



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for May 9, 2013**



2nd Thursdays at 7pm, Miner Elementary, 601 15th St., NE
Public Meeting - All Are Welcome to Attend

7:00pm **Call to order, Approve April Meeting Minutes, Adopt Agenda**

7:03 **Community Comments** (2 minutes each)

7:10 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 21*

1. Approve Treasure's Report

7:20 **Single Member District reports** (2 minutes each)

Standing Committee Reports: NOTE: out of order in package; page numbers accurate

7:30 **Economic Development and Zoning** *pg. 35*

1. Approve committee report
2. **Recommendation:** ANC support proposed project to raze an existing one-story garage structure, and build a one-story garage structure with five covered parking spaces and several uncovered parking spaces (HPA #13-156 - HPRB review)
3. **Recommendation:** ANC support request for three special exceptions to allow construction of a two-level, raised deck at the rear of existing one-family row dwelling in the R-4 District as follows:
 - a. Special exception from lot occupancy (section 403);
 - b. Special exception from the rear yard requirements (section 404); and
 - c. Special exception from the nonconforming structure provision (subsection 2001.3)
4. **Membership:** ANC approve nomination of new member Brian Carlson to EDZ
5. Next meeting - 7pm, May 15, 2012 (3rd Wednesday)

7:35 **Alcohol Beverage Licensing** *pg. 27*

1. Approve committee report
2. **Recommendation:** ANC protest the license renewal of Khan's (1125 H Street NE) unless there is a new signed, approved SA before the protest date
3. Next meeting - 7pm, May 21, 2013



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2nd Thursdays at 7pm, Miner Elementary, 601 15th St., NE
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7:40 **Community Outreach** *pg. 23*

1. **Recommendation:** ANC fund the Eliot-Hine MS PTSA grant application in full - \$300 - to purchase educational games for use in support of educational activities at Eliot-Hine
2. Next meeting - 7:30pm, May 20, 2013 (3rd Monday)

7:45 **Transportation and Public Space Committee** *pg. 32*

1. Approve committee report
2. **Recommendation:** ANC send letter to DDOT regarding implementation of temporary traffic calming measures along Florida Ave NE while transportation study is pending
3. Next meeting - 7pm, May 20, 2013 (3rd Monday)

7:50 **Unfinished Business**

7:55 **New Business**

1. Motion: Mr. Williams moves that during the period May 9 - Oct. 13, 2013, the Chair is:
 - Authorized to object to the placement of items not considered by the ANC on the BZA, ZC, HPO or ABC Board consent calendars, and that
 - The Chairs of both the Commission and the ABC Committee be authorized, separately or together, to evaluate and, if necessary, protest on behalf of the Commission any substantial change, renewal or new application filing if the full ANC would not otherwise be able to act before the petition date.
2. Motion: to protest the renewal of Cusbah in the absence of a new Settlement Agreement that incorporates the ANC's standard closing hours for sidewalk cafes - 11 pm Sunday through Thursday and 12 midnight on Friday and Saturday. (Williams)
3. Motion: to a protest a new license for Sol Mexican Grill in the absence of a signed Settlement Agreement before their protest date. If the Settlement Agreement is approved by the ANC, the ANC agrees to a stipulated license, subject to the hours and conditions of the signed Settlement Agreement. (Williams)
4. Motion: to authorize the Chair to communicate to the Chancellor and the Mayor the support of the ANC, and the urgency of the need, for a new children's playground at Sherwood Recreation Center, the use of which will be shared between the School Within A School and the Recreation Center. (Nauden)
5. Presentation by Office of People's Counsel about its role in the utility regulation process; survey to be taken of those in attendance (Holmes)

8:20 **Community Comments Round II, time permitting** (2 minutes each)

8:25 **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of March 14, 2012



Advisory Neighborhood Commission 6A Minutes Miner Elementary School April 11, 2013

Present: Commissioners Alberti, Holmes, Hysell, Mahmud, Nauden, Phillips-Gilbert, Ward, Williams

The meeting was convened at 7pm.

1. Minutes

Mrs. Phillips-Gilbert made a correction to the minutes for March 2013, which were approved by unanimous consent.

2. Agenda

Mr. Holmes added a discussion of Options School to Community Presentations. Mr. Mahmud asked to have a letter to the Mayor on parking revenues considered. With those additions, the agenda was approved by unanimous consent.

3. Community Presentations

Options School

Mr. Holmes opened by saying that this is a recent addition to the agenda, but the issue has become critical and it never pays to wait on school problems. Options came before the Commission to discuss a rash of incidents involving their students' truancy and the harassment of other children and residents. The school established two Segway patrols, provided phone numbers for complaints, and with the Charter School Board Director present, agreed to be responsive and proactive.

He said there is a current problem that duplicates past episodes, except that the Segways do not appear to be helping, the phones are not being answered, and late students are being held outside the school.

He said that they would hear from the community and the commissioners, and then have Options respond. He said the ANC has a heavy agenda and proposed 20 minutes for the discussion. The process was approved by unanimous consent.

Mr. Hysell said that he's been working with Options, that they've had lots of meetings, including a town hall meeting. He said they had negotiated an agreement, but problems still exist— a never-ending problem. Elizabeth Nelson said she was out walking her dogs and saw three students after 9am. They were smoking and the Segway guy did nothing. She said she followed them to school, where they were greeted and welcomed but not allowed into the school. Two adults watched as a large group of students smoked and socialized on the steps of the school.

One resident said she moved to the neighborhood in December, and an Options student followed her four-year-old the previous day and her 12-year-old has been chased in the past in a targeted way. She asked where the adults who were supposed to be at the corner were, monitoring the kids. Another parent, who lives across the street from Options, said she saw a young girl chasing a younger child across 14th Street. She said there was a police presence at Tennessee and 14th Street, but they are not an active presence. And they leave when the buses leave, which makes no sense because it's the kids not on the buses who need watching.



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Jon Wadsworth said he begged and pleaded at the beginning of the year, saying that kids were outside the school between 9:15 and 9:30, when they shouldn't be there. He said he was told by Options that they're putting together a plan. Two days prior to the ANC meeting, he was still being told that they're putting together a plan to drop the kids at Checkers. He said he was tired of being made to feel guilty for demanding safety and security in his own neighborhood.

Mrs. Phillips-Gilbert asked about the Task Force appointed by the school and whether it is made up of community members, and if not, why not. Options, she said, needs a "village" to work and the community has to be a part of that village, and has to be involved.

A resident who lives on 14th Street said she felt she couldn't walk out to her car with any degree of safety, and a resident named Holly said she had trouble last year with students throwing things. She said she called the school, and came to the last ANC meeting at which Options was discussed, but the safety steps they took fell off. They provided a false sense of security, when what is needed is a long-term solution.

Steve Hook of Options School said that they have found that their Segway patrols are effective, saying that at the beginning of the school year there were 50 kids outside the school, but that number is greatly reduced. He said that they do have a plan, and it's been very effective. The primary goal, he said, is to get the students into the building. But they do turn kids away who are late. He said that there are new aspects of their plan, including 1. Extending the Segway officers' hours; 2. Using their extra bus to cruise the neighborhood and pick up stragglers; 3. Getting the kids being sent home to the Metro. The idea, he said, is to keep the kids from irritating neighbors, with the goal of transporting all the kids. He said the school now has an 8.5% truancy rate. As to the current problem, there is no identifying information on the students, so they don't know if it's Options students causing the neighbors' discomfort. He said they are also planning to put teachers on the corners.

Mr. Williams said that this is Options' last chance to communicate with the community. Mr. Hook repeated that people should go to the website and leave a message. He said that there had been seven or eight reports about the most recent incident. Mr. Williams said he had tried unsuccessfully to call and it was extremely frustrating. Mr. Hook said there was a temporary problem with the phones and the Blackberries had been replaced the day before the meeting. Mr. Williams responded that moving to the next step is needed and there has to be community involvement. He reiterated that he's tired of calling and needs to know where the intersection point of engagement with the community is.

Motion: Mr. Holmes moved/Mr. Alberti seconded the motion that the ANC take its concerns to the Public Charter School Board. The amendment was accepted 7-0-1.

Mr. Alberti addressed Mr. Hook and said that the Commission is not there to pass judgment on the kids, but here to pass judgment on the Options administration, which has not been doing very well and not being proactive or implementing workable plans. He said it's important to point out that the DC Council and the Mayor have little authority over the Public Charter School Board and they can do little to influence the oversight of charter schools by the Public Charter School Board. Mr. Holmes added that he's proud to have the school in the community, but they're not doing the job of relating to the people who live there.



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Mr. Hook said he's pleased with the progress they're making, and gave out the newest reachable phone number. He said that if there's a problem he can be reached at (202) 657-1244; and that school general counsel Paul Dalton at (202) 497-2116.

The final vote was 7-0-1.

4. Community Comments

Capitol Hill Village Housing Seminar

Vira Sisolak, representing Capitol Hill Village, the organization for people who want to stay in their own homes, or neighborhood, as they grow older, announced that the organization is sponsoring a free daylong seminar on Friday, May 3rd at the Hill Center, 901 Pennsylvania Avenue SE. The symposium will focus on issues such as preparing multi-floor townhouses for ease of use throughout life; moving to one-level living on Capitol Hill; co-housing; changing financing needs; rent, ownership or leasehold; and moving to small neighborhood skilled nursing homes when 24-hour care is the best solution. For more information, info@capitolhillvillage.org, or (202) 543-1778.

5. Officers' Reports

Chair

Mr. Holmes reported that new Council-passed financial disclosure regulations will apply to ANC Commissioners and they will be required to file forms with the District. OANC Director Gottlieb Simon will have the details to present to the ANCs.

He also announced that there will be a town hall on the new water pipes that are being installed across the City. The meeting will be on April 25, 6:30-8:30pm at Watkins Elementary, 420 12th Street SE.

He noted that Commissioner Nick Alberti and Elizabeth Nelson, Community Outreach Committee Chair, will be honored by the Capitol Hill Community Foundation at its annual dinner on April 23. "Elizabeth has been the reader, the comforter-in-chief for over a generation of Maury Elementary School children, and she is known to thousands of kids as Ms. Elizabeth."

Finally, he said he has asked that the Mayor come to an ANC meeting to discuss funding for the Commission's four major street projects. He has not yet committed to come.

Vice Chair

Mr. Mahmud said that he represented the ANC at the April 4th Mayor's Meeting for ANC leaders. He reported that:

- He learned that DDOT has a new Public Space internet tool that will allow people to comment on issues, and there will be training in the near future.
- The Administrator of the new Health Exchange, mandated by the Affordable Care Act, will come and talk to the ANC about it.
- The Director of Fair Housing will also come.
- He said he had the opportunity to talk directly to the Mayor and told him that all his budget choices have a serious impact on 6A and hopes he will consider that.



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Treasurer

Treasurer's Report

Mr. Alberti presented the Treasurer's Report. He reported that the opening balance in the checking account was \$13,858.10 and the savings account balance was \$13,715.29. There was an interest payment to the savings account of \$.23. There were disbursements of \$200 to Heather Schoell for the February '13 agenda package (Check #1592); \$180 to Roberta Weiner for transcription of the January '13 ANC minutes (Check #1593); \$330 to the US Postal Service for a post office box for one year (Check #1594); a voided check (Check #1595); \$257.58 to FedEx Office for the March '13 statement (Check # 1596), leaving a balance of \$12,890.52 in the checking account, and \$13,715.52 in the savings account.

Motion: Mr. Alberti moved/Mr. Holmes seconded a motion to accept the disbursements. The motion passed without objection.

Motion: Mr. Alberti moved/Mr. Holmes seconded a motion to approve the Treasurer's Report. The motion passed without objection.

Quarterly Report

Mr. Alberti presented the Quarterly Report for the 2nd Quarter of FY 13, saying that it had been circulated to the ANC prior to the meeting, and inviting questions and comments. **Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion to accept the Quarterly Report as presented. The motion passed 8-0, unanimously.

Mid-year Budget Review

Mr. Alberti presented the mid-year budget review, saying it was to give Commission members an opportunity to see how money has been allocated and spent for the current year, and invited questions and comments.

Mrs. Phillips-Gilbert asked about the advertising budget and what it goes for in her community. She said it was an important issue, saying the Hill Rag caters to readers on the Hill and she wants to look at other options and reach people who read The Afro-American, and The Informer. Enough of this community isn't reached. Mr. Alberti responded that it's difficult to deal with weekly papers in terms of deadlines and their publication schedules. The Rag, like the ANC, is on a monthly schedule. Ms. Nauden said that media buying should be based on demographics and the ANC should look at more of a research-based model in making its decisions.

6. Alcoholic Beverage Licensing Committee

The report of the Committee was accepted without objection.

Maketto - 1351 H Street NE

The Committee moved and Mr. Williams seconded a modification of the Settlement Agreement the ANC signed with Maketto, an establishment that will open at 1351 H Street NE. The modification would delete the first sentence of §3(d), removing restrictions that could limit the hours of operation of their outdoor courtyard. Mr. Williams provided an amendment to the Committee motion, which would eliminate the entire §3(d) to further clarify the meaning of the change. The amendment passed by unanimous consent and the motion was adopted 7-0-1, with Commissioner Alberti not voting.



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Changes in Settlement Agreement

Mr. Williams announced that he had made a few tweaks in the ANC's basic Settlement Agreement, but none that will change the meaning or substance of the document. Mr. Alberti suggested that Mr. Williams might want to run the new agreement past the ABRA general counsel to make sure it meets their standards.

The Elroy - 1423 H Street NE

Motion: The Committee moved/Mr. Williams seconded a motion to protest the license of the Elroy, 1423 H Street NE, unless there is a signed, approved Settlement Agreement before the protest date. The amendment passed by unanimous consent and the motion was adopted 7-0-1, with Commissioner Alberti not voting.

7. Transportation and Public Space Committee

The report of the Committee was accepted without objection.

Membership

Motion: The committee moved/Mr. Mahmud seconded a motion to approve Andrea Adleman as a member of the TPS Committee. The motion passed without objection.

Motion: The committee moved/Mr. Mahmud seconded a motion to approve Christine Ennis as a member of the TPS Committee. The motion passed without objection.

Naming of Alley

Mr. Mahmud reported that the residents of the alley just north of the 1100 block of H Street NE have problems receiving city services and receiving mail because they have no physical street addresses. The residents have a petition signed by 29 homeowners to name the alley Atlas Court. **Motion:** The Committee moved/Mr. Mahmud seconded a motion to accept the Committee's recommendation to send a letter of support to Councilmember Wells for naming the alley north of 11th Street off H Street NE. The motion passed 8-0, unanimously.

Committee Goals

Motion: The Committee moved/Mr. Mahmud seconded a motion to accept the committee's recommendation that the ANC approve the 2013 goals of the Transportation and Public Space Committee. The motion passed 8-0, unanimously.

7. Economic Development and Zoning Committee

The report of the Committee was accepted without objection.

1350 Maryland Avenue NE

This is a request for support of a special exception from the H Street Overlay for design, and a variance from the setback requirements for parking. DC zoning regulations require that if the ceiling of a parking structure is above grade, the spaces must be set back ten feet or must be sunk below grade. The ANC has worked closely with Valor Development, the developer of the project, on the design.

Motion: The Committee moved/Mr. Holmes seconded a motion to recommend that the ANC support the application for a special exception and variance relief and to draft a letter of recommendation to



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the BZA to seek a new surface for the alley, new signs that say “Not A Through Street” and Right Turn Only”, and increased enforcement of the parking restrictions in the alley from DDOT.

Mr. Hysell, in whose SMD the project lies, said that he has been working with Valor, and has gotten to see how they work. But, he said, he hopes they will not use the alley as an exit. He said he doesn't want to see all the extra traffic and the harm it will do to the neighborhood.

Mr. Holmes presented his view of the project, and the issues involved:

From the earliest drawings the Valor project has shown the garage exit at the rear of the building, leading into the alley. The EDZ Committee and the ANC have discussed the drawings in open meetings. Both EDZ and Commission chairs and the local Commissioner have all participated in these discussions over the years.

The ANC agreed to delay the conversion of the western corner of 14th Street and Maryland to C-2-A from C-3-A in return for design consultation and a limitation on height and maximum density. In other words, Valor agreed not to build to the maximum height (65 feet instead of 50) and the maximum density permitted in the C-3-A zone. They have negotiated in good faith. Valor has hired lawyers to fight alongside the ANC to stop the Shell station, donated to local causes, and appear to bring welcome new neighbors to this dead and abandoned corner.

The alley is the only exit to this property. The property owners have the right to build the condos, and the right to provide an exit from their garage. The City will not permit an exit in close proximity to a busy intersection, and 14th and Maryland certainly fits that description. The bad placement of the curb cut for the 14th Street entrance to the Shell station is one we have fought for years. It's dangerous. Cars accelerate from Florida Avenue to catch the light, either to go south on 14th or swing onto Maryland. Because of the angle formed by Maryland, this is a very short block requiring fast reaction time. Additionally, if an exit were to be approved for either street, the neighborhood would lose three street parking spaces.

Should the alley exit be closed, which is extremely unlikely because anyone who lives on an alley has the right to use the alley, then the developer could increase the number of units using the garage space, and the neighborhood would have to deal with all of the extra residents of the project seeking parking spaces.

The transportation expert hired by Valor differs from what other experts have told me. Because of the location next to the busiest Metrobus corridor and the bus line on Maryland, these new residents are unlikely to use their cars to commute. This site easily meets the new standards for zoning waivers to not provide any on-site parking. This would be great for the alley residents but would be a disaster for the neighborhood. All residents could obtain Zone 6 parking and compete with the neighbors and the businesses at the eastern end of H Street for street parking--83 condos, and maybe more if the garage becomes condos, seeking street parking.

He asked that the neighbors accept the offer, embodied in the Committee motion, to seek mitigating measures for the alley traffic, including traffic control signs, increase towing and ticketing for illegally parked vehicles, and an ANC request to DDOT that this deteriorated alley be given a new surface once construction is complete.



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The ANC's reputation for fair dealing with developers is on the line here. Fairness for the other, non-alley, residents of the neighborhood is on the line here. This entire alley is zoned for commercial development and has been for decades. It is either C-2-A or C-3-A—it cannot be protected from access through the alley. Every business and every homeowner with access to parking in the alley has the right to use the alley. Period.

In summary, rejecting the Committee motion will only worsen the problems and remove our voice in the process.

Will Lansing of Valor said that a curb cut is impossible, and DDOT will not allow one. Their architect reiterated that there is zero chance of their receiving permission for a curb cut and that is why they're asking for a special exception.

Michael Hoenig said that the project will be an asset to the community, but parking is a real problem. He said the neighbors' concerns are directly related to parking, which will be a nightmare. It's already a problem, and adding 42 spaces will be a problem and will benefit no-one. The owner of Effervescence said that as more new businesses open, it will mean increased deliveries, and the whole issue will have to be revisited. Room is needed for trucks to load and unload.

Valor said that they are cognizant of problems, and they are not going to be the cause of problems that already exist. In addition, he said, their traffic study noted only one car every six minutes.

Mr. Hysell said he really feels for Valor but he has to reflect the views of his constituents and would like to move to table the motion. **Motion:** Mr. Hysell moved to table the original motion.

Mr. Holmes said he opposes the motion to table. It leaves the ANC with no voice on the matter after years of negotiation and collegial communication with Valor. The Maia is an asset, its construction of the garage exit is "by right", and the alternative would be disastrous for the wider neighborhood and the merchants.

The motion to table passed 5-3, with Mr. Alberti, Mr. Holmes and Mr. Williams in opposition.

Mr. Alberti asked rhetorically if that meant that the application to the BZA was to go forward without any recommendation at all from the ANC, and was told that was correct.

Manny and Olga's - 1409 H Street NE

This is a request for support for a special exception for a fast food restaurant (carry-out pizza), **Motion:** The committee moved/Mr. Holmes seconded a motion to recommend that the ANC approve the Committee's recommendation that it support a special exception for Manny and Olga's at 1409 H Street NE with the following provisos: They have agreed to keep dumpsters and trash cans on their own property, that they will join a BID when one is organized, that they will sweep the space in front of the store at least twice a day, and they will prevent cars from double parking in the alley.

The people from Manny and Olga's say they are committed to running a clean and beautiful place. The motion passed 8-0, unanimously.



8. Unfinished Business

Lincoln Park

Dr. Joy Kinard of the National Park Service gave a progress report on the renovation of Lincoln Park. She reported there was bad news—problems have arisen with unexpected electrical work and too high water lines that will delay the park’s re-opening from May 27 until June 10 or 17—and good news—they are pretty much done on the side opposite where the problems are. They are now sprucing up the playground and bringing its surfaces up to code, and finishing the eastern end steps. Mr. Alberti asked whether there was any way even one of the playgrounds could be opened, and Dr. Kinard said she would look into it. She said they had an update meeting every Wednesday at 10am. Mr. Alberti said that the delay seems to be only focused on one area and it would be good if the rest could be opened.

9. New Business

Letter on Amanda Molson

Motion: Mr. Holmes moved/Mr. Alberti seconded a motion that a letter be sent to the Historic Preservation Office praising Amanda Molson for her work on behalf of the ANC, and particularly for her assistance to those Commissioners in the Historic District. The motion passed without objection.

Letter on Expediting Signs at 14th Street and Maryland Avenue NE

Motion: Mr. Hysell moved/Mr. Holmes seconded a motion that a letter be sent to the Department of Transportation urging that signs saying “Do Not Enter” and “No Left Turn” and “No Right Turn” be posted at appropriate points on 14th Street around the new Shell gas station at 14th Street and Maryland Avenue NE in an expedited fashion. DDOT has apparently said the signs may have to be delayed until fall, and entering and leaving the gas station is dangerous. The motion passed without objection.

Letter on Use of Enhanced Parking Revenues

Mr. Mahmud reported that revenue from Enhanced Parking program is being diverted into the city’s general funds rather than being allocated for use within the area where they were collected. These funds are supposed to be used for such purposes as solar compacting trash cans, signage, identifying banners, etc.—and within the affected area. **Motion:** Mr. Mahmud moved/Mr. Holmes seconded a motion to send a letter to Mayor Gray urging that the Enhanced Parking funds be used for the purposes for which they were originally intended. The motion passed 8-0, unanimously.

10. Single Member District Reports

Mrs. Phillips-Gilbert invited the community and the Commission to a ribbon cutting for the Rosedale Field on April 19, at 10am, in honor of Mamie “Peanut” Johnson, who was discovered playing baseball at the Rosedale field at the age of 19. She was later drafted to play for the Indianapolis Clowns in the Negro Baseball League in the 1950s.

Ms. Nauden said that a constituent had heard Mr. Holmes talking about one-side Zone 6 parking and wants to know when it will be available in her neighborhood

Mr. Mahmud said that he is working with DDOT’s Damon Harvey who has laid out a plan to get one-side parking for the 900 block of L Street NE.

The meeting was adjourned at 9:10pm.



Commission Letters of March 14, 2012 Meeting



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



April 26, 2013

Director Fred Moosally
ABRA
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Dear Sir:

ANC 6A has agreed to modify our Settlement Agreement with Maketto (1351 H Street NE) to delete Section 3(d). This court is enclosed within the building’s walls and, we believe, should not be treated as an exterior patio, court or deck. With this internal location we feel that the hours of operations should be those of the rest of the establishment, and not be restricted to those of a outside patio. The restaurant will have a “summer garden” inside the restaurant.

The Commission agreed to this modification by a vote of 7-0-1, with Commissioner Alberti not participating and not voting. The entire Commission membership was present at this regular monthly meeting. ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission’s website, and through print advertisements in the *Hill Rag*.

For the Commission,

David Holmes
Chair

This accurately states the modification to the Settlement Agreement between Maketto and ANC 6A and, by my signature, I agree to this change.

Erik Bruner-Yang
Maketto
April 27, 2013



Commission Letters of March 14, 2012 Meeting



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



April 17, 2013

David Maloney
State Historic Preservation Officer
Office of Planning
1000 Fourth Street SW, Suite E650
Washington DC, 20024

Advisory Neighborhood Commission 6A wishes to praise Amanda Molson for her very helpful service to our community as the representative of the DC Historic Preservation Office for the Capitol Hill Historic District. Her astute counsel and perseverance have aided our constituents, individual Commissioners, and the Commission as we have considered modifications to historic structures and new infill construction.

She has always been happy to be helpful, to be proactive in even the most difficult cases.

Please pass on to Ms. Molson that we say:

May you enjoy your new responsibilities; we know you will do them well.

For the Commission,

David Holmes
Chair

cc: Amanda Molson
Historic Preservation Office

Harriet Tregoning
Director, Office of Planning



Made this 25th day of March, 2013

by and between

The Elroy (ABRA #091452)

1423 H Street, NE
Washington DC 20002
and

Advisory Neighborhood Commission 6A

Preamble

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

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

Further, ANC 6A acknowledges that this Settlement Agreement shall be presented to all Class CT applicants within the boundaries of ANC 6A. The community and merchants have agreed that it is in all the parties best interests to standardize the requirements for the operations of restaurant, tavern, and nightclub establishments within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Settlement Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

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

Witnesseth

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

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

Settlement Agreement between The Elroy and ANC6A

Page 1 of 4



The Parties Agree As Follows:

1. Public Space Cleanliness and Maintenance. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
 - b. Maintaining regular trash garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster area remain clean.
 - c. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed.
 - d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
 - e. Assisting in maintenance of the curb in front of the establishment to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulation in these respects.
 - f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
 - g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
 - h. Requiring the owner and employees not to park on public space between the building and the curb.
 - i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices:
 - a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
 - b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
 - c. Applicant agrees to ensure that no patron bring an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage. Wine shall be corked in accordance with Title 25-113(b)(5)(A)(B)(C) of the DC Municipal Code.
 - d. Applicant will not provide or sell alcoholic beverages “to go.” Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature.
 - e. The licensed establishment will be managed by the applicant in person or a board licensed manager.
 - f. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
 - g. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. Proper ID required (proof of age 21 minimum to be served and assurances that IDs will be checked at all times prior to serving alcoholic beverages to patrons).
 - ii. Prohibition against selling alcohol to minors.
 - iii. Request to patrons to not litter, loiter, or make excessive noise in the neighborhood as they arrive or depart.
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects.
 - v. Request that customers do not contribute to panhandlers.
 - h. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment,
 - ii. Calling the Metropolitan Police Department if illegal activity is observed,
 - iii. Keeping a written record of dates and times (a call log) when the MPD is called for assistance.
 - iv. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment which could lead to an ABRA



Commission Letters of March 14, 2012 Meeting



investigation. Each incident will contain date, time and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.

- i. Upon request of the Board, applicant's call log and incident log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving the Applicant's license.
- j. Applicant shall not support the installation of pay phones outside of the establishment on their property.
- k. Applicant will utilize and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
- l. Applicant shall provide valet parking services only with valet parking companies as defined, licensed, and in compliance with Title 24 DCMR Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. Music / Dancing / Entertainment:

- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate sound proofing.
- b. Applicant shall not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment in accordance with DC Official Code Title 25-725.
- c. In order to mitigate noise on an outdoor patio or summer garden the following steps will be taken:
 - 1) Applicant shall not offer any type of live or pre-recorded music on the patio.
 - 2) A fence or other barrier will enclose the entire perimeter.
 - 3) No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume.
 - 4) Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones.
 - 5) Potted plants, trees, fountains or other types of noise mitigation techniques will be incorporated into the decor.
- d. The hours of operation for a patio or summer garden on private property (excluding rooftops) are limited until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff. If the patio has been open for business for at least three months during the months of April through September and noise levels from the patio do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the licensee may submit a change of hours application to allow for expanded hours of operation on the patio.
- e. If the outdoor patio is located on public space, the hours of operation of that patio will be limited until 11:00 p.m. Sunday through Thursday evenings and 12:00 a.m. on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons.
- f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
- g. All CT license holders with an entertainment endorsement must have an ABRA accepted security plan in place.
- h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

- 4. Cooperation with ANC 6A. Applicant agrees to work on resolving issues preventing the applicant from fulfilling its obligations under this cooperative agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMD's are adjacent to the location of the establishment.



Commission Letters of March 14, 2012 Meeting



5. Modifications. This agreement can be modified only by mutual agreement of all the parties with the approval of the ABC Board or by the ABC Board consistent with DC Code § 25-446. In the case of ANC6A, if applicant desires to modify the terms of this agreement, the applicant, prior to implementing the change(s), shall receive written agreement from ANC6A after a majority of the commissioners shall have voted in favor of the changes at a full public meeting.

6. Miscellaneous:

- a. Applicant shall post a copy of this voluntary agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
- b. Applicant will operate in compliance with all applicable DC laws and regulations.

7. Enforcement:

- a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees shall immediately file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject the Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
- c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Karl Graham Date: 4-9-13

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES, CHAIR Date: 4-11-13

Signature: [Handwritten Signature]



Commission Letters of March 14, 2012 Meeting



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



April 17, 2013

Councilmember Tommy Wells
Suite 402
1350 Pennsylvania Avenue NW
Washington, DC 20004

Dear Councilmember Wells,

Advisory Neighborhood Commission 6A has adopted a resolution requesting your assistance in naming the alley in Square 981 as the “Atlas Court”. There are residents in the alley who have no legal mailing address because they reside on an unnamed street. It is also difficult for residents living in this alley to receive city services because they have no physical building addresses for their dwellings. Your assistance in this endeavor is needed and requested.

The Commission met in its regularly scheduled, publicly announced¹ monthly meeting. The vote was unanimous, with all members of the Commission present.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A

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



Commission Letters of March 14, 2012 Meeting



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



April 15, 2013

Director Terry Bellamy
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Dear Director Bellamy,

Advisory Neighborhood Committee (ANC) 6A requests that the District Department of Transportation (DDOT) quickly install "Do Not Enter" signs on each side of 14th Street, NE at its northern intersection with Maryland Avenue. We also request a "No Left Turn" sign on the eastbound side and "No Right Turn" on the westbound side of Maryland Avenue at 14th Street. This letter was authorized by a unanimous vote of the ANC at its April publicly announced meeting with a quorum present.

A request has been made to DDOT for signs, but we were informed that there might be a delay well into the fall. For reasons of safety for our residents, we need faster action. Since the opening of the Shell gas station at the northeast corner of this intersection, numerous cars have been observed turning the wrong way onto 14th Street, NE to enter the gas station. Just last week, two cars actually collided into one another. The signage clearly is not sufficient to ensure drivers understand that 14th Street NE is one way.

As you know, ANC 6A has vigorously opposed the siting of the Shell gas station at this corner - safety concerns have been foremost in our minds. Traffic entering, queuing, and exiting the station increase the chances of vehicular and pedestrian collisions. Now that the station has been open, it is essential that DDOT prioritize this corner and add large, visible Do Not Enter signs. Again, one sign should be affixed to each side of 14th Street at the north side of the intersection where it meets Maryland Avenue. Also, a left turn traffic arrow and/or a No Right Turn sign on Maryland for westbound traffic would also help emphasize the one way nature of 14th Street and should be considered.

Commissioners Andrew Hysell and Omar Mahmud are authorized to act on behalf of ANC 6A in this matter.

On behalf of the Commission,

Sincerely,

David Holmes
Chair



Commission Letters of March 14, 2012 Meeting



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



April 17, 2013

Mr. Clifford Moy
Secretary, Board of Zoning Adjustment
Office of Zoning
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

Re: BZA Case 18546 (Manny and Olga's, 1409 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on April 11, 2013, our Commission voted 8-0 (with five Commissioners required for a quorum) to support the applicant's request for a special exception as a fast food establishment in the H Street Overlay District.

The Commission supports the special exception request because the proposed project will not unduly impact the light, air, or privacy of adjacent properties, and will not intrude upon the character, scale and pattern of buildings along the street frontage. The block on which the restaurant will operate has no residences, and this will be the only fast food restaurant on the block.

In addition, Manny and Olga's has committed to the ANC to keep trash dumpsters and cans entirely on their property, to join a business improvement district for the H Street Corridor if one were to be created, to keep the public space in front of their property clean, and to prevent their vehicles from double-parking.

Please be advised that David Holmes and Laura Gentile are authorized to act on behalf of ANC 6A for the purpose of this case. I can be contacted at David.Holmes@anc.dc.gov.

On behalf of the Commission,

David Holmes,
Chair

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



Commission Letters of March 14, 2012 Meeting



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



April 14, 2013

Chairman Anthony Hood
D.C. Zoning Commission
441 Fourth Street NW, Suite 210S
Washington, DC 20001

Re: Murray's / H Street Storage Redevelopment, 6th - 7th and H St, NE (ZC Case #12-18)

Dear Chairman Hood,

At a regularly scheduled and properly noticed meeting¹ on April 11, 2013, our Commission voted 8-0 (with five Commissioners required for a quorum) to support the applicant's request to include a project alternative that would allow the potential inclusion of a large, specialty grocer.

The applicant is proposing the construction of a mixed-used development in the H Street Overlay district. The proposed alternative would not require any changes to the façade. The proposed alternative would route all loading in and out of 7th Street and would be able to accommodate large grocery trucks (55'). In the previous plan some of the loading was off 6th and trucks were not larger than 30'. The other differences between the proposed alternative and previous plan are as follows:

- Increase in maximum height of the building from 87'7" to 90';
- Potential loss of parking spaces on 7th Street in order to ensure better circulation for cars at the 7th & H intersection. Applicant is currently working with DDOT on this issue. (Also, by closing all of the curb cuts on H Street, the project will add approximately eight new parking spaces) and;
- Increase in size of the roof structure to accommodate the grocery mechanical equipment as well as a shift to the residential core. The location of these changes would not impact the roof structure presence from the street.

ANC 6A supports the proposed alternative because the changes do not vary significantly from the previous plan and would not require any changes to the façade.

Please be advised that Laura Gentile and David Holmes are authorized to act on behalf of ANC 6A for the purposes of this case. Ms. Gentile can be reached at LGentile6A@verizon.net.

On behalf of the Commission,

David Holmes,
Chair

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



Officer Reports - Treasurer



ANC 6A Treasurer's Report April 2013

Period Covered 04/01/13 - 04/30/13

Checking Account:

Balance Forwarded		\$	12,890.52
Receipts:			
District Allotments:	\$	-	
Transfers from Saving Account	\$	-	
Other:	\$	-	
Total Receipts		\$	-
Total Funds Available		\$	12,890.52

Disbursements:

Heather Schoell (Agenda Package Apr. 2013)	Ck #1597	\$	200.00
Roberta Weiner (Minutes Mar. 2012)	Ck #1598	\$	180.00
FedEx Office (Apr. 1, 2013 Statement)	Ck #1599	\$	241.92
Total Disbursements		\$	621.92

Ending Balance		\$	12,268.60
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Savings Account:

Balance Forwarded		\$	13,715.52
Receipts:			
Interest	04/30/13		0.23
Deposit -			
Transfers from Checking Account			
Total Receipts		\$	0.23
Total Funds Available		\$	13,715.75
Disbursements		\$	-
Ending Balance		\$	13,715.75

Prepared May 2, 2013



Officer Reports - Treasurer



ANC 6A Treasurer's Report April 2013

PETTY CASH SUMMARY

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

Prepared May 2, 2013



Committee Reports Community Outreach Committee (COC)



ANC6A Community Outreach Committee April 15, 2013 Minutes Church of the Lord Jesus Christ of the Apostolic Faith annex, 1235 C St. NE

Meeting called to order at 7:30 p.m.

Committee members present: Elizabeth Nelson (Chair), Louis Barbash, Rose Williams, Maurice Cook, Gladys Mack, Pat Joseph (quorum)

Committee members absent: Jean Kohanek

Commissioners present: Sondra Phillips-Gilbert

Community members present: Heather Schoell and Lolita Ball, representatives of the Eliot-Hine MS PTSA

- I. Agenda
Adopted.
- II. Discussion of grant application from Eliot-Hine MS PTSA
 1. Ms. Schoell and Ms. Ball presented the grant application on behalf of the Eliot-Hine MS PTSA. They explained that the International Baccalaureate Programme at the school encourages deeper thinking, enhanced logic skills. The school has also expanded its efforts to involve parents in their children's educations by hosting events such as Academic Fun Night, Literacy Night and Math Night which bring families together for expanded learning opportunities that are also fun. The grant application is for funding (\$300) to purchase educational games that can be used for indoor recess, by teachers in the classroom to support instruction, in after school activities, and during family nights (as described). Also, students will be allowed to borrow them to use at home with their families. The games will be stored and managed as part of the library - as are books. Labyrinth (a local business) has pledged to give a 35% discount on games purchased through this grant. A similar program has been instituted at Maury ES and has been wildly successful.
 2. Mr. Barbash said he really liked the application and supported the grant but that he thought it would be advisable to include parent contact information in the application - so Ms. Ball's name and email address have been added.
 3. In response to a question from Ms. Phillips-Gilbert, Ms. Ball explained that the family events - and the use of the games - have been and will continue to be run in collaboration between the school and the PTSA. The students are of middle school age, typically 11-14.
 4. Mr. Cook asked if there is currently a chess club at Eliot-Hine. Ms. Ball explained that there was but the teacher who ran it left recently and they are looking for a replacement. Ms. Schoell offered to provide contact information for the person who runs the chess club at Maury ES.
 5. Ms. Williams said that the Game Night program at Stuart Hobson MS, also with games from Labyrinth, was very successful and reconnected parents and children. Students from Watkins ES (another member of the Capitol Hill Cluster) had been invited so there was quite a large turn-out.



Committee Reports

Community Outreach Committee (COC)



6. Ms. Nelson said that the grant application met all the funding guidelines and that she supported it because it would be a good use of ANC funds. She is personally familiar with the games lending library at Maury. It is beneficial to all students, their families and the faculty/staff who make use of it. But the greatest benefit is to the children and families of modest means who would not otherwise have access to the large variety of educational games.
 7. **Motion: Ms. Williams moved that the COC recommend that ANC 6A fund the Eliot-Hine MS PTSA grant application in full - \$300 - to purchase educational games for use in support of educational activities at Eliot-Hine. Seconded by Ms. Mack. Vote 6 in favor none opposed.**
- III. Confirmation of next meeting date.
The next meeting will be held May 20, 7:30 p.m. at 1235 C St. NE.
- IV. Meeting adjourned at 8:05 p.m.



Committee Reports
Community Outreach Committee (COC)



Advisory Neighborhood Commission (ANC) 6A
Grant Request Application Form

1. DATE OF APPLICATION

04/08/2013

2. DATE OF PROJECT OR ACTIVITY

ongoing

3. APPLICANT ORGANIZATION NAME AND ADDRESS

Eliot-Hine Middle School PTSA

1850 Constitution Ave. NE

Washington, DC 20002

4. EIN (TAX ID NUMBER)++ 4603059

5. CONTACT NAME

Tynika Young, Principal; Dorcus Lawrence IB co-ordinator; Lolita Ball (parent)

6. TITLE

7. ADDRESS (IF DIFFERENT FROM ABOVE)

same

8. TELEPHONE

(202) 939-5380

8. FAX

(202) 698-0808

10. E-MAIL ADDRESS

Tynika.young@dc.gov; dorcus.lawrence@dc.gov; mikeBall42000@yahoo.com

11. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY

Purchase of educational game materials will allow for the Eliot-Hine community to incorporate inquiry-based learning in more aspects of their lives. Teachers will have access to materials that will allow them to explore a multitude of standards based concepts from physical science concepts or literary structure. Students will have access to materials for recess, and will have the opportunity to borrow favorite activities for use with their families.

12. PROJECTED TOTAL COST

\$300

13. AMOUNT REQUESTED

\$300

14. OTHER SOURCES OF FUNDING (BE SPECIFIC, PROVIDE NAMES)

Labyrinth Games has agreed to provide games at a discount of 35%

15. STATEMENT OF BENEFIT (DETAILED DESCRIPTION OF PROJECT OR ACTIVITY, WHO WILL BENEFIT AND IN WHAT WAY)

Inquiry-based learning is taking the forefront of education reform. It is central to 21st century skills and allowing children to learn in ways that interest them and meet them where they are. Eliot-Hine Middle School is in its candidacy of the International Baccalaureate Middle Years Programme (IBMYP - www.ibo.org/myip). A goal of IBMYP is to teach students the fundamental concept of developing what they see into questions and answers of why and how – why does it work that way and how could we change the outcome, why did the author have that happen, how can we solve this differently? This year has been the pilot of IBMYP and the response from the Eliot-Hine teachers and students has been extremely positive. Education through the IB framework is a skill – a wholly different way of teaching and learning than the District is accustomed to, so having educational games reinforce that skill would benefit the students. This project will help grow critical thinking at Eliot-Hine Middle School, allowing for more inquiry-based learning, as well as more resources for classroom teachers to integrate inquiry-based lessons.

Central to IBMYP is that students are training to think and problem solve. Having more units of study, games and materials will allow for students to practice the important habits of questioning and deeper thought. Games such as chess, Go, Settlers of Catan, Ticket to Ride, Founding Fathers (a game about the constitutional convention), etc. will reinforce lessons and critical thinking skills. Most games are in the \$20 to \$40 range.



Committee Reports Community Outreach Committee (COC)



Items would be purchased immediately for implementation during the 2013 school year, and still be in place for the 2013-2014 school year and beyond. The check-out system for the Eliot-Hine community would be clearly in place by the principal and teachers.

Eliot-Hine Middle School is a DC Public School within the boundaries of ANC6A. A significant number of students live in ANC 6A and we hope to attract more by improving our offerings and facilities – including bolstering our IBMYP candidacy. Our staff and students will greatly benefit from an educational game source. Our focus is critical thinking, and the benefit of having games that offer the opportunity to exercise minds cannot be overstated.

An investment in children’s education will not only benefit them but the entire community in which they live, improving our economics, public safety and intangible quality of life issues. Also, having a high-functioning middle-school helps attract families who can contribute in other ways to a vibrant community.

The DCPS budget does not allow for purchase of games, and therefore is not duplicative of DC Government funding.

++ Organizations exempt under 501(c)(3) but not required to request a ruling from the IRS ruling (see excerpt from tax code below) may demonstrate that they meet the criteria in lieu of providing an EIN.

Organizations Not Required to File Form 1023

Churches and organizations (other than private foundations) with annual gross receipts normally \$5,000 or less are not required to file Form 1023 and obtain recognition of tax exemption for contributors' contributions to them to be tax deductible. Although there is no requirement to do so, many churches and small organizations seek IRS recognition because recognition assures contributors that contributions are deductible. For more information, see [Publication 1828](#), *Tax Guide for Churches and Religious Organizations*, and [Public Charity - Exemption Application](#). To apply <http://www.irs.gov/pub/irs-pdf/f1023.pdf>

Budget

Board games, card games and puzzles such as:

Chess

Go

Settlers of Catan

Ticket to Ride

Reading for Content

Founding Fathers (a game about the constitutional convention)

Perplexus

Most games are in the \$20 to \$40 range (with 35% discount) – total expenditure \$300



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee

ANC 6A

April 18, 2013

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7pm EST on April 18, 2013 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Jay Williams (Chair), Michael Herman, Mary Cary Bradley, Roger Caruth, Christopher Seagle, Adam Healy, Ann Marie Koshuta, David Oberting, Katy Thomas

Committee Members Absent: None

Commissioners Present: David Holmes

Community Members Present: Anna-Marie Ashe and Phil Peters (Smith Commons), Matt LeBarron (Granville Moore’s), Jason Martin (Sticky Rice, Dangerously Delicious, and Rock and Roll Hotel), Kevin Falkner and Napoleon Ibiezugbe (Pho Bar and Grill), Scott Magnuson (Argonaut), Mark Busby

I. Call to Order

Jay Williams called the meeting to order at 7pm. The meeting having been duly convened was ready to proceed with business with a quorum. Mr. Williams reviewed the agenda and asked if there were any additions or edits. There were none.

II. Community Comment

None.

III. Old Business

None.

IV. New Business

A. Discussion of hours limitations for public space patios.

Prior to discussion of individual licensee renewals, Mr. Williams noted that there had been some questions raised regarding the Committee’s and ANC’s approach to limiting the hours of public space patios.

- Mr. Oberting stated that everyone who has a public space patio should be on the same hours, so the Committee should either adjust the current Settlement Agreement to comport with what current establishments such as Khan’s or Cusbah were currently doing, or work with existing establishments to get them under the current SA limitations (11pm on weeknights, 12am on weekends).
- Ms. Koshuta stated that she believed the current SA language wasn’t onerous, and was fair to both the community and businesses. Further, the license renewal process is the ANC’s opportunity to “start fresh” with licensees. This would be a way to get everyone on the same agreement.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Ms. Thomas noted that Cusbah wanted to lift its patio hours restrictions because it was at a competitive disadvantage to Khan's across the street, and this is the Committee's one chance to get everyone on the same page.
- Mr. Healy provided a brief history of the Cusbah negotiations, and that if the will of the Committee was to scale back public space patio hours, Cusbah's ownership would not be surprised. He noted that their main concern was competitiveness with Khan's.
- Mr. Holmes stated there are neighbors next to the Khan's patio, and that in exchange for scaling back its hours, the ANC could work with Khan's to help minimize the impact of the upcoming DDOT streetcar power substation. Mr. Holmes also stated that Cusbah is looking for support from the ANC to remove a public space bench located near its patio.
- Mr. Caruth asked what the options were for the Committee. Mr. Williams stated that the Committee could recommend that the ANC protest the license renewals for Khan's and Cusbah unless a new signed SA was reached.
- Ms. Koshuta asked how public space patios operate within the District. Mr. Magnuson stated that Argonaut pays \$3,750 per year for the use of its public space patio.
- Mr. Oberting suggested the Committee consider allowing public space patios to stay open until 1:30am. Mr. Magnuson stated that this would be good for his business, but as a neighbor near H Street, he believed it would likely not be good for the neighborhood. Ms. Koshuta agreed that such a change would be onerous for the neighborhood.
- Mr. Martin stated that as a business owner he would make every effort to attempt to mitigate sounds coming from a public space patio. Mr. Williams agreed, but stated that there were limitations to how much mitigation could be done on a public space.
- Mr. Peters suggested that the Committee consider uniformity between public and private space patios. Mr. Williams stated that the lack of uniformity was due to the nature of the patios, and that private space patios could more successfully mitigate sounds, as has been typically the case on H Street.

Mr. Williams moved/seconded by Ms. Thomas that the Committee maintain the current public space patio hours in its standard Settlement Agreement (11pm weekdays, 12am weekends), and that the Committee require any existing licensee with a public space patio to come back under these hours. Motion carried 7-1-1, with Mr. Oberting in opposition and Mr. Caruth abstaining.

Mr. Williams began the discussion of individual licensee renewals by stating that every licensee up for renewal would be placed on the next ABL agenda to give the community an opportunity for input. He stated that the Committee did not need to take any action if it had no problems with an establishment; no action meant that the existing Settlement Agreement between the establishment and the ANC would remain in place.

B. Discussion of license renewal for The Argonaut at 1433 H St. NE (Class "C" Restaurant) (License Number ABRA-07267).

- Mr. Holmes noted that there had been no complaints regarding Argonaut's operations, and that they were good neighbors.



Committee Reports

Alcohol Beverage and Licensing (ABL)



C. Discussion of license renewal for Granville Moore’s Brickyard at 1238 H St. NE (Class “C” Restaurant) (License Number ABRA-072792).

- No discussion.

D. Discussion of license renewal for Khan’s at 1125 H St. NE (Class “C” Restaurant) (License Number ABRA-084082).

- Mr. Holmes stated that he has heard noise complaints from neighbors regarding the public space patio maintained by Khan’s.
- Mr. Williams stated that Khan’s does not have any limitations on its public space patio currently, so the Committee should work with Khan’s to obtain a new Settlement Agreement.

Mr. Williams moved/seconded by Ms. Koshuta that the Committee recommend the ANC formally protest the CR license renewal of Khan’s unless a new signed settlement agreement (containing a limitation of public space patio hours to 11pm weeknights/12am weekends) is submitted to the ANC prior to the protest date. Motion carried 8-0-1, with Mr. Herman abstaining.

E. Discussion of license renewal for Smith Commons at 1245 H St. NE (Class “C” Restaurant) (License Number ABRA-084598).

- Mr. Magnuson stated that Smith Commons has worked really hard with their neighbors to mitigate noise from its back patio. Mr. Healy echoed the sentiment, adding that as a former chair, they were willing to work with him and the community/ANC when issues arose.
- Mr. Caruth thanked Ms. Ashe and Mr. Peters for their work with local schools through H Street Main Street.

F. Discussion of license renewal for Langston Bar & Grille at 1831 Benning Rd. NE (Class “C” Restaurant) (License Number ABRA-076260).

- No discussion.

G. Discussion of license renewal for Atlas Performing Arts Center at 1333 H St. NE (Class “C” Multipurpose) (License Number ABRA-085207).

- Mr. Williams noted that Atlas had a substantially different Settlement Agreement than most other establishments, but that he did not believe any changes were necessary because the nature of Atlas’s business was very different.

H. Discussion of license renewal for Pho Bar and Grill at 1360 H St. NE (Class “C” Restaurant) (License Number ABRA-087813).

- No discussion.



Committee Reports

Alcohol Beverage and Licensing (ABL)



I. Discussion of license renewal for Dangerously Delicious DC at 1339 H St. NE (Class “C” Restaurant) (License Number ABRA-087422).

- Mr. Martin raised two concerns he had with the current Settlement Agreement for Dangerously Delicious: a limitation on using a sandwich board outside, and a limitation on the capacity of his patio.
- Mr. Williams and others discussed the applicability of an SA signed by a separate group from the ANC, noting that the sandwich board limitation is not in the ANC 6A SA.
- Mr. Holmes stated that he was investigating whether a new SA reached with the ANC could “sweep away” any other previous SAs reached by a licensee.
- Mr. Williams stated that the patio limitation in the SA was for 20 people. Mr. Healy stated that this language mirrored what was in the establishment’s license. Mr. Williams suggested that Mr. Martin request a change in his license to allow more people on the patio, and if that request was considered and/or granted, he should then come back to the ANC to change the SA.

J. Discussion of license renewal for Sticky Rice at 1222 H St. NE (Class “C” Restaurant) (License Number ABRA-072783).

- Mr. Healy asked Mr. Martin about an investigatory incident that took place on New Year’s Eve. Mr. Martin stated that two men came into Sticky Rice that night, and that one had a false ID badge. These investigators were loud and belligerent, and he ultimately had security throw them out. Later, the actual person on the ID (the investigators’ boss) came back to complete the investigation. Mr. Martin stated that of the original two investigators, one had no ID, and the other had the ID of his boss, and not his own.
- Mr. Holmes noted that establishments can always call the chief investigator of ABRA, no matter the time, and if someone is showing false identification, the police should be called. Mr. Martin acknowledged that others had suggested he call the police.
- Mr. Healy asked if Sticky Rice was still under monitoring from the stabbing incident. Mr. Martin stated that they were not.

K. Request by Sticky Rice at 1222 H St. NE to modify its Settlement Agreement to allow for extended hours on certain dates, allow for the use of a sandwich board on the sidewalk, and to allow for music on the patio/summer garden during special events.

Mr. Martin requested several changes to the Sticky Rice SA, based on recent fines he had received from ABRA:

- Mr. Martin stated that he had been fined for using a sandwich board in front of his establishment, and for having a speaker set up out front during H Street Festival.
- Mr. Williams noted that, like with the DDP SA, the sandwich board restriction was part of a separate SA that the ANC had no control over. Mr. Martin stated he was working with Mr. Pittman, the author of the other SA, to amend the agreements for DDP and Sticky Rice.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Healy stated that the speaker issue was likely not an issue with the Sticky Rice SA, but with the specific special endorsements Sticky Rice received (or did not receive) for H Street Festival.
- The Committee then discussed how it could be involved with giving special exceptions to establishments for H Street Festival. Mr. Peters stated this would be extremely helpful, but wanted to know what the timeline should be.
- Mr. Williams suggested that any requests for special provisions related to H Street Festival be placed on the ABL Committee's June agenda at the latest, to give the Committee time to make recommendations to the ANC, and for the ANC to provide proper communication to ABRA and the ABC Board.
- Mr. Peters stated that it is always a good idea to work with ABRA ahead of time to avoid any issues. Mr. Healy stated that ABRA sends out investigators to look for problems at special events such as H Street Festival.

L. Discussion of recent "bar crawl" fines levied against several H Street businesses.

As the discussion of licensee renewals concluded, Mr. Peters of Smith Commons raised an issue related to fines received by several H Street businesses related to a "Zombie Bar Crawl" hosted by Brightest Young Things:

- The organizers of the bar crawl understood that ABRA did not consider it technically a "bar crawl," but that several establishments ended up being fined due to a violation of their SAs.
- Mr. Healy stated that ABRA generally says that any organized group of 200 or more is considered a bar crawl.
- Mr. Healy stated that the ANC has generally opposed any kind of bar crawl; recently, Flats at Atlas had requested permission to organize one, but the ANC said no. He did note that ABRA, particularly general counsel Martha Jenkins, was willing to work with organizers to make sure any event they organize would be compliant.
- Mr. Holmes stated that the definition of bar crawl was any organized group offering discounts on drinks. He stated that in the 90s, there were some "really bad" bar crawls in this neighborhood, which led the ANC to decide to oppose these types of events across the board.
- Mr. Williams stated that he did not believe the ANC would apply a different definition to bar crawl than what ABRA applied. He said it sounded like the problem here may have been the drink discounts.

V. Adjourn

Mr. Williams thanked the representatives of the establishments in attendance for the meeting, and stated that the Committee truly appreciated them taking the time to attend, even if there was little or no discussion of their license renewal. The Committee adjourned at 7:55pm.



Committee Reports

Transportation and Public Space (TPS)



ANC 6A Transportation & Public Space Committee Meeting Minutes Sherwood Recreation Center (10th Street and G Street NE) April 15, 2013 at 7pm

- I. Call meeting to order at 7:05 pm
- II. Introductions
 - A. In attendance were committee members Lara Levison, Benjamin Rosset, Jeff Fletcher, Todd Sloves, Christine Ennis, Andrea Adleman and Omar Mahmud; 6A Chairman David Holmes; Necothia Bowens from New Samaritan Baptist Church
- III. Community Comment
 - A. Chairman Holmes announced that Mayor Gray will be at ANC6A meeting on May 9, 2013 at 7pm at Miner Elementary School to discuss transportation issues. He has been told we would like to focus on the following transportation issues: Florida Avenue, 17th and 19th Streets, C Street and Maryland Avenue.
- IV. Announcements
 - A. Mr. Mahmud went to public meetings on the streetcar project. He has a copy of the executive summary and main report. They are leaning towards the Benning Road terminus, which he thinks is preferable to the Minnesota Ave. terminus. Turning up to Minn. Ave. as was originally planned would be difficult, but the problem with Benning Road is that it narrows. The website has the full reports.
 - B. Energy Saving Trees program: People can get a free tree planted. Mr. Mahmud suggests committee members look into partaking in the program with neighbors.
- V. New Business
 - A. Dangers of the intersection at Florida Ave. NE and 11th Street NE
 - i. Mr. Mahmud introduced Ms. Bowens and summarized the tragic events that occurred at Florida Ave and 11th Street NE. He reported that Mayor Gray came to the candlelight vigil for Ms. Whitfield. He said the city would do something right away, cut through the red tape and not wait for the wheels of bureaucracy. He also committed to a long-term transportation study on the Florida Avenue corridor. Mr. Mahmud said he was expecting short-term traffic calming measures within two weeks, but that action did not occur. **Mahmud would like to send a recommendation to the ANC to send a letter to the Mayor asking for calming measures (moved at completion of agenda item).**
 - ii. Ms. Bowens said MPD had placed markers to measure traffic flow. She also met with Councilman Tommy Wells and they are scheduling a meeting with the mayor. They have meetings in place next week with the Dept. of Transportation in order to push for swift, short-term traffic calming measures.



Committee Reports

Transportation and Public Space (TPS)



- iii. In addition, they would prefer to look at the long range.
 - iv. Short term measures: DDOT repainted the crosswalk stripes so they would be more visible. Flashing signs are an option but they only have a 50% stoppage rate.
 - v. They would prefer a traffic light and a lane reduction.
 - vi. Mayor Gray said he would name 11th Street in honor of Ms. Whitfield.
 - vii. Ms. Bowens asked the Commission to do an online petition through the listserv and was referred to the ANC secretary.
 - viii. Mr. Mahmud indicated that DDOT will not do a lane reduction analysis on Florida Ave. NE east of West Virginia Ave. They are still going to do a traffic study though and Mr. Mahmud asked if they could consider making the right lane a parking lane that opens up during peak times. DDOT said they will look at that.
 - ix. Ms. Bowens mentioned that Gallaudet students live in the area as well and are facing the same issues.
 - x. Another member of the church was hit in the same spot years ago but survived.
 - xi. Mr. Mahmud stressed that the strategy is not to rely on the short-term measures in the long-term and to push the mayor to do what he said he was going to do.
 - xii. Ms. Bowens said there was a study done 10 years ago and that they are now researching that.
 - xiii. Mr. Mahmud moved that the committee recommend to the full commission to send a letter to Mayor Gray and Commissioner Bellamy asking the mayor to do what he promised in the short term through better signage, better lighting and increased enforcement, and to push for long-term solutions including a traffic light at 11th Street NE and Florida Avenue NE and lane reduction through parking. The motion was approved without objection.**
 - xiv. Mr. Holmes moved that the committee recommend to the full commission to send a letter requesting immediate funding of at least temporary traffic calming measures for C Street NE, 17th Street NE, and Florida Avenue NE. In the case of C and 17th, temporary calming measures should be similar to those already planned by DDOT. The motion was approved without objection.**
- B. **Mr. Mahmud moved to remove item V-B from the agenda because it required timely action and the commission already acted on it. The committee approved without objection.** (The commission voted unanimously to ask the mayor to reverse his decision to send meter revenue to the general treasury rather than keep it for local use in our ANC.)
- C. Mr. Mahmud provided an updated on the H Street Streetcar Sub-station at 12th Street NE.
- i. Mr. Mahmud described background on the sub-station. It is a small building that DDOT will use to house the substation. The commission got a design over a year ago. It had undesirable design features and the commission provided input. The commission received another set of designs and it was unchanged. Then they were



Committee Reports

Transportation and Public Space (TPS)



- ii. talking about moving forward very quickly with construction, but Chairman Holmes and ANC6A asked about update to design. They are now clear on what the commission is asking for in terms of getting a new design. They have assured us that the work that began on April 3, 2013 is only conduit work, not on the substation, so there is still time to get a new design before the commission. They committed to getting a new rendering by the end of the month. Councilmember Wells and staff have been helping with this. We should know by the next meeting.
- iii. Mr. Holmes said the commission had asked for greenery, green roof, and a map of H Street put on the building. He is not sure if that will happen.
- iv. Mr. Mahmud said DDOT is reluctant to make changes because in their mind, they committed to putting it under the location of the AutoZone when that gets redeveloped, so they see this building as temporary. That never works as planned and the commission should push to get as much of what it wants now.

VI. Additional Community Comment

A. Mr. Holmes mentioned a business at 600 H Street NE will be a specialty grocery store.

- i. Ms. Adleman said that a baker is opening their first brick and mortar grocery store and asked if it was the same.
- ii. Ms. Bowens said there has been discussion of another grocery store on Florida Avenue NE.

VII. Meeting adjourned at 7:45 pm



Committee Reports Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A April 17, 2013 Meeting

Present: Members: Missy Boyette, Laura Gentile, Michael Hoenig, Bao Vuong
Commissioners: David Holmes

Laura Gentile chaired the meeting.

Call to Order

Community Comment

None

Status Reports

Resolution of Previously Heard BZA/HPRB Cases: None

Vacant Properties: No report.

H Street Business Liaison Report: No report.

Old Business

None.

New Business

Zoning Relief (1423-1425 North Carolina): The applicant is seeking zoning relief to allow the construction of a two-level, raised deck at the rear of an existing one-family row dwelling in the R-4 District as follows:

- a. Special exception from lot occupancy (section 403);
- b. Special exception from the rear yard requirements (section 404); and
- c. Special exception from the nonconforming structure provision (subsection 2001.3).

Jordan Honeyman, the architect, presented the case for the owner, Janet Katowitz. The existing structure has a rear yard setback of 8.42 feet (less than the 20 feet required) and 62% lot occupancy. The proposed project would increase the lot occupancy to 70% and would increase the setback to 11.58 feet. The top level of the deck, which is located adjacent to the applicant's home, would count toward lot occupancy. The lower level of the deck, located at the rear of the property, is low enough that it would not count towards lot occupancy.

In December 2012, the ANC voted to oppose a similar proposal submitted by the applicant that included a request for 90% lot occupancy. In response to the ANC's concerns, the applicant redesigned the proposal to reduce lot occupancy to 70%.

The applicant also provided letters of support from neighbors.



Committee Reports

Economic Development and Zoning (EDZ)



The Committee requested that the applicant also submit a BZA zoning worksheet to provide more details.

Recommendation: The Committee voted 4-0 to recommend that the ANC write a letter of support for the proposed project, on the condition that the applicant would submit the requested BZA worksheet. (Update: the applicant submitted the requested worksheet on April 20).

Historic Preservation Review (HPA #13-156) - 20 14th Street, NE: The applicant is proposing to raze an existing one-story garage structure, which includes seven covered parking spaces, and build a one-story garage structure with five covered parking spaces and several uncovered parking spaces. Charles Brazell, the architect, presented the case.

Based on photos shown by Mr. Brazell, the exterior of the existing wooden structure appears to be in poor condition, while the interior appears to be in fair condition. The new structure will be constructed of concrete masonry units (CMU) and will be parged on the exterior with cement/stucco. Mr. Brazell noted that the new fences would also be parged, although this information is not reflected in the architectural drawings. The Committee understands that DC's Historic Preservation Office had requested that the applicant reduce the angle of the slope of the roof to be more consistent with neighboring buildings. The Committee noted that the designs have been revised to address HPO's concern.

At the Committee's suggestion, the applicant agreed to seek letters of support from neighbors.

Recommendation: The Committee voted 4-0 to recommend that the ANC write a letter to recommend support for the proposed project on the condition that the applicant seeks to obtain letters of support from neighbors. This case will be heard by the HPRB on May 23.

Zoning Relief (1242 H Street, NE): The applicant (DaLuft Restaurant) is seeking a variance to change the zoning of the third floor from residential to commercial to allow for additional seating for the restaurant, which currently occupies the first and second floors of the building. The first and second floors are zoned for commercial use, while the third and fourth floors are zoned for residential use. The applicant claims that they have been unable to find tenants interested in renting the third/fourth floors, and therefore need the variance. The building owner, architect, legal counsel and tenant were present at the meeting. Murray Kivitz, legal counsel, presented the case to the Committee.

The applicant's design plans reflect additional restaurant seating on the third floor and storage on the fourth floor. The Committee posed numerous questions to Mr. Kivitz regarding the building design, layout, and stair locations. In addition, a community member asked about their liquor license, explaining that a license had been approved for the first and second floors, but not the third floor of the structure. Concerns were expressed that the plans were unclear.

Mr. Kivitz affirmed that the fourth floor would only be used for storage and not restaurant seating. He also affirmed that the owner or patrons would not use the outdoor deck area adjacent to the fourth floor.

Laura Gentile raised the fact that, in September 2009, the ANC voted to oppose the applicant's requested for a variance to build the original structure (BZA 17968). Among other concerns described in its letter, the ANC stated that it did not believe the project, as currently designed, was appropriate for H Street. Gentile shared a copy of the ANC's letter with Mr. Kivitz.



Committee Reports

Economic Development and Zoning (EDZ)



In response to concerns raised during the meeting about the appearance of the building, Mr. Kivitz agreed to pare the outside of the building and to incorporate other design changes / additions to make the building's look and feel more consistent with other buildings on H Street.

The Committee determined that the information provided by the applicant was not sufficient to allow a vote on the matter.

Recommendation: The Committee requested that the applicant submit a complete BZA package with the requested variances, a description of how the project meets the criteria for the burden of proof, appropriate supporting documentation, as well as a statement from the Zoning Administrator describing the specific relief that BZA would be willing to grant.

Additional Community Comment

None.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, May 17, 2013**

**Sherwood Recreation Center (640 10th St, NE)
2nd Floor Community Room**

7-9 PM



Committee Reports

Economic Development and Zoning (EDZ)



May 9, 2013

Ms. Catherine Buell, Chairperson
Historic Preservation Review Board
Office of Planning
1100 Fourth Street SW, Suite E650
Washington, DC 20024

Re: 20 14th Street, NE - Historic Preservation Review (HPA#13-156)

Dear Ms. Buell,

At a regularly scheduled and properly noticed¹ meeting on May 9, 2013, our Commission voted X-X-X (with X Commissioners required for a quorum) to recommend support for the proposed project at 20 14th Street, NE.

The applicant is proposing to raze an existing one-story garage structure and build a one-story garage structure with five covered parking spaces and several uncovered parking spaces.

The ANC understands that DC's Historic Preservation Office had requested that the applicant reduce the angle of the slope of the roof to be more consistent with neighboring buildings. During the April 17th meeting of the Economic Development and Zoning Committee, the applicant presented plans that indicate this concern has been addressed. Also, the Committee suggested that the applicant seek to obtain letters of support from neighbors.

The ANC believes that the presented plans tastefully fit into the massing and architectural style of buildings in the Capitol Hill Historic District.

Please be advised that Laura Gentile and I are authorized to represent the ANC for the purposes of this case. I can be reached at 202.251.7079 or Holmes6A3@gmail.com.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com listserv and through print advertisements in the *Hill Rag*.



Committee Reports

Economic Development and Zoning (EDZ)



Mr. Clifford Moy
Secretary, Board of Zoning Adjustment
Office of Zoning
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

Re: BZA Case XXXX (1423-1425 North Carolina, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting^[1] on May 9, 2013, our Commission voted X-X-X (with five Commissioners required for a quorum) to support the applicant's request for three special exceptions to allow the construction of a two-level, raised deck at the rear of an existing one-family row dwelling in the R-4 District as follows:

- a. Special exception from lot occupancy (section 403);
- b. Special exception from the rear yard requirements (section 404); and
- c. Special exception from the nonconforming structure provision (subsection 2001.3).

The Commission supports the special exception requests because the proposed project will not unduly impact the light, air, or privacy of adjacent properties, and will not intrude upon the character, scale and pattern of buildings along the street frontage. The applicant also provided letters of support from neighbors.

Last December, the ANC opposed a similar project proposed by this applicant that had requested an increase to 90% lot occupancy. In response to the ANC's concerns, the applicant redesigned the project to reduce lot occupancy to 70%.

Please be advised that David Holmes and Laura Gentile are authorized to act on behalf of ANC 6A for the purpose of this case. I can be contacted at David.Holmes@anc.dc.gov.

On behalf of the Commission,

David Holmes,
Chair

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