



District of Columbia Government  
Advisory Neighborhood Commission 6A  
**Agenda for July 8, 2010**



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

- 7:00 pm **Call to order, Adopt Agenda and Approve previous meeting's minutes. pg. 3**
- 7:02 **Community Comments** (2 minutes each)
- 7:05 **Officer Reports:**  
Chair (2 minutes)  
Vice-Chair (2 minutes)  
Secretary (2 minutes)  
Treasurer (2 minutes) *pg. 21*
1. Approve treasurer's report and previous month's disbursements.
  2. Approve monthly photocopying expenses.
- 7:15 **Single Member District reports** (2 minutes each)  
**Standing Committee Reports:**
- 7:30 **Public Safety Committee pg. 22**
1. Next meeting - 7:00 pm, July 16, 2010 (3rd Thursday)
- 7:35 **Community Outreach pg. 23**
1. Next meeting - 7:30 pm, Aug. 23, 2010 (3<sup>rd</sup> Monday) \* NO JULY MEETING \*
- 7:40 **Alcohol Beverage Licensing pg. 24**
1. Approve committee report.
  2. **Recommendation:** ANC 6A not oppose the temporary/stipulated license of the Atlas Room (1015 H Street).
  3. **Recommendation:** ANC 6A protest the license application of the Atlas Room (1015 H Street) unless we have a signed, approved voluntary agreement with the applicant prior to the petition date of August 2.
  4. **Recommendation:** ANC 6A protest the application of Desperado Pizza (1387 H Street) unless we have a signed, approved VA prior to the petition date of July 26.
  5. **Recommendation:** ANC 6A protest the substantial change application of Sticky Rice (1224 H Street) unless the ANC receives a signed, approved addendum relating to noise in outdoor space by the petition date of July 26.
  6. **Recommendation:** ANC 6A not protest the substantial change application of the Pug (1234 H Street) for a space expansion.
  7. Next meeting - 7:00 pm, July 20, 2010 (3<sup>rd</sup> Tuesday)



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

- 7:45    **Transportation and Public Space Committee** pg. 28
- 1. Next meeting - 7:00 pm, July 19, 2010 (3<sup>rd</sup> Monday)
- 7:50    **Economic Development and Zoning** pg. 29
- 1. Approve committee report.
  - 2. Next meeting - 7:00 pm, July 21, 2010 (3<sup>rd</sup> Wednesday)
- 7:55    **Unfinished Business**
- 8:00    **New Business**
- 1. Reconsideration of the 100 extra parking spaces for the H Street Connection Redevelopment (Ronneberg)
- 8:05    **Community Comments Round II, time permitting (2 minutes each)**
- 8:10    **Adjourn**



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



### Advisory Neighborhood Commission 6A Minutes Miner Elementary School June 10, 2010

**Present:** Commissioners Alberti, Holmes, Mack, Marshall, Robinson, Ronneberg, and Schultheiss

**Absent:** Commissioner Beatty

#### 1. Approval of Agenda

Mr. Holmes asked to have a resolution on Infrastructure Legislation added to New Business.

Mr. Robinson requested that presentations by Mr. Harmon of the People's Counsel's Office, and William Mohring, the new Mayor's Service Representative for Ward 6, be added to Community Presentations.

The agenda, as amended, was approved without objection.

#### 2. Approval of Minutes

The minutes, as presented, were approved without objection.

#### 3. Community Comment

There were no community comments.

#### 4. Community Presentations

##### Update on DCHA Property Renovations

Angel V. Reynolds, a construction manager with DC Housing Authority (DCHA), Office of Planning and Development/DC Housing Enterprises, reported on the status of four vacant houses that are being redeveloped and sold in the ANC 6A area: 1325 F Street NE, 1326 F Street NE, 525 13<sup>th</sup> Street NE, and 1357 Emerald Street NE. She said that funding has been identified and permits written for 1325 F Street and it will be sold as workforce housing at 80% of AMI. It is a 3 bedroom, 1½ bath house. 525 13<sup>th</sup> Street NE is a 4 bedroom house with 2 baths, and permits are pending. 1326 F Street is receiving stimulus funding through HUD and has a contractor; it will be leased with an option to purchase and is a 3 bedroom, 1 bath house. A buyer has been identified for 1337 Emerald Street, as has a lender, and the closing should take place by the end of June.

Mr. Schultheiss remarked that the houses have been vacant for a long time and that he had been receiving assurances for four years that development is imminent. He asked what assurances there are that this time it's happening. Ms. Reynolds replied that the difference is that funding has been identified so that the project is moving forward, and she has given Mr. Schultheiss her card so they can remain in contact.



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



Dr. Ronneberg asked what the difference was between DCHA and DHCD (the Department of Housing and Community Development), and was told that DCHA deals with public housing and Section 8 housing, whereas DHCD is responsible for block grants and scatter site housing.

### Office of the People's Counsel

Mr. Harmon of the Office of the People's Counsel, which serves as advocate and liaison for the citizens of the District with public utilities, presented information on an upcoming PEPCO plan to begin installing a "smart grid" in the District. In September, they will begin replacing all electric meters with meters that will enable consumers to individually control their amount of usage because a great deal more user data will be available. Customers will receive a good deal of information prior to the switchover. According to Mr. Harmon, the first piece of the changeover will begin installing the new meters, funded 50% by stimulus funds, and 50% by consumers.

Mr. Harmon was asked whether the meters will fit residents' current meter boxes, and he said they will be about the same size and shape, but contain the new electronics. Dr. Ronneberg asked whether people will have any say about the boxes. Mr. Harmon said that there are many questions that have to be answered. Mr. Alberti asked about notification and was told that they are working on a systematic notification plan. Mr. Alberti invited Mr. Harmon to return to the ANC when he had answers to the questions being raised, and Dr. Ronneberg suggested that he come to the EDZ Committee to make a presentation.

Mr. Robinson asked whether there was a plan to engage the community, and Mr. Harmon responded that there had been a pilot program for 2½ years, but not a broader community plan. Mr. Robinson suggested that there should be more community outreach before the installation, and Mr. Harmon said it was PEPCO's project, and they have urged greater involvement.

### William Mohring

William Mohring, the Mayor's new representative for Ward 6, introduced himself. He is replacing Alex Rotan.

## **5. Officers' Reports**

### Chair

Mr. Robinson reported that there was a hearing on June 16 on the naming of the Rosedale Rec Center playing field for Mamie "Peanut" Johnson and he would testify about the ANC's support of the honor. He also announced that there would be an auction of DCHD properties on June 30.

### Treasurer's Report

Mr. Alberti presented the Treasurer's Report. It shows that the opening checking account balance was \$17,124.68 and the savings account balance was \$4,200.71. There was an allotment from the District of Columbia of \$5,555.40 and an interest payment to the



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



savings account of \$0.35. There were disbursements of \$364.23 to FedEx Office (March/April 2010) (Check #1463); \$200 to Heather Schoell for the Agenda package (Check #1464); and \$135 to Roberta Weiner for the May 2010 minutes (Check #1465), leaving a balance of \$21,980.85 in the checking account and \$4201.06 in the savings account.

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

**Motion:** Mr. Alberti moved/Mr. Holmes seconded a motion 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.

### 6. SMD Reports

**Ms. Mack** reported that she received a letter on June 7 from the Rosedale community requesting that Chief Lanier install a crime camera at the intersection of either 17<sup>th</sup> and Gale Streets or at 16<sup>th</sup> and Kramer Streets. She said there have been improvements over the past few years, including speed bumps in the 1500 block of Rosedale, the 1600 block of Gales, the 1600 block of Kramer Street and the 700 block of 18<sup>th</sup> Street and Gale Place. With the new Rosedale Community Center coming, drug sales and illegal behavior still exist and the placement of a crime camera may help discourage these types of activities and improve the safety of the community.

**Mr. Schultheiss** said that the most important thing in his SMD is the update on the four properties.

**Mr. Holmes** reported that crime tends to run in spurts, and crime rose 29% in his SMD last month—it was one guy, and since he was arrested there's been no crime.

**Dr. Ronneberg** reported that the H Street Connection issue will come before the Zoning Commission on July 1. He also reported that the building at 612 11<sup>th</sup> Street has been renovated and sold. He said that if a Father's Day event occurred at the Sherwood Rec Center this year, it would be unpermitted and should be reported.

**Mr. Marshall** reported that he had met with Lieutenant Parker about nuisance properties. He also reported that there had been several fights and drug usage at Sticky Rice. He also said that the annual Father's Day event had been moved to Fort Dupont Park on June 13.

**Mr. Robinson** reported that the construction at Eastern High School is moving forward, but that workers have been parking on residential streets around the school and making the neighbors angry. He said he is working on the problem. He also reported on three juvenile incidents in his SMD: a kid with a gun chased someone down the street and ran right in front of an officer, there was a gang-related incident, and a melee on East Capitol Street.





## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



### 7. Committee Reports

#### Public Safety

Mr. Robinson announced the resignation of Ms. Sibilia from the committee, and said that the ANC would have to discuss the Committee's future.

#### Community Outreach

Ms. Nelson reminded Committee Chairs that she needed their July meeting schedules for the monthly ad.

The report of the Committee was accepted without objection.

#### Transportation

**Motion:** Mr. Robinson moved/Mr. Holmes seconded a motion to accept the Committee's recommendation to send a letter to DDOT Director Gabe Klein supporting a community request for traffic calming measures at Maryland Avenue and 10<sup>th</sup> Street. The motion passed without objection.

The report of the Committee was accepted without objection.

#### Economic Development and Zoning

##### 1222 Constitution Avenue NE

This is a request for support of a Historic Preservation application for the construction of a rear basement staircase on public space, and of side and front basement window wells.

Dr. Ronneberg said that this is a house at the end of a row, and the steps the owner wishes to construct would extend into public space. The owner says he would like to conserve as much of his back yard as possible for their own use. All the window wells—one in front, and three on the side, are on public space. The owner says that discussions he has had with Public Space seems to indicate that the plan would be satisfactory to them. The house has been a vacant property for many years and the neighbors are happy with the project.

The committee was divided, and divided their motion into three parts: they voted to support the side window wells (5-0); and oppose the front window well (4-1); and the staircase (3-1-1).

Mr. Schultheiss said he didn't agree with those in opposition to the stairs, saying that it's a corner property and there are many examples of such construction. He said the committee took it one step too far, and not being fair to the applicant, and so, he said, he could not vote for a motion to oppose.



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



Dr. Ronneberg said that the point is that there is sufficient land to build the staircase on the applicant's property and he shouldn't use public space. Mr. Alberti asked how close to the street the stairs would be and was told it was two feet. He said that in his SMD, people are concerned about how close to the sidewalk stairs are because of the safety concerns. He said he felt the applicant had sufficient space to build the staircase on his own land. Dr. Ronneberg added that the sidewalk is not private property and there are good alternatives. **Motion:** Mr. Holmes moved/Ms. Mack seconded a motion to divide the ANC's motion into three sections, like the Committee's motions. The motion passed without objection.

**Motion:** Ms. Mack moved/Mr. Holmes seconded a motion to oppose the construction of the front window well on public space. The motion passed 6-1, with Mr. Schultheiss opposed.

**Motion:** Ms. Mack moved/Mr. Holmes seconded a motion to support the construction of side basement window wells. The motion passed without objection. **Motion:** Ms. Mack moved/Mr. Holmes seconded a motion to oppose the construction of a staircase on public space. The motion passed 5-2, with Mr. Marshall and Mr. Schultheiss in opposition. **Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to send a letter to the Historic Preservation Review Board reflecting the position of the ANC and authorizing Dr. Ronneberg to represent the Commission in this matter. The motion passed without objection.

### MOU for H Street Connection 7-11

Dr. Ronneberg reported that representatives of the proposed 7-11 at the H Street Connection were present at the EDZ meeting, as well as members of the community, and there was a lengthy discussion about the store and the steps they will take to discourage loitering, crime and to keep the area clean. Dr. Ronneberg presented a proposed Memorandum of Understanding with 7-11 that had been unanimously approved by the Committee. **Motion:** Dr. Ronneberg moved/Mr. Alberti seconded a motion that the ANC support the MOU for the H Street Connection 7-11. The MOU contains the following provisions:

1. Detail and implement debarment procedure.
2. Banning certain tobacco products, including mini-cigars and rolling papers.
3. Some system to address late night hours and concerns about opening 24/7.
4. Minimum staffing levels.
5. Active enforcement of no-loitering.
6. Limit sales of fast food items (e.g. chicken wings).
7. Minimum security standards in and around the facilities (cameras, lights that don't affect residential neighbors).
8. Cleanliness standards.
9. Participate in police detail.
10. Installing physical barrier to reduce foot traffic spilling over onto 10<sup>th</sup> Street.
11. Voluntary enforcement of provisions if violations of agreement are identified.
12. Agreement carries over if/when store transfers to a franchise.

Margaret Holwill mentioned that the reimbursable police detail (No. 9) is not applicable because the 7-11 doesn't qualify—it is only for restaurants and liquor-serving establishments. **Motion:** Mr. Robinson moved/Mr. Holmes seconded a motion to approve



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



the draft MOU with the understanding it will come back to the ANC for final approval. The motion passed without objection.

### New Committee Members

**Motion:** Dr. Ronneberg moved/Mr. Robinson seconded a motion to approve the nomination of Sharee Lawler (6A05), Charmaine Josiah (6A08), and Jedediah Bodger (6A02) to be members of the Committee. The motion passed without objection.

The Committee's report was accepted without objection.

### ABL Committee

#### The Red and the Black - Substantial Change

The Red and the Black and Palace of Wonders plan to combine the operations of the two establishments. Which would enable them to establish one kitchen and a larger stage. The VA applying to the Red and the Black will apply for the joint operation, as they will apply for the joint operation under the Red and the Black license. **Motion:** Mr. Robinson moved/Ms. Mack seconded a motion to accept the Committee's recommendation and take no action on the application for a substantial change for the Red and the Black. The motion passed 6-0-1. with Mr. Alberti not voting.

#### Kahn's Barbeque- 1125 H Street

This is a request for support for a CR license for a restaurant that will serve Asian BBQ. They do not plan to have entertainment and will use recorded music in the background. They plan to open for breakfast, lunch and dinner, but will not serve liquor until after 11 am. **Motion:** Mr. Robinson moved/Mr. Holmes seconded a motion to accept the Committee's recommendation that the ANC protest the application for Kahn's BBQ unless there is a signed, approved VA prior to the petition date of June 14. The motion passed without objection.

#### Langston Bar and Grill - Substantial Change

The Langston Bar and Grill wants to open an 18-seat summer garden. There will be no entertainment on the patio, but will have recorded music. There have been some concerns about the VA, including a trial period with shorter hours on the patio, and the VA was not yet signed by the time of the meeting. **Motion:** Mr. Robinson moved/Ms. Mack seconded a motion to approve the Committee's recommendation that the ANC protest the substantial change in the license for the Langston Bar and Grill for an outdoor space unless the ANC receives a signed, approved Addendum to its VA prior to the petition date of June 28. The motion passed 6-0-1, with Mr. Alberti not voting.





## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



### Sticky Rice/Taylor Gourmet

Mr. Marshall raised the issue that there have been several incidents at Sticky Rice, and that Taylor Gourmet was caught serving liquor to a minor and staying open after hours, and there has been no action taken by ABRA against either establishment. Mr. Alberti said that the ABC had reviewed the situation at Sticky Rice and took no action. The Board understands, he said, that things happen that are out of control of restaurant staff, but they done everything right in terms of reporting and handling the situation. Mr. Alberti said that the ABL committee is requesting information on the incidents from the ABC. Mr. Marshall said it's the third incident at Sticky Rice, and he would like to request that the Committee have both Sticky Rice and Taylor Gourmet come to the Committee to discuss the incidents. Mr. Robinson referred the matter to the ABL Committee so it can deal with them. Ms. Mack added that establishments should be treated alike, and that black-owned establishments are not being treated the same as white-owned establishments. Mr. Marshall said he would like the issue on the July agenda.

The report of the Committee was accepted without objection.

### **8. New Business**

#### Four-Way Stop Sign at 10<sup>th</sup> and Massachusetts Avenue

**Motion:** Mr. Holmes moved/Mr. Alberti seconded a motion to send a letter to DDOT Director Gabe Klein requesting that a four-way stop sign be installed at 10<sup>th</sup> Street and Massachusetts Avenue. Mr. Holmes said that it is a notorious corner for speeders coming from Lincoln Park. He said he has signed petitions. The motion passed without objection.

#### Transportation Infrastructure Act

Mr. Holmes offered the following resolution:

I move that ANC 6A support and testify in favor of the "Transportation Infrastructure Amendment Act of 2010", introduced by Councilmember Wells.

First, the bill repeals the 1888 and 1889 laws that prohibited overhead wires and re-establishes the provisions as local law. Legal analysis clearly concludes that Council has the legislative authority to repeal the 1880s laws and re-establish the prohibition under local law.

Second, the bill creates authority for the Mayor to allow aerial wires deemed necessary to power transportation infrastructure projects. The bill limits the Mayor's authority to use aerial wires to a strictly defined H Street/Benning Road NE segment until the Mayor develops a citywide plan, subject to Council approval for the use of aerial wires for additional streetcar routes with special attention paid to view corridors of the federal monumental core.



## Advisory Neighborhood Commission 6A Meeting Minutes of June 10, 2010



Third, the legislation requires the Mayor to submit a report by January 2014 on the feasibility of converting to non-aerial power where any aerial wiring has already been installed.

Finally, the bill requires that any installation of aerial wires must comply with the Height Act and the Mayor must comply with statutory obligations to consult with the Architect of the Capitol, the National Park Service, the Secret Service and the National Capital Planning Commission where necessary.

The “Transportation Infrastructure Amendment Act of 2010 will bring local control and accountability to the District as it continues the development of the streetcar transportation system - a system designed to serve our residents, to better connect our neighborhoods and to support our local economic development.

The completion of the H Street/Benning Road Line is crucial for the economic development and transportation needs of ANC 6A.

The resolution was seconded by Dr. Ronneberg.

Mr. Alberti said that he would oppose the resolution as he is opposed to overhead wires. He said there will be technology within five years, and wires will distract from the historic fabric of H Street. Beyond that, the guarantees in the bill do not apply citywide. Omar Mahmud said that the legislation makes clear that the issue will be revisited as the technology becomes more widely available. Elizabeth Nelson added that “revisit” has no enforceability and it’s meaningless when there’s no definition.

Diane Lingle, who is on the WMATA Advisory Council said that the streetcar is at least two years away and doesn’t know why it needs to be rushed. Charmaine Josiah said that she is an engineer and there are only two countries in the world that have wireless systems. She said it is necessary to be conscious of funding issues, and pushing the momentum to make sure it gets done. The timely technology has not yet caught up. Mr. Mahmud added that there are federal funds available now. Mr. Schultheiss added that this isn’t a new issue, the tracks are installed and there are no underground wires, and the project needs to get started. The motion passed 5-2, with Mr. Alberti and Ms. Mack in opposition.

### 9. Community Comment

Margaret Holwill announced that on June 17, there would be an art walk on H Street, with open galleries and a temporary installation. She urged everyone to attend.

### 10. Adjournment

The meeting was adjourned at 8:41 pm.



## Commission Letters from June 10, 2010 Meeting



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



June 11, 2010

William Washington  
7-Eleven, Inc.  
Chesapeake Division  
Attn: Real Estate Department  
5300 Shawnee Road  
Alexandria, VA 22312

*Re: Request for MOU related to the proposed 7-Eleven at 957 H Street NE*

Dear Mr. Washington:

Thank you for attending the ANC6A Economic Development and Zoning Committee meeting on May 19, 2010 to discuss the proposed 7-Eleven at 957 H Street NE. As you know, the community supports the ongoing development of the H Street Corridor and welcomes H Street Connection's active pursuit of tenants. However, the community has serious concerns about the proposed 24-hour operation of 7-Eleven on H Street, including late night hours, added litter, loitering, sales of tobacco products, and sales of fast food items.

ANC6A would like to reach a mutual agreement with 7-Eleven and Rappaport Companies regarding the operation of 7-Eleven at 957 H Street NE. Accordingly, we have prepared the enclosed draft Memorandum of Understanding between ANC6A, Rappaport Companies, and 7-Eleven. Please review it and contact Commissioner Drew Ronneberg if you have any questions or concerns. Commissioner Ronneberg may be reached at 202-431-4305 [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com). We would like to reach an agreement by the next ANC 6A meeting on July 8th, 2010.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Mark Bradshaw, Rappaport Companies



## Commission Letters from June 10, 2010 Meeting



### DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN ANC 6A, RAPPAPORT COMPANIES AND 7-ELEVEN CORPORATION REGARDING THE BUSINESS OPERATION AT 957 H ST NE, WASHINGTON DC, 20002

1. 7-Eleven agrees to educate and instruct all its employees to engage in active enforcement of no-loitering in front of and around store. The store is on private property and loitering can be construed as trespass – anyone who does not leave when asked should be reported to the police for trespass.
2. 7-Eleven and Rappaport agree to detail and implement debarment procedures for repeat offenders in violation of loitering policy and committing other violations on private property surrounding store. Records of repeat offenders shall be maintained. Upon a third incident of misbehavior or refusal to voluntarily comply with no loitering policy, the parties shall submit the violator for debarment and notify MPD of the same.
3. 7-Eleven agrees to ban certain tobacco products, which are commonly refashioned for illicit purposes, including minicigars (such as swisher sweets or black and milds), flavored cigars/ philly blunts, and rolling papers or other products that law enforcement has identified as primarily used in connection with the consumption of marijuana.
4. Late night hours shall be limited during a two month probationary period where the store will close from 2 am until 5 am (3 am closing on weekends). If no problems occur during this period, the store may commence late night hours thereafter. Rappaport Companies will keep the parking gate on 10<sup>th</sup> Street down after the parking attendant leaves for the evening to discourage spill off traffic on and off of the residential 10<sup>th</sup> Street.
5. Minimum staffing levels to ensure adequate safety and staffing in order to enforce no loitering and to prevent criminal activity on property in evening hours. At least two staff members shall be present and on duty at all times.
6. Agreement to limit sales of fast food items so as not to constitute a “fast food establishment” for zoning purposes. Store may not sell chicken wings, which are especially problematic for littering and attracting vermin, such as squirrels and rats, and which cause neighborhood dogs to choke when left on street. The store’s prepared foods section should be limited to no more than 10% of its interior retail space.
7. Minimum security standards in and around the facilities (cameras in front and side of store to cover sidewalk and parking area, lighting along both H Street and 10<sup>th</sup> Street sides that amplifies visibility without affecting residential neighbors along 10th)
8. Cleanliness standards. Store shall commit to cleaning property, parking lot, and sidewalk from alley on 10<sup>th</sup> around corner onto H Street no less than five times per business day. Rappaport Companies agrees to extend porter service along side street up 1.5 blocks to include area from Sherwood Recreation Center parking lot and back along 10<sup>th</sup> Street to store entrance.
9. Participation in police detail. Rappaport Companies and 7-Eleven agree to participate in any ongoing reimburseable police detail along the eastern end of the H Street Corridor so long as such a program is in operation and 7-Eleven continues to operate after 2 am unless said program’s cost would exceed \$400 per month.
10. Installing physical barrier to reduce foot traffic spilling over on to 10<sup>th</sup> Street. H Street Connection will implement a wall, fencing, landscaping or some combination thereof to





## Commission Letters from June 10, 2010 Meeting



discourage foot traffic from turning right when exiting the 7-Eleven and proceeding out the parking lot exit onto 10<sup>th</sup> Street.

11. Voluntary enforcement of provisions if violations of agreement are identified. If violations of this agreement are identified, 7-Eleven and Rappaport Companies shall immediately remedy said violations. If the violations recur or otherwise appear to be systemic, 7-Eleven shall further restrict their hours of operation by closing an additional two hours earlier than their otherwise agreed to time for a period of six months. The parties agree that a mutually agreed upon independent third party shall be the ultimate arbiter of whether any violations have recurred or are otherwise systemic requiring further restriction of hours or other remedy.
12. This agreement shall carry over if/when the store is transferred to a franchisee. This agreement binds ANC6A, Rappaport Companies, 7-Eleven and any of its successor franchisees who operate in the H Street Connection property on H Street NE.

Signed,

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Kelvin Robinson, ANC 6A Chair

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William Washington, 7-Eleven Corporation

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Mark Bradshaw, Rappaport Companies





## Commission Letters from June 10, 2010 Meeting



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



June 11, 2010

Mr. Gabe Kein  
Director  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW, 6<sup>th</sup> Floor  
Washington, DC 20009

*Re: Request for a four-way stop sign at the intersection of Massachusetts Avenue and 10<sup>th</sup> Street, NE*

Dear Mr. Klein:

At its regularly scheduled meeting on June 10, 2010, at a properly noticed regular meeting with a quorum our Commission present, adopted a resolution in support of the community's request for a four-way stop sign at the intersection of Massachusetts Avenue and 10<sup>th</sup> Street, NE.

From First Street, NE, to Lincoln Park, this is the only intersection along Massachusetts Avenue without a stop sign or stop light. Drivers race to beat the green lights westbound at 9<sup>th</sup> Street and eastbound at 11<sup>th</sup> Street. The intersection is very wide, making it difficult for pedestrians to safely cross; cars accelerating from the stoplights on either side reach the intersection before pedestrians can get more than half way across. The cars speeding westbound cannot see 10<sup>th</sup> Street until they cross 11<sup>th</sup>, and are reluctant to slow even for a pedestrian in a cross-walk. In addition, because vision is obstructed by vehicles blocking the intersection during the evening rush, northbound vehicles and pedestrians are at severe risk from westbound Massachusetts Avenue traffic.

The ANC representative for this matter is the Commissioner, David Holmes (SMD 03). He can be reached at 202-251-7079 or by email at [holmes6A3@gmail.com](mailto:holmes6A3@gmail.com).

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember, Ward 6  
Commissioner David Holmes, 6A03



## Commission Letters from June 10, 2010 Meeting



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



June 11, 2010

Mr. Gabe Klein  
Director  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW, 6<sup>th</sup> Floor  
Washington, DC 20009

*Re: Implementation of Pedestrian Safety/Traffic Calming Measures at 10<sup>th</sup> Street and Maryland Avenue NE*

Dear Director Klein:

At our regularly scheduled meeting on June 10, 2010, the Commission voted unanimously to request that DDOT promptly address pedestrian safety concerns at the intersection of 10<sup>th</sup> Street and Maryland Avenue NE. In particular, the Commission requests that DDOT implement measures which do a more effective job of notifying motorists that they are approaching a pedestrian crosswalk. Our hope is that such measures will prompt motorists to slow down when approaching the intersection and stop if pedestrians are attempting to cross.

ANC 6A has received several complaints from residents over the past few years regarding extremely dangerous pedestrian crossing conditions at this intersection, including speeding motorists and motorists unwilling to stop for pedestrians crossing the street. We are particularly concerned about safety at this location given parents with small children and strollers often cross this intersection to visit the playground located at the southeast corner of the intersection. We ask that DDOT consider immediately implementing relatively low cost measures such as enhanced crosswalk pavement striping (e.g. 7<sup>th</sup> and Maryland), pedestrian crossing signs, including in the median (e.g. 7<sup>th</sup> and Maryland), and signs indicating a playground is nearby. We note that this is the only crosswalk along Maryland Avenue spanning from Stanton Park to the Starburst Intersection which does not afford pedestrians the benefit of either a traffic signal controlled crossing or a crossing highlighted by pedestrian crossing signs along with enhanced crosswalk pavement striping.

Although it is our understanding that DDOT's planned study of the Maryland Avenue corridor may result in long-term improvements aimed at addressing these concerns, we feel it is vital for DDOT to implement an immediate temporary solution, including the suggestions contained in this letter.

Thank you for taking the time to consider this request. Should you have any questions, please feel free to email Omar Mahmud of our ANC's Transportation and Public Space Committee at [familymahmud@yahoo.com](mailto:familymahmud@yahoo.com).

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

cc: Tommy Wells, Councilmember Ward 6  
Christopher Delfs, DDOT  
Jamie Henson, DDOT



## Commission Letters from June 10, 2010 Meeting



Government of the District of Columbia  
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Box 75115  
Washington, DC 20013



June 11, 2010

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

RE: HPA #10-241 (1222 Constitution Ave. NE)

Dear Chairman Boasberg:

At our regularly scheduled and properly noticed meeting on June 10, 2010, our Commission voted 5-2-0 to support some aspects of the above referenced application and oppose others.

The Commission supports the applicant's request for basement window wells on the 12th Place side of the structure. These window wells are necessary to allow light into the basement.

On the other hand, the Commission opposes the basement window wells on the front of the structure (Constitution Ave. facing) because it is out of character with other structures on the block. None of the other buildings on the block have front facing basement windows or window wells.

In addition, the Commission opposes locating the rear basement staircase on public space and urges the Board to require that it be constructed on the applicant's property. The Commission believes that erecting structures on public space contradicts the intent of the historic Parking Act and should only be considered when the structure cannot feasibly be built on private land. In this case, the Commission believes that there is enough private land in the backyard for the stairs to be constructed without using public space. Furthermore, the applicant has not obtained a permit to construct the staircase on public space and the Commission believes that HPRB should not sign off on projects that have not received approval from DDOT's Office of Public Space. Please see the attached letter to former City Administrator, Dan Tangherlini, regarding this issue.

If you have any questions, please contact Commissioner Drew Ronneberg at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On behalf of the Commission,

Kelvin J. Robinson  
Chair, Advisory Neighborhood Commission 6A

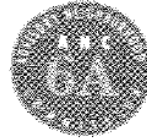
cc: Mrs. Nancy Metzger, CHRS  
Mr. David Maloney, HPO



## Commission Letters from June 10, 2010 Meeting



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



December 15, 2008

Dan Tangherlini  
City Administrator  
1350 Pennsylvania Ave., NW  
Suite 521  
Washington, DC 20004

Mr. Tangherlini:

Over the past few years, ANC 6A has reviewed dozens of development proposals that require approval from two or more of the following entities: the Historic Preservation Office (HPO), the Zoning Administrator/Board of Zoning Adjustments (BZA/ZA), and DDOT's Office of Public Space (DDOT-OPS). In each of these instances, the city directed applicants to seek approvals in the following order: historic preservation, zoning, and public space.

Our ANC believes that the current order of approvals is deeply flawed because:

- 1) HPO often approves projects without knowledge or consideration of zoning or public space issues. Applicants often find out about these issues only after they have spent months seeking HPO approval. In addition, HPRB has frequently approved designs that cannot be built without zoning relief and public space permits.
- 2) Applicants request ZA/BZA approval for projects which rely on the use of public space, but for which the applicant had not received a public space permit.
- 3) DDOT-OPS approves public space applications that have no corresponding public benefit because the agency does not want to stop developments that have already received HPO and ZA/BZA approval.
- 4) A denial of an applicant's public space application after HPO and/or BZA/ZA approval can cause unexpected delays, cost increases and other additional burdens that would be avoided by requiring applicants to apply for public space permits before HPO and BZA/ZA review.

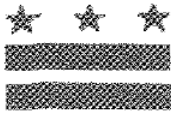
In order to solve these problems, we respectfully request the City Government alter the approval process to follow the following order: public space, zoning, and historic preservation. Although this would be the formal approval chain, the Applicant would be encouraged to have informal discussions with the ZA or Office of Zoning and HPO during the project's design and development.

Some of the many examples we have encountered are outlined below. These examples illustrate the problems with the current approval system and how the system we propose would alleviate these problems:

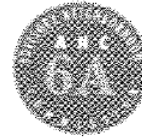




## Commission Letters from June 10, 2010 Meeting



**District of Columbia Government**  
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Box 75115  
Washington, DC 20013



701 10<sup>th</sup> St NE. In this case, the applicant submitted plans to DCRA for a 2 unit flat on a corner lot without alley access that showed two parking spaces on private land with driveway/curbcut access from the street. However, the applicant had not obtained a public space permit for the curbcut and driveway from DDOT-OPS. DCRA issued building permits and the building was constructed before the applicant applied to DDOT-OPS for a driveway and curbcut. When DDOT-OPS received the public space application, they approved the curbcut and driveway over the unanimous opposition of the ANC. We believe that DDOT-OPS's approval of such a curbcut and driveway was not consistent with customary DDOT standards.

We further believe DDOT's decision to approve the applicants request was biased by the fact that a denial could have placed a heavy burden on the owner and at the very least, delayed use of the property. Denial of the request by DDOT would have necessitated that the owner apply retroactively for a zoning variance from parking requirements for a flat in an R-4 zone. Had the BZA then denied the variance, the owner would have had to retrofit the building as a single family home or demolish the structure. If one believes the owner acted in good faith, it would seem unfair to subject the owner to that risk.

Requiring the applicant to first obtain a public space permit would have allowed DDOT to appropriately evaluate the merits of the curbcut application before a structure had been constructed on the site.

1137 C St NE. In this case, the applicant proposed expanding an existing 2-story 2-unit property in the historic district to a 3-story 5-unit structure with 100% lot occupancy. In addition, the applicant proposed integrating a 3-car garage that would require additional curb-cuts from 12<sup>th</sup> St NE.

The case was first reviewed by the Historic Preservation Office, where the staff did not advise the applicant that variances would be required for the lot occupancy and creation of a multi-unit building or that public space permits would be required for the curb-cuts. The case went through several months of review by HPO and our ANC before the applicant understood the difficulty in obtaining the variances and abandoned the project.

In the approval system proposed by ANC 6A, the applicant would be aware that variances and public space permits would be required at the beginning of the project and could have made a more informed decision about whether he should pursue the necessary approvals.

1101 D St. NE. The applicant in this case owns a corner lot and wanted to construct a 6-foot high fence to enclose public space for use as a private side yard. HPO was the first body to consider this case and approved the design of the fence but did not address the public space issues in their report. In its application to DDOT's Public Space Committee (PSC), the applicant emphasized HPO's approval of the fence and the PSC later approved the use of public space largely based on the HPO's approval.

In the approval system proposed by ANC 6A, the PSC would be the first to consider the application and would be more apt to deny the request because of the lack of public benefits or at





## Commission Letters from June 10, 2010 Meeting



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least require a shorter, open fence as specified in the public space regulations. In this system, HPO would have the opportunity to further refine the design of the fence after PSC approval.

140 14<sup>th</sup> St NE. Brown Memorial A.M.E proposes to expand their church, which is located in the Capitol Hill Historic District. In this case, the HPRB recommended and approved a design that necessitates building on public parkland. Brown must now make requests to DDOT-OPS and the National Park Service. If use of land is denied, as is recommended by ANC 6A, the design approved by HPRB will be voided. Brown AME will then have to apply once again to HPRB for approval of an amended design.

Our ANC fears that the DDOT and the NPS will find it difficult to deny a public space request for a project that has received HPO approval of the burden it places on the applicant - It will take addition time to get approval for the project and necessitate redesigning the building expansion plans.

In the approval system proposed by our ANC, the public space component would be considered first. The steps of the process required for approval would be known to the applicant before hand, without the threat of a delay due to a second HPRB review if the use of public space is denied. The DDOT and the NPS could fairly review the public space permit without being biased the prior HPRB approval or considerations of the burden a negative decision places on the applicant.

1400 Maryland Ave. NE. In this case, the applicant proposes to construct a gas station on a corner lot and incorporate an area of public space into their business that is almost equal to the size of the lot owned by the applicant. The applicant originally requested the BZA approve site plans for a proposal that included signage, curbcuts, driveways, and extensive pavement of public space for which no public space permit had been granted. ANC 6A opposes proposed uses of public space and requested a delay in the BZA case, so that the DDOT-OPS can first rule on the use of public space.

In this case, had BZA considered the case first, as was initially planned, it would have been asked to make a ruling that relied on the assumed availability of public space whose use had not yet been granted by the DDOT-OPS. In that event, if DDOT-OPS decided to deny the request for a public space permit, the BZA's decision would have been made mute. That would have cause unexpected delays for the applicant. Additionally, ANC 6A fears that if BZA had approved the proposed use, the DDOT-OPS would be biased by a positive BZA ruling and thus would be unable to fairly rule on the request for a public space permit.

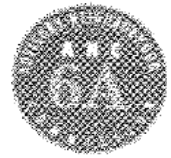
In the approval system proposed by our ANC, the PSC hearing for public space would have automatically come before the BZA hearing. It would guarantee that BZA made its decision on a set of facts, not on hypothetical conditions unresolved at the time of BZA's decision. It would potentially shorten the time required to resolve the case and lessen the risk of placing additional, yet avoidable, burdens on the applicant.



## Commission Letters from June 10, 2010 Meeting



**District of Columbia Government**  
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When formulating this recommendation, our ANC investigated how other similar cities handled the approval process. We found that Baltimore, Boston and Philadelphia all required zoning approval be obtained before their equivalents to the Historic Preservation Office can consider the case.

The cases outlined in this letter clearly show the problems associated with the current process of receiving approvals from historic preservation, zoning and public space. Our ANC strongly urges the District Government to require public space approval before zoning or historic issues are addressed, and to also require zoning approval before historic preservation issues addressed. This system would benefit the applicant because the zoning and public space issues would be evident earlier in the process. It would also benefit District residents because it would be more likely that public space applications would be granted only when there was a compelling public benefit and HPO would only consider projects that had received zoning approval.

In close, as this challenge crosses three city entities, we are seeking your assistance to implement a change to the administrative process that requires applicants to seek approvals in the following order: public space, zoning, and historic preservation. As this proposed administrative direction requires no change in law or regulation, we look forward to timely review of our request by the end of March 2009.

On behalf of the Commission,

Joseph Fengler  
Chair, Advisory Neighborhood Commission 6A

cc. Linda Argo, DCRA, Director  
David Maloney, Historic Preservation Office, Director  
Frank Seals, Jr., DDOT, Interim Director  
Tommy Wells, Ward 6 Councilmember  
Jim Graham, Ward 1 Councilmember  
Kawme Brown, At-Large Councilmember  
David Catania, At-Large Councilmember  
Karen Wirt, ANC 6C, Chair  
Ken Jarboe, ANC 6B, Commissioner  
Monte Edwards, Stanton Park Neighborhood Association



## Officer Reports - Treasurer



### ANC 6A Treasurer's Report June 2010

**Period Covered:** 06/01/10 - 06/30/10

#### Checking Account:

Balance Forwarded \$ 21,980.85

#### Receipts:

District Allotments

Transfers from Saving Account \$ -

Total Receipts \$ -

Total Funds Available \$ 21,980.85

#### Disbursements:

Heather Schoell (June. '10 Agenda Package) Ck #1466 \$ 200.00

Roberta Weiner (May '10 Minutes) Ck #1467 \$ 135.00

FedEx Office ( May '10 Statement) Ck #1468 \$ 192.00

Total Disbursements \$ 527.00

Ending Balance \$ 21,453.85

#### Savings Account:

Balance Forwarded \$ 4,201.06

#### Receipts:

Interest (05/28/10) \$ 0.36

Transfers from Checking Account

Total Receipts \$ 0.36

Total Funds Available \$ 4,201.42

Disbursements \$ -

Ending Balance \$ 4,201.42



## **Committee Reports**

### Public Safety



No report.



## **Committee Reports**

### Community Outreach Committee (COC)



No report.





## Committee Reports

### Alcohol Beverage and Licensing (ABL)



ANC 6A ABL Committee  
June 16, 2010, 7-9 PM  
Minutes

Meeting called to order at 7:00 pm

Committee members present: Commissioner Mary Beatty (ANC 6A05); Tish Olshefski, Jaki Downs

Committee members absent: Anne Marie Koshuta; Michael Herman

Commissioners: Drew Ronnenberg (ANC6A02), Gladys Mack (ANC6A07), Raphael Marshall (ANC6A01); Nick Alberti (ANC6A04); Kelvin Robinson (ANC6A08)

Community: Margaret Holwell; Tony Tomelder (The Pug); Jason Martin (Sticky Rice); Erik Young (Toki Underground); Musa Ulasan (Pizzeria); Joe Belcher (Sticky Rice); James Keo (Viggy Liquor); Barb Busby; Phil Toomajian; Matt Cordes; Aaron McGovern

#### I. AGENDA/MINUTES

- a. Meeting called to order at 7:07 pm. Quorum present.
- b. Agenda - Motion to accept agenda as amended (drop #5 under new business and add Pugs license application for substantial change). No objections.
- c. Minutes - Motion to accept minutes presented at last ANC meeting. No objections.

#### II. COMMUNITY COMMENT - None

#### III. REVIEW OF ANC6A JUNE MEETING RE: ABL RECOMMENDATIONS

- a. Red & Black/Palace of Wonders  
Not protest the combining of these two establishments. Accepted by the ANC.
- b. Khan's BBQ  
Recommendation to protest unless we have a signed VA. Accepted by the ANC. We have the VA so will not protest.
- c. Langston Bar & Grill  
Recommendation to protest unless we have a signed addendum to VA for expansion of outdoor space. Accepted by the ANC. We do have agreement on terms, but not signed in hand yet. Petition date is June 24.

#### IV. NEW BUSINESS

##### 1) Sticky Rice/Taylor Gourmet

These two establishments were mentioned at the last ANC meeting by Commissioner Marshall. He stated his concerns to this meeting. Tuesday of last week two officers pulled him to the side and mentioned their observation of increased drug usage at some of the new establishments on H Street. Commissioner Marshall is concerned with his SMD. Sticky Rice was mentioned - with observation specific to patrons, not employees. There have been issues at Sticky rice with violation of issues in the VA—garbage, alley cleaning, etc. Commissioner Marshall's request to the ANC was to have a meeting to discuss the issues. That's where we are now.

In addition to the item referenced above, Taylor Gourmet had been operating beyond their hours in their VA.

Mary Beatty called Fred Moosaly at ABRA to ask about activity in the establishments. She was told that ABRA conducted an investigation at Taylor Gourmet. People were ordering



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



food in hours beyond those established their VA. The owner's understanding was as long as they were not selling alcohol then it wasn't a violation of their license or VA. They were told that is not correct and were fined \$1,250. They were closed for two days as a part of the penalty.

Regarding Sticky Rice, Fred confirmed that there was a police report on a fight. The establishment was not written up by ABRA since the owner called police and moved the patrons out of the restaurant. ABRA has no other reports on Sticky Rice.

Raphael went into establishment recently and there was dancing and music, like a club. This, along with other things, raises concerns.

Owner - Joey Belcher. There have been two reports at ABRA. The first was the one Mary referenced. This happened about 3 months ago. The incident started and ended in a minute and a half, and resulted in an assault outside the restaurant. There was a No Action hearing.

Sticky Rice had recently implemented a new security procedure just prior to this event. They have a security officer at the door.

The second incident was within the last three or four weeks - there was a group at a table at about 11 pm. The group left and one of them came back in, spit on another patron, grabbed a bottle, hit the patron on the head and ran out. Owners called police and turned over tapes. They don't know what has happened with it at this time.

Commissioner Marshall stated this is a good way to handle these kinds of things to get everyone here to talk this out.

Chair Beatty says no further action required.

#### 2) The Atlas Room - Matt Cordes (1015 H Street)

Taking over the old Napa 1015 space. Owner's intent is to bring an up-scale modern American cuisine to the neighborhood. He'll have a changing menu, probably every two months. Wine by the glass program, wine bottle service. No draft beer. Creative cocktail program - bar chef mentality. Open for brunch first and then eventually for lunch.

Aaron McGovern, owner of the Biergarten Haus spoke on Matt's behalf to say that while this is Matt's first restaurant, he's been in the restaurant business for some time as a well-recognized chef.

Owner is applying for a CT license and is not carrying the Napa 1015 license which expired. He projects that the way he is renovating will result in 35 seats in dining room and 20 in the bar. With the pricing format he wants it to be accessible. In the \$20 range for entrees. Therefore, liquor will outpace the food sales. Primary focus is on food. Owner will not be seeking an entertainment endorsement. There is no outdoor space. Pre-recorded music.



## Committee Reports

### Alcohol Beverage and Licensing (ABL)



Owner is applying for a stipulated license. The building is a turnkey so it's ready to open. He has already applied for the license - months ago. He is supposed to be receiving placard for stipulated license. Documents are dated May 20.

Chair Beatty says we need to take action tonight so we can take it to the July ANC meeting.

**Recommendation:** That ANC6A not oppose the temporary/stipulated license of the Atlas Room (1015 H Street). Seconded by Tish Olshefski. Unanimous. Recommendation to the July ANC meeting.

Mary Beatty moves that with the understanding that we need clarification from ABRA on whether this is a new license or a substantial change, that we protest this license unless we have a signed voluntary agreement (either a new one or an amended version of the one carried with the Napa 1015 license) with the applicant prior to the petition date of August 2. Seconded by Jaki Downs. Unanimous. (Commissioner Drew Ronnenberg voted in favor.)

#### 3) Desperado Pizza CT Application (1387 H Street)

Musa Ulusan is applying for a new license. He owns a "brand" company and has done several pizzeria concepts ([www.musalicious.com](http://www.musalicious.com)). He plans to open a brick oven pizzeria. Menu will have pizza and high end burgers. The space is 2 rooms, one facing H Street 40 seats; two bathrooms in the middle. Back is another dining room. Brick oven will face the garage side dining room. 30 seats in the back. No entertainment endorsement. No bar, just beer and wine served with food. Second floor is office. Third floor is an apartment occupied by one of the owners.

The restaurant will be open for lunch.

He plans outdoor seating and will eventually ask for a substantial change.

**Recommendation:** That the ANC protest the application of Desperado Pizza unless we have a signed, approved VA prior to the petition date of July 26 . Seconded by Jaki Downs. Unanimous. (Commissioners Drew Ronnenberg & Kelvin Robinson in favor.)

#### 4) Sticky Rice-Substantial Change to CR License (1224 H Street)

Joe Belcher reports that Sticky Rice is renting space in the adjacent building (1222 H Street). This property has 3 levels (basement, 1 and 2). They are currently cleaning out the property and plan to opening to a larger back patio area to put larger dumpster. The basement will be used for dry storage and a little prep kitchen area. Second & third floors for an additional dining room where they will be adding an additional sushi bar. They plan no additional bar space. Looking at this to happen in about 6 months. There will be a new exit in the back but no new entrance. They are looking to expand the deck space in the back.

The new space will add another 40 or so seats inside and outdoor would be another 10.

Chair Beatty needs to check out the VA re: the use of deck.



## **Committee Reports**

### **Alcohol Beverage and Licensing (ABL)**



**Recommendation:** That the ANC protest the substantial change application of Sticky Rice unless the ANC receives a signed, approved addendum relating to noise in outdoor space by the petition date of July 26. Seconded by Tish Olshefski. Unanimous. (Commissioners Drew Ronnenberg & Kelvin Robinson in favor.)

#### **5) The Pug-Substantial change to CT License (1234 H Street)**

The Pug is planning to expand upstairs. They are adding a kitchen and 25 seats and a noodle and dumpling kitchen. They will be open for lunch. Everything will go under the existing VA and will stick with the hours in the VA. They do not now have an entertainment endorsement and have no plans to seek one.

The application was filed on the previous Thursday. No petition date at this point.

**Recommendation:** That the ANC not protest the substantial change application of the Pug for a space expansion. Seconded by Tish Olshefski. Unanimous.

#### **V. Adjourn**

Meeting adjourned at 8:35 pm. Next meeting July 20, 2010



## **Committee Reports**

Transportation and Public Space (TPS)



No report.





## Committee Reports

### Economic Development and Zoning (EDZ)



#### REPORT OF THE ECONOMIC DEVELOPMENT AND ZONING COMMITTEE OF ANC 6A June 16, 2010

Present:

Members: Dan Golden, Sharee Lawler, Jeff Fletcher, Charmaine Josiah, Drew Ronneberg

Commissioners: David Holmes, Kelvin Robinson

Drew Ronneberg chaired the meeting.

#### Community Comments

None.

#### Status Reports

**H Street Connection Redevelopment:** Drew Ronneberg reported that the case would be heard by the Zoning Commission on July 18 and that he and Commissioner Robinson would be representing the ANC at the hearing.

**Vacant Properties:** Phil Toomajian submitted the following updates: 1) The DC Council reinstated the 5% vacant property tax as part of the 2010 budget. 2) 1000 C St NE had its vacant property tax for 2009 reinstated and now owes over \$40K. 3) DCRA and OTR haven't started taxing most blighted properties in 6A at the 10% rate. 4) SMDs 6A02, 6A03, 6A04 have been surveyed.

#### Updates on the Renovations of 1341 Maryland Ave (Fire House) and 525 9<sup>th</sup> St NE (Police Station)

Mr. Gilbert Cardenas of the Argos Group and Mr. Oscar Naccio from Hamel Builders said that the renovation plans unchanged from the previous version presented to the ANC. In addition, there was a 1.5 month delay in the start of the project. The developer has all the necessary building and public space permits and will be setting up fences and starting construction in the next couple of weeks. The hours of construction will initially be 7am - 3:30pm M-F but, if necessary to maintain the schedule, interior work takes place on Saturdays.

Construction should be completed in spring/summer of 2011. There will be an onsite supervisor at both sites who are happy to talk to the community about any issues.

#### Framework for the ED&Z Committee's Consideration of Zoning Cases

Drew Ronneberg presented the following draft principals for considering zoning cases:

1. The ED&Z committee will not recommend ANC support for projects that do not meet the special exception or variance standards as laid out in the Zoning Regulations.
2. The ED&Z committee will consider the impact any recommendations would have as precedent in future cases.



## Committee Reports

### Economic Development and Zoning (EDZ)



3. Letters of support from adjacent neighbors help establish when a project will not adversely impact the light, air or privacy of neighboring properties but are not absolutely required for the ED&Z committee to recommend ANC support.
4. The ED&Z committee will not consider examples of illegal construction as precedent for supporting a special exception of variance.
5. When a zoning case involves public space issues, the ED&Z committee shall not support use of public space for a project that can be otherwise easily accommodated on private land.

The feedback from the committee was that it would be good to formalize a set of principles to send to the applicants in zoning cases. The committee felt that draft principle #1 should be softened but that the committee should base its recommendations primarily on the zoning regulations and let the ANC address political issues presented by these cases. Dan Golden suggested that illegal construction on other properties shouldn't be considered as precedent for a particular case and that illegal construction by the applicant should not be considered as a basis for hardship. The sense of the committee was that these were good additions. The committee also felt that principle #3 should be clarified.

Commissioner Robinson thought that a section of frequently asked questions should be added to the document along with a full explanation of the ANC process. The committee agreed that this was a good idea and would address these issues at next month's ED&Z meeting.

#### Next Scheduled ED&Z Committee Meeting:

Wednesday, July 21, 2010

7-9 PM

642 10th St NE

Sherwood Recreation Center, 2<sup>nd</sup> Floor