie Nixon

Drew Ronneberg chaired the meeting.

Community Comments

None

Status Reports

H Street Upzoning Moratorium. Rich Luna reported that ANC 6A's petition for an upzoning moratorium on H Street NE would be filed soon. SPNA and CHRS were in support of the moratorium. ANC 6C will revisit it at their April meetings.

200H (Dreyfus Development). Jeff Fletcher reported that there were new renderings of the 200H project which eliminated the overhanging projection on the H Street facade and included other changes that made the design more acceptable. Jeff reported that a community design advisory group had been created that would operate much like the 600H group and forward recommendations to the developer and architect.

Vacant Properties. Heather Scott reported that she has received over 50 reports of vacant properties and she will contact Rich Luna about getting the properties reported to DCRA and OTR.

Historic District Creation/Expansion. Drew Ronneberg reported that there will be 3 joint meetings with ANC 6C on the expansion of the existing historic district or the creation of a new historic district. The first meeting will be on April 4th at 7pm at the 2nd floor of the NPR building at 635 Mass. Ave NW. The second meeting will be on April 24th at 7pm at the Community Room of Capitol Hill Towers. The final meeting will take place on May 23 at 7pm at Sherwood Recreation Center. A flyer for these meetings are attached to the minutes.

BZA 17610 (1404 Constitution Ave. NE)

Ms. Jennifer Fowler presented plans to dig out a full basement at 1404 Constitution Ave. NE. The basement would be used as an in-law suite and not as a separate unit. Constructing a basement requires a special exception because the house is a non-conforming structure that occupies more than 60% of the lot. Ms. Fowler presented letters of support from both adjacent neighbors. As the basement would neither affect the air or light of the neighboring properties and wasn't visible from the street grade, the committee was satisfied that the conditions of a special exception were met.



Committee Reports

Economic Development and Zoning (ED&Z)



Recommendation: The committee unanimously recommends that the ANC send a letter of support to the BZA for a special exception to allow the construction of a basement at 1404 Constitution Ave NE.

BZA 17611 (314 12th St NE)

Ms. Jennifer Fowler presented plans to construct a garage behind 312 12th St NE that accesses off the alley. The owners plan to construct a garage similar in height and depth to the garages of the adjacent neighbors. In addition the garage will be a replacement for a garage that was demolished on the same site a number of years ago. Ms. Fowler presented a letter of support from one of the adjacent property owners. Mr. Mitchiner, the owner of 314 12th St. NE, said that the other adjacent property owner was on vacation that he was expected to provide a letter of support once he returned. Ms. Fowler intended to present the case to the BZA as a special exception because with the addition of the garage, the lot occupancy will be larger than 60% but below 70%. Ms. Fowler claimed that OP and the BZA are reinterpreting the zoning laws to require a variance for detached garages because they are technically not “additions” under the zoning code. The committee was satisfied that the new garage was similar in height and depth to the neighbor's garage and was meant as a replacement for the demolished garage. As a result, it was felt that either a special exception or a variance should be granted.

Recommendation: The committee unanimously recommends that the ANC send a letter of support to the BZA for a special exception or a variance to allow the construction of a garage at 314 12th St. NE.

1225 Wylie St. NE

Ms. Vanessa Ruffin claimed that there were numerous problems with the construction at 1225 Wylie St. including the construction of a 3rd floor addition that required the use of party walls of the adjacent properties. Ms. Ruffin was concerned that the 3rd floor and lot occupancy violated zoning code. She also said that she could not find the permit application or the plans on file at DCRA and was concerned that the permits may have been fraudulently issued. Ms. Ruffin also claimed that the developer received a Stop Work order and continued to work on the property in violation of the order. Drew Ronneberg said that a 3rd floors are permitted as a matter-of-right in R-4 districts. Another committee member asked for documentation to show that the stop work order was still in effect when the construction was resumed. In order to determine if the construction was within the scope of the permits and plans, Ms. Ruffin asked the committee recommend that the ANC send a letter asking for the items that she did not receive from DCRA.

Recommendation: The committee unanimously recommends that the ANC send a letter to DCRA requesting copies of the applications, plans, permits and records of notifications to adjacent property owners for 1225 Wylie St. NE.

423 18th St NE. Commissioner Nixon reported that the apartment building at 423 18th St. NE originally had 12 small units, but that they were combined to six units during a recent renovation. In addition to combining the original units, an addition with six new units was added to the building. Ms. Nixon was unable to obtain plans from DCRA and the online tracker showed that permits had not been issued for the site. Commissioner Nixon suspected that the displayed permits were fraudulent and asked the committee recommend that a letter be written to DCRA requesting the building permit application, plans and and permits. Ms. Nixon also requested that the ANC notify DCRA that illegal construction had taken place at the site because proper permits had not been issued.



Committee Reports

Economic Development and Zoning (ED&Z)



Recommendation: The committee unanimously recommends that the ANC send a letter to DCRA requesting copies of the applications, plans, permits and for 423 18th St NE and notify DCRA about the illegal construction that has taken place at the property.

ZC No. 06-23 (Text Amendment – Eating Establishment Definitions)

The current definition of a fast food restaurant is based on operational characteristics like the percentage of food items prepared before the customer places an order or whether an establishment serves food in disposable containers. The current definition makes it impossible to determine if an establishment is a fast food restaurant based on the submitted plans, and thus DCRA must rely on the self-reporting of applicants. On May 12, 2006 ANC 6A petitioned the Zoning Commission to change the definition of a fast food restaurant so that an establishment could be determined to be a fast food restaurant by physical characteristics shown on a set of plans. For example, if the building plans do not depict a dishwasher or do depict trash receptacles in public areas, then the condition of disposable plates would be satisfied. Many of the physical characteristics that were in ANC 6A's original proposal did not make it into the draft regulations.

Rich Luna pointed out that in the proposed regulations, an owner could self-certify that a service counter shown in the plans is clearly subordinate to the principal use of a restaurant, and that this would escape the definition of a fast food restaurant. Mr. Luna claimed that this was exactly the same problem of self-certification that exists under the current regulations. He also stated that the requirement that food be cooked allowed loopholes for microwaved or warmed food. These loopholes did not exist in regulations proposed by ANC 6A.

Mr. Luna also proposed that the H Street Overlay be amended to limit the percentage of fast food restaurants to 15% on any block rather than for the overlay as a whole.

Recommendation: The committee unanimously recommends that the ANC send a letter of support to the Zoning Commission for the new definitions of a fast food establishment but that the Zoning Commission adopt changes that will eliminate the problem of self-certification for restaurants with service counters and the vagueness of the proposed regulations.

Additional Designated Representatives for Ongoing Zoning Commission Cases

The 200H Case and the H Street Upzoning Moratorium case currently have one designated representative (Jeff Fletcher for the 200H case and Rich Luna for the Upzoning Moratorium Case.) This is problematic because if these individuals have to withdraw for work or personal reasons, ANC 6A would be left with no designated representative. It was decided that it would be wise to have additional representatives for these cases in case the principal representatives needs to withdraw.

Recommendation: The committee unanimously recommends that the ANC send a letter to the Zoning Commission designating Drew Ronneberg and any officer of ANC 6A as representatives for the 200H case and the H Street Upzoning Moratorium case.

Next Scheduled ED&Z Committee Meeting:

Tuesday, April 24, 2007

7-9 PM

900 G Street, NE

Community Room of the Capitol Hill Towers

*For more information – visit our website at www.anc6a.org
Sign Language Interpretation Services Available Upon Request*



Committee Reports

Community Outreach Committee (COC)



REPORT OF THE COMMUNITY OUTREACH COMMITTEE OF ANC 6A

Wednesday, March 19, 2007 at 7:30 pm

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

No Quorum

Attending COC members: Louis Barbash, Kenneth Wicks, Barbara Anderson, Elizabeth Nelson (chair)

Absent COC members: Rich Carlson, Maurice Cook, Jesse Rauch, Rose Williams

Community members: Annisteen Wicks, Don Montouri (Capitol Hill Classic)

I. Feedback from March ANC meeting/Old business:

1. The ANC has sent two letters requesting assistance in providing interpretive services, one to Councilmember Gray and the other to Councilmember Wells. There has been a reply from Wells' office. His staff has been directed to attempt to arrange services for the ANC 6A monthly meeting.
2. An interpreter has been retained for the March 27 meeting of the ED & Z Committee. This fact has been posted on the website calendar and will be included in the e-mail the ED & Z Committee Chair posts on the listserv. Efforts will be made to contact interested parties, directly by e-mail
3. Ms. Nelson was interviewed by the Voice of the Hill on the topic of interpretive services. The reporter was referred to the aforementioned letters on the website and was informed that an interpreter has been retained for the ED & Z meeting. The reporter asked what steps would be taken to advertise the availability of interpretive services and was told the above and also that, if the District does agree to provide those services, the ANC will do aggressive outreach by updating the ANC ads in the Rag and Voice, updating the flyer, posting on the listservs and the website. Reporters covering ANC activities will be asked to so note in their articles.
4. The COC recommendation regarding the ANC 6A semi-annual report was approved except for the provision that it not be mailed – which was struck. Commissioners may submit plans for limited mailings, mostly to closed apartment buildings, in their own SMDs.
5. Kenneth Wicks was approved as a member and Astri Klievdal's resignation accepted.
6. Our 2007-2008 Goals were approved.

II. Alternate Photocopy Service

1. The owner/manager of Anointed Visions on H St. did finally return Ms. Nelson's call. Since then, he has been very responsive. They are working out the arrangements to establish a corporate account.



Committee Reports

Community Outreach Committee (COC)



III. Capitol Hill Classic

1. Don Montouri, of the Capitol Hill Cluster School PTA, presented a request for support of the street closings for the annual Capitol Hill Classic:
 - The event supports a three-campus DC Public School. Last year it raised \$45,000.
 - Efforts are made to minimize the impact on neighbors, including rolling street closings, MPD support and trash removal through the BID.
 - Aside from the benefit to the schools, this is a community building activity which is enjoyed by runners and eagerly anticipated by neighborhood volunteers.
 - It promotes Capitol Hill neighborhoods as a good place to live to residents throughout the metropolitan area.

Committee recommendation (unanimous): that ANC 6A provide a letter of support for the Capitol Hill Classic (draft attached)

IV. Outreach to Grant Applicants

1. Mr. Barbash reported that Sports on the Hill has not expressed further interest in applying for grant money but that he will follow up with them.
2. Urban Family Development Inc. has inquired about the possibility of receiving financial assistance for a Summer Adventure Camp and has sent a draft grant application. They will present their completed draft application at the April COC meeting.

V. Video/audio capture of ANC meetings

1. As several committee members were absent, including two of those who were researching this topic, the discussion was deferred until next month when, hopefully, all can be present. In the interim, we may try to borrow a camcorder and make a trial videotape of a portion of the next ANC meeting to be uploaded to YouTube. We hope to familiarize ourselves with the process and attempt to find a low-cost means of providing this service.

VI. Other

Committee members will assist commissioners in the distribution of the ANC 6A flyers.

The meeting adjourned at 8:35 pm.

Next meeting is April 16, 2007.

Respectfully submitted,
Elizabeth Nelson



Committee Reports Public Safety



**REPORT OF THE PUBLIC SAFETY
COMMITTEE OF ANC 6A
Wednesday, March 21, 2007 at 7:00 pm**

Minutes

No Quorum

Committee Members: Stephanie Nixon (Chair/Commissioner 6A-08), Mark Laisch
Committee Members Absent: Laura Brown, Joe Bellino, Mike Seneco
DC Agencies: Annie Russell (MPD – Director Policing for Prevention)
Press: Roll Call (Daniel Heim)
Community Members: 3

Ms. Nixon called the meeting to order at 7:15 pm. A quorum of committee members was not achieved. However, the community members present were engaged in the discussion and in formulating agreements.

Action items:

Membership

Add Annie Earley and Daniel Wolff to the Committee roster

Introductions

As committees are now sending out mail, Ms. Nixon requested a volunteer from the committee be available to send out the letters.

Department of Youth and Rehabilitation Services

The committee discussed the possible written testimony regarding the DYRS budget for intensive oversight of external placements such as the Sasha Bruce House. Mr. Laisch pointed out that the charter for Sasha Bruce school in the past location had been revoked. A community member asked about the program at Sasha Bruce. Mr. Laisch responded that to his knowledge, the program had a short-term stay and long-term stay. The committee discussed the various programs implemented by DYRS, including intensive counseling and re-integration into the family. Both the committee and community members discussed the importance of intensive supervision of contracts as exemplified by problems with the program from last year.

Vacant and Nuisance Properties

Attendees continued a discussion of the role of the public safety committee for nuisance properties. ANC6A Transportation and public space committee and ANC6A Economic Development and Zoning Committee have taken up vacant properties that in a state of disrepair. Annie Russell explained the need for multi-agency approach for these properties and the possible use of Operation Crackdown. The Public Safety Committee expressed an interest in these properties as related to public safety concerns such as illegal dumping and drugs.

Ms. Russell suggested sending the list to Merrit Drucker (Merrit.Drucker@dc.gov, Neighborhood Services Director) to learn whether there was an internal process for actually fast-tracking such issues with vacant properties on which there is criminal activity. The committee will send the email and CC to Simone Green and Hiram Brewton.



Committee Reports Public Safety



Community Impact Statements to Judges

Carolyn Crank was unable to make this meeting. However, please see the description of the intent of these in the ANC6A08 newsletter and the PSA 103 notes from March 2007. If a crime occurs in your neighborhood and your life has been impacted by the individual or ongoing activity, then email Carolyn.Crank@usdoj.gov for the case number and defendant's name. Please note that you must be able to describe the events that led to the arrest of the individual. The community impact statement will be seen by only the judge and the prosecutor.

1D Customized Plans for PSAs 102 and 103: Comments to Cmdr Groomes

Recommendation: The committee voted to check with Commissioner Fengler before submitting a letter as the committee would usually just transmit over email. Since this time, the committee decided to send these comments informally via the normal transmission of the Public Safety Committee notes.

Per Annie Russell (MPD) the Chief of Police asked for neighborhood by neighborhood plans. These plans needed to define ways for MPD to work better in the community to create relationships and partnerships. Essentially, the committee mentioned the inherent problem with meetings, which is that only those at the meeting had input. Therefore, entire neighborhoods were omitted from the discussion. For example in PSA 103, part of the neighborhood between Constitution St NE and East Capitol St NE was not included in the plan we noticed. In the PSA 102 the Wylie neighborhood did not seem to be present.

Mr. Laisch pointed out that it would help to have a little more information about implementation. We are well aware that the Cmdr and Lts know what was intended, however the public would like to know. For example, say what the officers will do to try to connect with people vs. just connect with people. For example, when there is a rash of neighborhood break-ins perhaps have police leave a slip with tips for burglar safety. With the new community plans the officers are supposed to adopt areas and make regular contact with the neighbors by introducing themselves.

The "block captain" idea is of concern. In some areas this might work, but in other areas it is difficult enough to just find a volunteer to be a block captain. The term block captain must be fleshed out and the individuals must agree to set up items such as phone trees, how they will stay in touch with neighbors, etc. There needs to be a role for achieving the desired result. Ms. Ruffin mentioned how that in some areas people specify a time to sit on their porch and maintain a network of people that can see and speak with one another. However, there are many apartment/condominium buildings in our ANC and in PSAs 102 and 103 that do not have porches, but rather have stoops. The role of a block captain should be flexible based on the community, perhaps instead, let the community know how they can be involved. Define the expectations for this involvement.

The committee and community members appreciated the flexibility of the plans and requested that they be re-visited periodically for updates to ensure use by all parties as a sort of progress report.

Elected DC Attorney proposed by Rep. Norton

A community member expressed that this seemed to be a larger issue than the public safety committee should consider. The general argument was that the District cannot piecemeal its way to statehood.

Mr. Laisch considered whether having an Elected DC Attorney would help with the papering issue. But again the committee and the community agreed that this becomes intertwined with DC Statehood politics.



Committee Reports

Public Safety



Updates from the past:

Crime Summit, Ward 6 Task Force, 17th St NE and SE

A community member mentioned the lack of maintenance of trash cleaning along this stretch and the poor lighting in various areas.

Teen summit: LIVE and activities to reduce crime – introduction to idea

Doing something concrete that might have an influence on public safety was accepted as part of the committee goals. Last year, Mr. Laisch had mentioned the idea of creating a calendar or list of things to do in the community for the teens and children. One outcome of the Crime Summit is the Teen Summit: Living in a Violent Environment (LIVE) on May 5, 2007. After this, every Saturday, MPD-1D (415 4th St, SW) will be opened to the teens and younger children. There are also summer activities such as the I'm Bored programs (Yvonne Smith 727-4218).

Mr. Laisch suggested that the committee consider requesting a 1 page front and back item that might reach the target audience. Since the meeting, Ms. Nixon spoke with Ms. Nelson, Chair of the Community Outreach Committee, about possible ways to provide the information to parents and children in a manner inspiring participation. The committee plans to continue thinking about this and is considering something like fliers with a calendar with information on front and back.

Maury Elementary School

The committee noted that there had been no response from Superintendent Janey regarding the fence around Maury Elementary School. The community asked for further information. This is a matter that the committee has worked on for over a year and we noted that the only response received thus far from the Superintendent mentioned repairs to the fence. However, these repairs were insufficient as the fence was merely cut again.

Mr. Laisch suggested checking with Commissioner Alberti as Maury ES was within his SMD to see whether the committee should pursue the issue with another letter, but this time to the school board or council.

Community Concerns

A recent statistic been brought forth: Of the approximately 2,500 people returning from jail to DC each year, 2,000 will be re-arrested. This is an 80% recidivism rate for DC.

The meeting was adjourned at 9:00 pm.

Respectfully Submitted by Stephanie Nixon.



Committee Reports

Transportation and Public Space



REPORT OF THE TRANSPORTATION AND PUBLIC SPACE COMMITTEE OF ANC 6A Monday, March 26, 2007 at 7:00 pm

Minutes

- I. Mr. Mahmud called the meeting to order at 7:10 pm.
 - a. Committee members present: Victor McKoy, Lance Brown, Warner Sterling, Diane Hoover, Sean Lovitt, Claire Rodriguez, Omar Mahmud (Chair)
 - b. Committee members absent: Jennifer Flather, DeLania Hardy, Marlon Smoker
 - c. Also in attendance was ANC 6A Commissioner David Holmes.
- II. Committee members introduced themselves.
- III. Community Comment
 - a. Mr. Mahmud motioned that we add to the agenda a proposed letter from ANC 6A regarding planning for next year's National Marathon, particularly with respect to planning for changes to public transit routes and street closures. Mr. Lovitt also expressed support for such an idea.
 - b. The motion passed without objection.
- IV. New Business
 - a. Proposed Department of Parks and Recreation Dog Park Regulations
 - i. Mr. Mahmud informed the committee of the ANC's earlier request that a decision on the new proposed regulations be postponed until our ANC can submit comments. The Department of Parks and Recreation agreed and has given an additional 45 days for comment.
 - ii. ANC 3C has passed a resolution regarding the new dog park regulations proposed by DPR (attached) and Commissioner Schultheiss has asked that our committee evaluate ANC 3C's motion to decide whether our ANC should propose something similar.
 - iii. Mr. Sterling motioned that we encourage ANC 6A to adopt a resolution similar to the one ANC 3C adopted and point out specific flaws in the new regulations where possible.
 - iv. Mr. Brown suggested the ANC should provide as much input as possible up front.
 - v. Commissioner Holmes suggested the ANC not limit the issue to providing public spaces for dogs alone since children should also be a focus.
 - vi. The motion passed without objection.
 - vii. **Recommendation: Adopt resolution similar in form to that of ANC 3C regarding new proposed dog park regulations. Per his earlier agreement, Mr. Schultheiss is to draft the resolution on behalf of ANC 6A.**
 - b. Parking on public space at Horace & Dickie's



Committee Reports

Transportation and Public Space



- i. Ms. Hoover reported that neighbors of Horace and Dickie's are frustrated because the sidewalk is often blocked by delivery trucks and customer cars, forcing residents to walk into the street. Ms. Hoover provided the committee with pictures demonstrating the illegal parking activity neighbors have complained about.
 - ii. Ms. Hoover would like to see action taken to restrict illegal parking at this business.
 - iii. Mr. McKoy explained that the sidewalk in the area is quite large and the majority of delivery trucks are parking on the sidewalk to avoid causing traffic interruptions. In his assessment, there is ample space for pedestrians to still use the sidewalks. Additionally, Mr. McKoy points out that the delivery trucks residents complain of are only parked on the sidewalk momentarily.
 - iv. After much discussion ensued regarding ideas for preventing this illegal parking problem, Ms. Hoover motioned that our committee recommend the ANC send a letter to DPW and DDOT (copying Commander Grooms and Horace and Dickie's) regarding illegal parking on public space in front of Horace & Dickie's, and requesting city officials explore changing parking restrictions nearby to allow parking for commercial vehicles during certain limited hours.
 - v. Mr. Mahmud volunteered to write the letter.
 - vi. The motion passed without objection.
 - vii. ***Recommendation: Send letter to DPW and DDOT (copying Commander Grooms and Horace and Dickie's) regarding illegal parking on public space in front of Horace & Dickie's, and requesting city officials explore changing parking restrictions nearby to allow parking for commercial vehicles during certain limited hours.***
- c. DDOT Driveway Parking Pilot Program
- i. Mr. Mahmud informed the committee DDOT proposed a pilot program in Georgetown that would allow residents to park in front of their own driveways.
 - ii. DDOT forwarded information on this program to Commissioner Fengler. Mr. Fengler has asked our committee to evaluate the program and decide whether our ANC should request to be included.
 - iii. After discussion ensued, Mr. Brown motioned that we take no action on this issue.
 - iv. The motion passed without objection.
- d. Director Emeka Moneme of DDOT to attend May ANC meeting (begin discussion issues/questions to raise with the director)
- i. Mr. Mahmud would like to think of a variety of issues that the Transportation Committee can present. He will serve as the point person for collecting this information.
 - ii. Mr. McKoy would like to follow up on a request that the contract for the streetscape project include rodent abatement.
 1. Mr. Mahmud informed the committee he has received indication from Karina Ricks of DDOT that this would be included in the standard bid contracts, although there was no clear schedule for when construction would start.
 2. Mr. Mahmud volunteered to send an e-mail to Ms. Ricks asking about this issue. If her response did not seem to address the issue, the committee would bring it up with Director Moneme at the May ANC meeting.



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- iii. Mr. Mahmud will be sending an e-mail with the committee's initial concerns to committee members and will request feedback.
- e. Mr. Mahmud motioned that the committee recommend the ANC send a letter to the Department of Transportation, the Washington Metropolitan Area Transportation Association, the Department of Public Works, the Metropolitan Police Department, and the National Marathon race organizers thanking all for bringing the marathon to our ANC, and expressing various concerns for next year's planning.
 - i. Chief among our concerns are improved notice of street closures and interruptions to public transit service.
 - ii. Discussion ensued and some ideas were proposed for next year:
 - a. Signage at bus stops along effected routes at least one week ahead of time.
 - b. A one page information sheet for police officers working along the marathon route to ensure all are instituting the same street closure procedures.
 - c. A mailing to residents about the marathon and possible disruptions, similar to what was done for residents in Adams Morgan.
 - iii. Mr. McKoy commented that this year was better than the previous year.
 - iv. Ms. Hoover mentioned that MPD did an excellent job directing traffic.
 - v. Mr. Mahmud suggested that this letter would be broad and followed up four to five months before the next race with more specific suggestions.
 - vi. Mr. Lovitt agreed to draft the letter.
 - vii. The motion passed without objection.
 - viii. **Recommendation: Send letter to DDOT, WMATA, DPW, MPD, and the National Marathon race organizers thanking all for bringing the marathon to our ANC, and expressing various concerns for next year's planning.**

V. Updates

- a. H Street Transportation Management
 - i. Mr. McKoy provided a report to the committee on the transportation demand management meeting he held along with Commissioner Schultheiss, Ms. Hardy and Ms. Hoover. Topics included:
 - 1. Improved H Street bus service.
 - 2. Additional parking for patrons of H Street businesses. Parking lots exist at Murray's Grocery store at 6th and H, Auto Zone, empty lot at 14th and Maryland Ave and Hechinger Mall.
 - 3. Dual Parking Meters on the corners of the streets adjacent to H Street in the entertainment district during construction on H Street.
 - 4. Funds generated from the dual parking meters being designated for the proposed H Street Shuttles
 - 5. Ms. Hardy will have a co-worker that has been involved in similar projects present a presentation to the committee.
 - 6. Obtain residential zoned parking that will be enforced until 12 pm for all streets adjacent to the entertainment district of H Street.
 - 7. Finish gathering signatures for a traffic calming study for 13th Street NE.



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- ii. Mr. Mahmud commented that the blue buses used by the Georgetown Connection service may be available for our ANC's proposed Union Station to H Street route since Circulator service has now been extended to Georgetown. He, however, noted the Georgetown Connection buses were run by the Georgetown Business Improvement District, and that it would be difficult to implement a similar service for H Street since no BID is currently in place.
 1. Mr. Mahmud agreed to explore finding out if DDOT and the "mini-BID" currently run by Joe Englert and other businesses on H Street would be interested in procuring the former Georgetown Connection buses for H Street.
 2. Committee members expressed support for this idea.
 - iii. The committee discussed the possibility of using the lots of Auto Zone and the area behind Murray's as after-hour parking for patrons of H Street businesses.
- b. 901 10th Street NE (owner built non-compliant curb cut and parking pad on public space)
- i. Mr. Mahmud informed the committee DDOT has fined the developer for a non-compliant driveway. He believes the fine was due to the driveway's width, but he's not sure since the ANC has not received official word from DDOT on the action taken.
 - ii. Commissioner Fengler has brought this issue up with Director Moneme, and is still waiting to hear whether the ANC's appeal of the curb cut is being considered.
 - iii. In its current configuration, the curb cut removes all parking along the street from the corner of 10th and G Streets NE to the end of the owner's property line along G Street.
- c. SMD Captains
- i. Mr. Mahmud explained the idea behind the SMD captains initiative. Captains will be given a list of reportable conditions and contact city officials when service is required. Mr. Mahmud will track these city service requests and our committee will decide whether it recommends the ANC take further action.
 - ii. Mr. Mahmud distributed a list of reportable conditions he drafted (attached).
 - iii. Mr. Brown agreed to edit the proposed list and turn it into a workable flyer for use by residents and SMD Captains.
 - iv. Discussion ensued and committee members expressed concern about not having a systematic way of notifying residents about complaints/violations that would be reported to the city.
 1. In particular, Mr. Mahmud expressed concern about a perception that SMD Captains would be making pre-conceived judgments about certain residents if they notified some residents and not others before forwarding a complaint to the city.
 - v. Mr. Brown motioned that we table this specific issue until next meeting. Mr. Mahmud expressed agreement, but offered that we move forward with preparing the reportable conditions list and tracking spreadsheet in the meantime.
 - vi. The motion passed without objection.
- VI. Assign Tasks/Duties for Committee Members
- a. Mr. Lovitt will write a letter re: National Marathon planning for next year.
 - b. Mr. Mahmud will write a letter re: Horace and Dickie's parking.



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- c. Mr. Brown will review the SMD Captain reportable conditions list and return a final draft to the committee via email.
 - d. Commissioner Schultheiss will draft a resolution re: proposed dog park regulations.
 - e. Mr. Mahmud will collect suggested questions for Director Moneme.
- VII. Additional Community Comment – None.
- VIII. Adjourn meeting at 8:45



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April ____, 2007

District Department of Transportation
Department of Public Works

Re: Illegal parking on public space at 809 12th Street NE

Dear Sir or Madam:

At our regularly scheduled public meeting on April 12, 2007, our Commission voted [unanimously] to request your departments explore ways to prevent illegal parking on the sidewalk fronting 809 12th Street NE, the location of an eating establishment called Horace & Dickie's. Residents have reported repeated instances of vehicles parking illegally on public space at this location, blocking pedestrian access to the sidewalk (see attached photos).

One solution we ask you to explore is a change to the no parking designation along this block to allow for parking by commercial vehicles during designated hours of the day. We recognize that delivery trucks often park on the sidewalk in order to avoid disruptions to traffic in the adjacent street and alley. Therefore, we are interested in providing commercial vehicles a reasonable alternative to illegally parking on the sidewalk. In addition, we ask that you also look into installing bollards or implementing any other measure aimed at preventing vehicle parking on the sidewalk at this location.

If you have any questions regarding this matter, please contact Omar Mahmud, chair of our Transportation and Public Space Committee, at (202) 546-1520 or by electronic mail at familymahmud@yahoo.com.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Cdr. Diane Groomes
Horace & Dickie's



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Delivery trucks parked on sidewalk near 809 12th Street NE



For more information – visit our website at www.anc6a.org
Sign Language Interpretation Services Available Upon Request



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ANC6A RESOLUTION NO. 2007-002

Resolution Regarding the Proposed Amendment to the DC Municipal Regulations Concerning the Establishment of Dog Exercise Areas

WHEREAS the Department of Parks and Recreation (DPR) has published in the DC Register proposed amendments to Chapter 7 of Title 19 (Amusements, Parks and Recreation) (June 2001) of the District of Columbia Municipal Regulations concerning the establishment of Dog Exercise Areas (DEA) pursuant to DC Code § 8-1808.01; and

WHEREAS ANC6A has previously passed resolutions supporting the legislation authorizing DPR to establish dog parks in District parks; and

WHEREAS fenced DEAs allow greater safety for children, dog owners, and non-dog owners as well as provide needed exercise for dogs and build community relationships among dog owners; and

WHEREAS the proposed rules contain restrictions that would preclude any DEAs from being established in the District:

THEREFORE BE IT RESOLVED that ANC6A finds that the draft rules do not reflect and are contrary to the intent of the authorizing legislation and would have the effect of frustrating, rather than furthering the goal of creating dog parks; and

BE IT FURTHER RESOLVED that ANC 6A urges DPR to reconsider these rules; and

BE IT FURTHER RESOLVED that ANC6A requests that the rules and regulations be developed in a manner consistent with the purpose of the law - to provide for the establishment of DEAs, not obstruct them - and should be drafted with input from community members who will be using and maintaining the parks; and

BE IT FURTHER RESOLVED that ANC6A requests that said revised regulations be published for public comment no later than September 1, 2007; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA must sit at least 200 feet away from residences, businesses, school playgrounds and community gardens, as this provision eliminates the possibility of locating a DEA within ANC6A; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA shall be not less than ten thousand square feet, as this provision has the effect of eliminating the possible use of the many triangle parks located within ANC6A to site a DEA; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA shall not exceed twenty-five percent of the total area of an individual park, as this provision has the effect of eliminating the all of the triangle parks located within ANC6A to site a DEA; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA shall displace or disrupt the established recreational activities or passive space within an existing park, as this provision has the effect of eliminating the all of the parks located within ANC6A and prohibits the ability to plan park use based on the demand and needs of the citizens of ANC6A; and



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BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA shall not be located within 100 feet of a surface water, as this provision ignores the fact that Annapolis, Maryland and Arlington County Virginia successfully operate DEA's up to and within adjacent waterways with not demonstrable harm to the environment prevent; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the DEA only be designated with the sponsorship of a 501c3 organization, as this requirements places on unique burden on applicants for a DEA that is not applied to other park uses; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that DPR will not solicit non-DPR owned land for DEA, as this provision eliminates the possibility of locating a DEA on National Park Service and DC Public School's land which is the owner of the majority of open space within ANC6A; and

BE IT FURTHER RESOLVED that ANC6A opposes the provision that the Department of Health must certify the proposed DEA is rat free within a five block radius, as this is a condition not likely to be found within the District of Columbia and that this provision eliminates the possibility of locating a DEA within ANC6A; and

BE IT FURTHER RESOLVED that ANC6A encourages DPR to rewrite the proposed regulations as a set of guidelines instead of prescribing hard rules as this will provide the community with the flexibility to work with neighbors and DPR to properly site a DEA within ANC6A that has support; and

BE IT RESOLVED that the Chair, or his designee Commissioner Schultheiss or Commissioner Holmes are authorized to represent ANC 6A on this matter.

Attested by

Chair, on April 12, 2007

This resolution was approved by a vote of X-0 on March 19, 2007 at a public meeting of ANC 6A at which a quorum (x of 8 commissioners) was present.



New Business

