



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 13, 2012**



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

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

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

7:10 Discussion of Options Public Charter School Expansion Plans

7:40 **Officer Reports:**

Chair (2 minutes)

Vice-Chair (2 minutes)

Secretary (2 minutes)

Treasurer (2 minutes) *pg. 28*

7:50 **Single Member District reports** (2 minutes each)

Standing Committee Reports:

8:05 **Economic Development and Zoning** *pg. 47*

1. Approve committee report
2. **Recommendation:** ANC send a letter of support to HPRB regarding 1134 C St. NE
3. **Recommendation:** ANC send a letter of opposition to BZA in case of BZA 18413 (257 Warren St.)
4. **Recommendation:** ANC send a letter to the ZA supporting the final design of the Ben's Chili Bowl at 1001 H St NE
5. Next meeting - 7pm, Sept. 19, 2012 (3rd Wednesday)

8:10 **Community Outreach** *pg. 30*

1. Approve committee reports of July and Aug.
2. **Recommendation:** ANC send thank you notes in appreciation of support received from Sherwood Recreation Center, Capitol Hill Towers, Church of the Lord Jesus Christ of the Apostolic Faith, Miner ES (use of meeting space) and Gallaudet University (webhosting)
3. **Request:** ANC review draft guidelines document for possible changes to policies and procedures for ANC grant program
4. Next meeting - 7:30pm, Sept. 17, 2012 (3rd Monday)



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for September 13, 2012**



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

8:15 Alcohol Beverage Licensing pg. 39

1. Approve committee report
2. **Recommendation:** ANC protest the license for The Spot on H located at 1255 H St. NE unless there is a signed voluntary agreement
3. **Recommendation:** ANC send a letter supporting Councilmember Jim Graham's legislation to update the District's alcohol laws
4. Next meeting - 7pm, Sept. 18, 2012 (3rd Tuesday)

8:20 Transportation and Public Space Committee pg. 40

1. Next meeting - 7pm, Sept. 17, 2012 (3rd Monday)

8:25 Unfinished Business

8:30 New Business

1. Withdraw appeal of 1400 Maryland Ave. NE building permit (Ronneberg)
2. Consider changes to the voluntary agreement for 7 Rivers Market at 250 C St. NE made by the Alcoholic Beverage Control Board (Healy)
3. Re-evaluation of the PTones grant approved at the June meeting (Alberti)

8:35 Community Comments Round II, time permitting (2 minutes each)

8:40 Adjourn



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



Advisory Neighborhood Commission 6A
Minutes
Miner Elementary School
July 12, 2012

Present: Commissioners Alberti, Healy, Holmes, Hysell, Lawler, Ronneberg
Absent: Commissioners Mack, Veenendaal-Selck

The meeting was convened at 7:07 pm

1. Minutes

The minutes for June 2012 were approved by unanimous consent.

The minutes for May 2012 were approved by unanimous consent.

2. Agenda

Mr. Holmes asked to have a motion authorizing the Chair to represent the ANC before ABRA during the August recess, to be discussed during the Chair's Report. Mr. Healy asked for a discussion of Class A stores renewal protests be added to New Business. The agenda, as amended, was approved by unanimous consent.

3. Community Presentations

Acting Lieutenant Daniel Godin, who is in charge of PSA 104, gave a presentation on the recent spurt in crime in the neighborhood around H Street and the murder of a storeowner at 7th and H.

He began by announcing that the PSA meets the second Tuesday of each month, his email is daniel.godin@dc.gov, and his cellphone number is (202) 270-6764. He said that PSA 104 currently has additional resources and he is using very aggressive patrolling, focusing on robberies. He said he has two officers who are best working together and concentrating on the area around H Street. He said that overall crime is down 1% over the same time last year. Most recently, they have arrested six females and seven males. They have also arrested three juveniles from the Trinidad community, two aged 9 and a 10 year old, who were out with a BB gun and attempted a robbery at 10th and Florida.

4. Officers Reports

Chair

Mr. Holmes said that because there will be no ANC meeting in August, he feels that there should be a resolution authorizing the Chair to act on behalf of the Commission if matters are placed on consent calendars at various city agencies and boards when the ANC has not acted on them. **Motion:** Mr. Holmes moved/Mr. Healy seconded a motion that during the July 12 - September 13, 2012 recess, 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



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



- 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 filed if the full ANC would not otherwise be able to act before the petition date.

The motion passed unanimously, 6-0.

Treasurer's Report

Mr. Alberti delivered the Treasurer's Report. He reported that the opening balance in the checking account was \$20,942.38 and the savings account balance was \$4,207.17. There was an interest payment to the savings account of \$.33. There were disbursements of \$1341 to the Capitol Hill Garden Club for a grant for landscaping the Sherwood Rec Center (Check #163); \$200 to Heather Schoell for the June 2012 agenda package (Check #1564); \$329.77 to FedEx Office for photocopying (Check #1565); and \$200 to Heather Schoell for the June 2012 minutes (Check #1566), leaving a balance of \$18,871.22 in the checking account and \$4,207.50 in the savings account.

Motion: Mr. Alberti moved/Ms. Lawler seconded a motion to approve the disbursements. It passed without objection.

Motion: Mr. Alberti moved/Ms. Lawler seconded a motion to accept the Treasurer's Report. It passed without objection.

Quarterly Report

Motion: Mr. Alberti moved/Mr. Hysell seconded a motion to accept of the Quarterly Report of the ANC for the 3rd Quarter of FY12, April-June 2012. Mr. Alberti said the report had been sent to the Commissioners for comments. The motion passed unanimously, 6-0.

5. Single Member District Reports

Mr. Hysell reported that he attended a meeting with Mr. Healy and the H Street merchants about crime. He also said there is now an appeal moving forward on 1400 Maryland Avenue, and a developer across the street from the property, Mr. Ballard, has also become involved and is filing an appeal.

Mr. Healy reported that the bar and restaurant owners on H Street are concerned about the recent increase in crime, especially the murder of the owner of Grace Deli. He said that Officer Pitts and a Segway squad have been doing extra patrols. He also mentioned that H & Pizza and Casbah, an Indian restaurant, were opening.

Ms. Lawler reported that the intersection of 13th and D Streets had had its signage completed. She also said that at 1219 D Street, there is a structure in the alley and they are pouring asphalt for 12 parking spaces. She also reported that the satellite campus of the Options School is moving to ANC 6A, and she is quite excited about it.

Dr. Ronneberg reported that there were intermittent power outages in his SMD.



6. Community Outreach Committee

Playground at Sherwood Recreation Center

Committee Chair Elizabeth Nelson reported that she had been approached several months ago by Phil Toomajian about the idea of building a playground for young children at the northeast corner of the Sherwood Rec Center, to the north of the main entrance. It is an approximately 40'x60' area that is currently underused. The idea is to have a space equipped with slides, climbing equipment and other items that would be appropriate for children younger than eight. It could also contain equipment appropriate to older children as well. Current fencing of the space is nearly adequate, and only a gate would be needed to complete the enclosure and control access.

Ms. Nelson said she didn't feel she could make a motion supporting the playground because there was not much feedback/input from the community and what was received was divided between those in favor of/opposed to the proposal. She said she felt there should be more opportunity for community comment, and in the meantime the ANC should request DPR to construct the fence and gate. Mr. Holmes said he had asked the head of the DPR about funding for a project and he said he thought there was enough money left in the budget to create something. This is a draft of the letter they would like the ANC to support and send to Jesus Aguirre, Director of the DC Department of Parks and Recreation:

*Some neighbors surrounding the Sherwood Recreation Center would like to see a children's playground established on a 40'x60' *(approx.) plot on the northeast corner of the property, near the main entrance. Their vision is to have climbing equipment, including a slide and other items that will appeal primarily to children under the age of eight. Ideally, there could be equipment targeted to both very young children and different equipment better suited to children at the upper end of the age range. The playground should be fenced for the safety of the children. However, current fencing is nearly adequate; probably only a gate would need to be added to complete the enclosure and control access. The area is currently underused and there is a sufficient need for recreation opportunities for younger children. Advisory Neighborhood Commission 6A supports the use of the space for this purpose.*

There is also the potential for community interest in having in callisthenic equipment (exercise stations) on the Sherwood premises.

A neighborhood parent of young children said that there should be a place that doesn't provide programmed space, but would have free space. Ms. Nelson said there are some who would like "callisthenic" equipment. She said that at Lincoln Park the equipment for its playground was purchased by the parents who later realized (as their children matured) that there had been too much of a focus on equipment for very young children. realized later that money was available from DPR for purchase. Ms. Lawler said she doesn't know how many tot lots there are in the neighborhood, but she likes the idea of callisthenic equipment.

Mr. Toomajian, who is the Vice President of the Sherwood Neighborhood Volunteers (SNV), said that the ideas are not mutually exclusive, there is room for both, and there is a real need for Sherwood to offer something for young children. There are things for older kids, but very little for younger ones. This, he said, is also a good way to reduce the loiterers on the northeast corner of that block. He said he had talked to all his neighbors and there is great support for a tot lot.



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



One neighbor specifically asked that the fence be closed when the playground is not in use. Mr. Holmes said there aren't enough tot lots, but you have to protect the facility itself and have people looking after the place. The money is not fungible; it's earmarked for a specific use.

Motion: Dr. Ronneberg moved/Mr. Hysell seconded a motion from the Community Outreach Committee that the ANC provide a letter of support to the Department of Parks and Recreation for the concept of (but not funding for) a playground for young children at the Sherwood Recreation Center, provided the following conditions are met:

- a. Flyers (including an outline of the proposed project, contact information of the COC chair to register approval/disapproval, date/time/location of the July ANC meeting at which the Commissioners will take a position) be posted at all the street intersections around the Center (and the main entrance to the Center) by noon on June 23.
- b. And that the same information be posted on both the ANC 6A and MoTH listservs
- c. And that no significant opposition be expressed prior to or at the July 12 ANC 6A meeting

Ms. Nelson said that these conditions were met. Mr. Alberti addressed the proposed letter, saying he was confused about what the ANC is requesting. Ms. Nelson responded that the ANC would not be requesting anything, just providing support for a request made by others, and Mr. Alberti said the motion should be amended asking that DPR comes to the community and opens a dialogue on what is wanted.

Naomi Mitchell said that given that Councilmember Wells chairs the Committee with oversight over parks and recreation, his office will be happy to help with the project. Mr. Alberti concluded that because the ANC is a government body, it should be aware of what it's voted on. The vote was 6-0.

The report of the Committee was accepted without objection.

7. Alcoholic Beverage Control Committee

Rose's Déjà Vu - 1378 H Street NE

This is a request for support of a substantial change for Rose's Déjà Vu, moving three doors down from its current location to 1378 H Street NE, with a name change from Rose's Dream. It will have a small sidewalk café. Mr. Healy reported that they are willing to sign an addendum to their voluntary agreement. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC protest the substantial change for Rose's Déjà Vu unless an addendum to the voluntary agreement is approved prior to the protest date. The motion passed 5-0-1, w1th Mr. Alberti not voting.

Fever - 816 H Street NE

Motion: The Committee moved/Mr. Healy seconded that the Commission protest the application of Fever unless a voluntary agreement is approved prior to the protest date and that the ANC support a stipulated license. Mr. Healy reported that no one came to the meeting to oppose the license, and that the owner is willing to sign a VA. The motion passed 5-0-1, with Mr. Alberti not voting.

7 River Market - 250 11th Street NE

The owner of this market, formerly Young's Market, at 250 11th Street NE, wants to open a grocery store and sell beer and wine, but is unable to get a Class B license because of a citywide moratorium on those licenses. He would agree to sign a voluntary agreement that would make the store like a



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



Class B, and prohibit the sales of spirits. Mr. Healy said that most people are very excited about the store and anxious to see it succeed. Ms. Lawler agreed, saying the store is across the street from her SMD and she wants to encourage a higher quality market. **Motion:** The committee moved/Mr. Healy seconded a motion that the ANC protest the application of 7 River Market unless the voluntary agreement is approved prior to the protest date, and that the VA include a prohibition on the sales of spirits (making the license similar to a Class B) and that the establishment cannot sell alcohol in packages of less than six packs.

Amendment: Mr. Holmes offered an amendment to strike “six packs” and replace it with “four packs.” Mr. Holmes said it would be more equitable and in keeping with the single sales moratorium. The amendment passed by a vote of 5-0-1, with Mr. Alberti not voting. The vote on the amended motion was 5-0-1, with Mr. Alberti not voting.

The report of the Committee was accepted without objection.

8. Transportation and Public Space Committee

There was no quorum at the prior Committee meeting, but those present recommended that the ANC send a letter of support for the 2012 National Guard Run. First Lieutenant Dina Elosiebo, (202) 685-8773 presented information on the race, which will be held on September 15, beginning at 8am, with a planned conclusion at 9am. The race will begin at the Armory, proceed down East Capitol Street, circle around Lincoln Park and back to the Armory. Mr. Holmes thanked Lt. Elosiebo for working cooperatively with the ANC to run a well-organized event. The motion passed without objection.

9. Economic Development and Zoning Committee

1326 H Street NE - Atlas Vet

This is a request for support from Atlas Veterinarians for a special exception for parking, and the Office of Planning has determined that a variance is needed. Dr. Ronneberg said that there had been a colloquy at the committee meeting about the fact that different variances are needed for different conditions. Mr. Hysell said he had sent a letter of support for himself for the variance, and said it is a great facility that deserves support. **Motion:** The committee moved/Dr. Ronneberg seconded a motion to accept the committee’s recommendation that the ANC write a letter of support for a variance for the parking lot. The motion passed 6-0, unanimously.

232 11th Street NE

This is a request for support for an application to the BZA for a special exception for an addition to an existing one-family dwelling, not meeting the open court requirements in the R-4 district. The applicant, represented by Fowler Architects, explained that the description of the lot occupancy has been increased because of the inclusion of the garage in the calculation, and in order to build the additional floor he wants to construct. The architect stated the massing is consistent with the adjacent neighbors. As to light and air, one neighbor’s home to the north is taller, and the other adjoining property is not affected. Letters of support were provided. Mr. Holmes said the presentation of the project is a model of how to do it, including the use of brick and wood windows in the rear where they are not required. **Motion:** The committee moved/Dr. Ronneberg seconded a motion that the ANC accept the Committee’s recommendation to write a letter of support to the BZA in support of the special exception. The motion passed 6-0.



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



10. New Business

Proposed Revision of Alcohol Licensing Legislation

Mr. Holmes reported that he sent an email to Councilmember Jim Graham saying that the ANC has not had the opportunity to exert its great weight on his recently proposed legislation revising the alcohol beverage licensing legislation because a round table on the legislation had been held on very short notice, and doing it on such notice is wrong. Mr. Holmes asked whether the ANC wished to submit written comments on the bill.

Mr. Healy said that he was a member of the Task Force that had advised the Councilmember on the substance of the bill, and attended over ten meetings. He felt that there was not great compromise on many facets of the bill. He said that Councilmember Cheh was also involved in crafting the bill. Councilmember Graham's roundtable was limited to a discussion of his proposed changes in Sunday hours. Mr. Healy said there are plans to put a discussion of the legislation on his August committee meeting and it could come back to the ANC in September.

Mr. Holmes said that ANC 6C voted to support the bill; 6B has voted to support with three changes. Mr. Alberti said that this is a process that's only just begun. It will be referred to the full Council, and there will be another opportunity to lobby. He said he didn't know whether it was worth alienating Councilmember Graham. Mr. Holmes said that it's important to defend the ANCs. Alcohol regulation is important to our district. Ms. Lawler said that she supports Mr. Healy, and he has her vote. Mr. Holmes ended the discussion by saying there was no consensus at that time.

Commercial Billboards in Residential Neighborhoods

Mr. Holmres raised the possibility of sending a letter to the Office of Historic Preservation opposing the use of Bikeshare stations for commercial advertising billboards, particularly in residential neighborhoods such as Lincoln Park. He presented a draft of a letter. Ms. Lawler said that she's not a fan of ads, and the ones on the Mall should't have ads. The billboards exist, it's just changing what they say. Mr. Alberti said that these are CaBi signs in residential areas. He said there are DDOT regulations on signs and they are just ignoring the facts.

The regulations, spelled out in the letter, are:

Section 2306.1 in which billboards are prohibited in historic districts, and plastic-faced and cabinet signs are "not appropriate for historic buildings and districts", and

2507.5 A sign listing services, goods, websites, phone numbers or other detailed information shall be no larger than three (3) square feet.

HMotion: Dr. Ronneberg moved/Mr. Alberti seconded a motion that the ANC send a letter to the Historic Preservation Office requesting that they review the proposal of DDOT to use the map boards in all Capital Bikeshare stations as billboards in light of its policy on signage in historic districts. The motion passed unanimously.



Advisory Neighborhood Commission 6A Meeting Minutes for July 12, 2012



Class A Liquor Stores License Renewals

Mr. Healy reported that he and Mr. Holmes had attended mediation at ABRA with four Class A stores that had not signed Voluntary Agreements at the time of their license renewals. They are Jumbo Liquor, Master Liquor, Family Liquor, and New York Liquors, and they just did not want to sign VAs.

Motion: Mr. Holmes moved/Mr. Healy seconded a motion to withdraw the protest against the four stores. He said that while the ANC showed some leverage, it is just not worth the time and effort to pursue it. Part of it was ignorance of the process on the Commission's part, and he said it was deeply regrettable that the licenses were not protestable because people didn't show up at ABL meetings to express their previous complaints. The motion passed 5-0-1, with Mr. Alberti not voting.

11. Community Comment

Tony Green said he had bought a house on Wylie Street, and he has an alley behind the house that is "reminiscent of Hanoi," with rats and vermin making their homes there. He said it's really disgusting and he hasn't gotten any help from the District, although he's tried. Mr. Holmes said that the Department of Health has a rat abatement program, and should be able to help. Mr. Healy said that it's on DDOT's radar that that alley isn't draining properly. Mr. Holmes said he had taken the department director on a tour so they are aware of the situation, and he should, working with Mr. Healy, be able to get some action.

The meeting was adjourned at 8:45 pm.



Commission Letters of July 12, 2012 Meeting



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



August 6, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: 7 River Mart (250 11th Street, NE)

Dear Sir:

At its regularly-scheduled and publicly-announced¹ monthly meeting of July 12, 2012, Advisory Neighborhood Commission 6A (ANC) authorized the Chair to protest the license of 7 River Mart (250 11th Street, NE). The motion carried 5-0-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

Our protest is based upon the threat to the peace, order and quiet of the neighborhood. The ANC is also troubled that there may be an adverse impact on residential parking as well as by concerns about trash, loitering, and pedestrian safety. It is our expectation that we will withdraw this protest after the acceptance of a voluntary agreement between 7 Rivers and the ANC.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com email list and the ANC-6A@yahoogroups.com (not controlled by the ANC) email list, and through print advertisements in the *Hill Rag*.



Commission Letters of July 12, 2012 Meeting



Made this 27th day of July, 2012

by and between

7 River Mart (ABRA #089591)
250 11th 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 to the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit the retail sale of beer, wine, and spirits for off premises consumption and Class B liquor licenses that permit retail sale of beer and wine for off premises consumption.

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 operations of the establishment.

Further, ANC 6A acknowledges that this Cooperative Agreement shall be presented to all Class "A" and Class "B" applicants within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Cooperative Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicants 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 have agreed that it is in all the parties' best interests to standardize the requirements for the operation of Class A and Class B establishments within the boundaries of ANC 6A. 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. It is the intent, therefore, of ANC 6A, to level the playing field through the implementation of this standardized Cooperative Agreement.

Witnessed

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

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

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

Voluntary Agreement between 7 River Mart and ANC6A

Page 1 of 4



friendly.”

The Parties Agree As Follows:

1. Requirements for sale/provision of single containers of alcohol beverages
 - A. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale in single containers of alcohol of 70 ounces or less.
 - B. Applicant shall only sell, give, offer, expose for sale, or deliver beer, malt liquor, or ale containers of 70 ounces or less with multiple-container packaging supplied by the manufacturers of four or more individual containers (example: 4-packs, 6-packs, 12-pack cases, etc.).
 - C. Applicant shall not sell, give, offer, expose for sale, or deliver an individual container of wine or fortified wine in a single container with a capacity of less than 750 ml.
 - D. Applicant shall not sell fortified wine. Fortified wine is defined as wine that exceeds 14% alcohol content.
 - E. Applicant shall not sell spirits. Spirits is defined in D.C. Official Code § 25-101(49).
2. Ban on Sale/Provision of Other Items:
 - A. Single Cigarettes:
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
 - B. “Go-cups”:
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver “go-cups” or servings of plain ice in a cup.
 - 2) Per the Alcoholic Beverage regulations, a “go-cup” is defined as: “a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment.”
 - C. Products associated with illegal drug activity:
 - 1) Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
 - 2) These items are defined as: “cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia.”
3. Public Space Cleanliness and Maintenance:
 - A. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free conditions by:
 - 1) Picking up the trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
 - 2) 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.
 - 3) Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
 - 4) Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean.
 - 5) Remove snow and/or ice from sidewalks fronting (includes sidewalks on the sides of corner buildings) within the time limits set by the District of Columbia for such snow and/or ice removal.
 - 6) Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti’s appearance.
4. Signage/Loitering/Illegal Activity:
 - A. Applicant will not directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offences by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
 - B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - 1) The minimum age requirement for purchase of alcohol,

Voluntary Agreement between 7 River Mart and ANC6A

Page 2 of 4



Commission Letters of July 12, 2012 Meeting



- 2) The obligation of the patron to produce a valid identification document in order to purchase alcohol.
- C. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - 1) Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers,
 - 2) Asking loiters to move on whenever they are observed outside the establishment,
 - 3) Calling the Metropolitan Police Department if illegal activity is observed,
 - 4) Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant's log shall be provided to the ABC Board and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant's license.
- D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
 - 1) Prohibition against selling to minors.
 - 2) No panhandling.
 - 3) No loitering.
- E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
- F. Applicant shall receive, at their request, and at no cost, a sign to post within their establishment (provided by the ANC6A ABL Committee) that outlines the primary points of this agreement.
- G. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity flood-lights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.
5. Reporting to ANC 6A:
 - A. Applicant must appear before the ANC 6A Alcohol Beverage Licensing Committee two (2) months prior to their Class A or Class B license expiration date to discuss issues and concerns related to the previous two years operations, and the impending renewal of their license.
 - B. Written testimony can be provided to the ANC 6A Alcohol Beverage Licensing Committee instead of appearing in-person if mutually agreed upon by the merchant and ANC 6A.
6. Regulations:
 - A. In addition to the requirements of this agreement, applicant will operate in compliance with all applicable laws and regulations.
7. Miscellaneous:
 - A. Applicant shall deny support of the installation of pay phones around the establishment (externally). The applicant shall have existing pay phones (if any) removed from their exterior of the establishment at the end of the current contract.
 - B. Applicant, and all employees of the applicant, shall attend and complete an alcoholic beverage server training course/seminar.
 - C. Applicant certified that it does not owe more than \$100 to the District of Columbia government as a result of any fine, penalty, or past due tax for more than six months.
 - D. Applicant will participate in a Business Improvement District program if one exists.
8. Enforcement:
 - A. If any 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, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
 - 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.

Voluntary Agreement between 7 River Mart and ANC6A

Page 3 of 4



Commission Letters of July 12, 2012 Meeting



In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Su Kwon Ko Date: 7/28/12

Signature: [Handwritten Signature]

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES Date: 7-30-12

Signature: David Holmes



Commission Letters of July 12, 2012 Meeting



David Holmes
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



Mr. Fred Moosally
Director, Alcoholic Beverage Regulation Administration
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: Fever Bar & Lounge (816 H Street, NE)

Dear Mr. Moosally:

At its regularly-scheduled and publicly-announced monthly meeting of July 12, 2012, Advisory Neighborhood Commission 6A (ANC) voted to approve the attached signed voluntary agreement for Fever Bar & Lounge (ABRA #089716) at 816 H Street, NE. Further, the ANC voted to support a stipulated license for this application. The motion carried 5-0-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes, Chair



Made this 12th day of July, 2012

by and between

Fever Bar & Lounge (ABRA #089716)
816 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 Voluntary 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 Voluntary 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,

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.).

Voluntary Agreement between Fever Bar & Lounge and ANC6A



- 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 ID's 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 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. 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

Voluntary Agreement between Fever Bar & Lounge and ANC6A



Commission Letters of July 12, 2012 Meeting



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.

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.

Voluntary Agreement between Fever Bar & Lounge and ANC6A

Page 3 of 4



Commission Letters of July 12, 2012 Meeting



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, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
- 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: DARREL T. COHEN for FEVER BAR & LOUNGE Date: 7/12/2012

Signature: *Darrel T. Cohen*

Advisory Neighborhood Commission 6A Representative:

By: DAVID HOLMES Date: 7-12-12

Signature: *David Holmes*



Commission Letters of July 12, 2012 Meeting



Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 16, 2012

Mr. Fred Moosally, Director
Alcoholic Beverage Regulatory Administration
2000 14th Street, NW, Room 400
Washington, DC 20009

Dear Director Moosally,

At its regularly-scheduled and publicly-announced¹ monthly meeting of July 12, 2012, Advisory Neighborhood Commission 6A (ANC) voted to withdraw its protests against the license renewals of Jumbo Liquors (1122 H Street NE), Family Liquors (710 H Street NE), Master Liquors (1806 D Street NE), and New York Liquors (1447 Maryland Avenue NE). The motion carried 5-0-1. The quorum required is five Commissioners. Commissioner Alberti neither voted nor participated in the discussion.

Should you have any questions, please contact Commissioner Adam Healy, chair of the ANC's Alcohol Beverage Licensing Committee at healyanc6a01@gmail.com or 202.556.0215. Commissioners Healy and Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com email list and the ANC-6A@yahoogroups.com (not controlled by the ANC) email list, and through print advertisements in the *Hill Rag*.



Commission Letters of July 12, 2012 Meeting



David Holmes
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 12, 2012

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

Re: BZA Case #18387 (232 11th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on July 12, 2012, our Commission voted 5-0-0 (with 5 Commissioners required for a quorum) to support the applicant's request for a special exception under §223.1 from the open court requirements of §406 and the lot occupancy requirement of §403.

The Commission supports the request for a special exception because the addition will not unduly affect the light and air available to neighboring properties, nor unduly compromise their privacy of use and enjoyment, nor will it substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. In addition, both abutting neighbors have written letters of support for the project.

Please be advised that Drew Ronneberg and David Holmes are authorized to act on behalf of ANC 6A in this matter. Commissioner Ronneberg can be reached by phone at 202-431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of July 12, 2012 Meeting



Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 12, 2012

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

Re: BZA Case 18373 (1326 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on July 12, 2012, our Commission voted 6-0-0 (with 5 Commissioners required for a quorum) to support the applicant's request for a variance to the parking requirements of §2101 to permit zero on-site parking spaces.

The Commission supports the request because the applicant meets the tests for a variance. The unique circumstances are that the building currently occupies 100% of the lot; tearing down part of this structure to install parking spaces would impose an undue financial hardship on the applicant; and finally, the intent of the zoning regulations will not be harmed by granting this variance because most of the employees and customers of the business walk to the premises.

Please be advised that Drew Ronneberg and David Holmes are authorized to act on behalf of ANC 6A for the purposes of this case. Commissioner Ronneberg can be reached by phone at 202 431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

David Holmes
Chair

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



Commission Letters of July 12, 2012 Meeting



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



July 16, 2012

David Maloney
State Historic Preservation Officer
Historic Preservation Office, Office of Planning
1100 Fourth Street SW, Suite E650
Washington, DC 20024

Re: Proposed advertising on CaBi signs in Capitol Hill Historic District

Dear Mr. Maloney,

Advisory Neighborhood Commission 6A (ANC) requests a review by the Historic Preservation Office of the proposal from the District Department of Transportation to use the map boards at all the Capitol Bikeshare stations as commercial billboards. The proposal should be reviewed for adverse effects on historic districts, streetscapes, and parks. This request was adopted at a regularly scheduled and publicly announced meeting of the ANC, held on July 12, 2012. The quorum required is five, and the vote was adopted by 5-0-0.

We do not believe the Council by permitting the sale of advertising intended to abrogate historic district regulations. While we are glad to have as many CaBi stations as possible in our ANC, CaBi signboards can cause safety problems and, with the new proposal, may detract from the character of residential areas in historic districts.

For instance, a billboard at the CaBi station at the intersection of 13th and North Carolina, NE, would have an adverse effect on the historic district and wide historic streetscape, as well as views and enjoyment of Lincoln Park. The current signage is a threat to vehicle safety as drivers turn right to either continue on East Capitol Street by turning left, make an additional turn right to reach North Carolina Avenue, or proceed straight north on 13th Street. The choice has to be made immediately, in the presence of crossing pedestrians going to and from Lincoln Park, cyclists crossing to reach the CaBi station, and merging vehicles proceeding westbound on East Capitol from North Carolina. The confluence of choices and uncertainty is worsened by the distraction of a visually demanding, illuminated large sign on the CaBi station directly in front of drivers. Adding variable advertising will markedly increase the confusion.

Advertisements may be appropriate in commercial districts that are not in historic districts and, arguably, in commercial strips within historic districts. However, the proposal should be reviewed for conformity with preservation signage regulations and to determine whether it needs Section 9b review. We need information on what the practical effect of "consideration of neighborhood characteristics in the selection of advertisements for display" will mean. We need to know what specific standards will apply for the Capitol Hill Historic District.



Commission Letters of July 12, 2012 Meeting



Some of the DC regulatory language for signage in historic districts is:

2503.8 The visual impact of strong color, intense lighting, supergraphics, and other branding elements can be crucial in judging whether signage is appropriate for historic property. Standardized corporate branding, typically developed without regard to local character and context, is often not appropriate for historic buildings and districts and may need to be substantially modified to be compatible with a specific building or district.

2504.1 Signage shall be appropriate to the building, site, or historic district it will affect. Signage shall relate to, take advantage of, and be compatible with the building's particular composition, scale, design features, and architectural character. It shall be designed with sensitivity to adjacent historic properties, the landscape of historic sites, and the streetscape of historic districts, especially when placed in public space.

2504.3 Signs on historic property shall be primarily oriented toward and promote the pedestrian environment.

2504.7 Branding, color branding, or overpowering visual effects that detract from or overwhelm the architecture or historic character of a building or district are not permitted.

2505.3 The following sign types are typically not appropriate for historic buildings and districts:

- (a) Internally-illuminated, plastic-faced box or cabinet signs;
- (e) Prohibited signs, as defined in § 2506.

2506.1 Billboards and special signs as defined in § 2599 are not permitted on historic property. (From 2599: Billboard: A permanent signboard or structure on which lettering or images can be attached or posted, as further defined in the D.C. Building Code.)

2507.3 Sign size shall be consistent with the following criteria and considerations:

- (a) A sign shall be sized appropriately for its location on a building or site. Signage in a historic district should be generally consistent with the prevailing size of comparable signage in the district.
- (b) The maximum size and area limitations established by the D.C. Building Code apply to signs on historic property. Further limitations on size and area may be necessary to achieve compatibility with a historic property or district.
- (c) The appropriate size of a sign on historic property shall be determined by and tailored to the specific characteristics of the building or site, the location of the sign on the building or site, and if applicable, the character of the surrounding historic district.

2507.4 Sign material shall be consistent with the following criteria and considerations:

- (c) Shiny plastic and other sign materials and finishes that are not found on or are out of character with the affected building, district, or site are prohibited unless unusual circumstances make them clearly acceptable at the specific building or location.



Commission Letters of July 12, 2012 Meeting



2507.5 Sign copy shall be consistent with the following criteria and considerations:

(c) A sign listing services, goods, web sites, phone numbers, or other detailed information shall be no larger than three (3) square feet in size.

2508.1 Signs are not typically a prominent visual element on historic residential buildings. In order to preserve the character and setting of historic residential buildings, signage on these buildings and in historic residential areas shall not be visually intrusive, overwhelming, or incompatible with the significant historic characteristics of the particular building, site, and context.

There is a requirement for Section 106 review: I understand that your office's earlier Section 106 review of the Capital Bikeshare Program was conditioned upon further consultation regarding such advertisements.

Your careful evaluation and written response will be appreciated. It would be appropriate to consider different CaBi signs for historic districts, particularly in residential neighborhoods and park areas, much smaller and non-illuminated if permitted at all.

Respectfully,

A handwritten signature in black ink that reads "David Holmes".

David Holmes
Chair

cc: Terry Bellamy, Director, DDoT
Tommy Wells, Councilmember
Phil Mendelson, Council Chair



Commission Letters of July 12, 2012 Meeting



Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 12, 2012

Lt. Colonel Robert F. Weir
JFHQ-DCJ3
District of Columbia National Guard Armory
2001 East Capitol Street, SE
Washington DC 20003

Ms. Tanya Mitchell
HSEMA
2720 Martin Luther King, Jr. Avenue, SE
Washington, DC 20032

Dear Ms. Mitchell and Colonel Weir,

At its regularly scheduled and publicly announced July 12, 2012 meeting (with a quorum present)¹, Advisory Neighborhood Commission 6A voted unanimously to support the September 15, 2012, National Guard Annual Land Component Commander Run.

We understand that you will follow past practice and block intersections only for the short time needed for the Guard participants to pass. We have experienced no problems in the past, and appreciate the past smooth operation of the National Guard's Run.

For the Commission,

David Holmes
Chair

¹ ANC 6A meetings are advertised electronically on anc6a-announce@yahoo.com and ANC-6A@yahoo.com (not controlled by the ANC), and through print advertisements in the *Hill Rag*.



Commission Letters of July 12, 2012 Meeting



Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 16, 2012

Jesus Aguirre, Director
Department of Parks and Recreation
1250 U Street, NW
Washington, DC 20009

Dear Director Aguirre,

Advisory Neighborhood Commission 6A (ANC) would like to see a children’s playground established on a 40’x60’ (approx.) plot on the northeast corner of the property, near the main entrance to the Sherwood Recreation Center. The ANC adopted a resolution making that request at its regularly scheduled and publicly announced meeting of July 12, 2012. The vote was 6-0-0, with five required for a quorum.

The ANC requests that you consult with the community about the equipment to be installed (age level, facility divided between two different age/skill groups, type of equipment, etc.). Ideally, there could be equipment targeted to very young children and different equipment better suited to older elementary school children. The playground should be fenced for the safety of the children. The current fencing is nearly adequate; probably only a gate would be needed to complete the enclosure and control access.

The area is currently underused, and there is a clear need for recreation opportunities for younger children. Advisory Neighborhood Commission 6A supports the use of the space for this purpose and requests your assistance.

The ANC also requests calisthenics equipment (exercise stations) on the Sherwood grounds, probably along the perimeter of the north field.

For the Commission,

David Holmes
Chair

cc: Tommy Wells, Chair, Committee on Libraries, Parks, Recreation, and Planning
Phil Toomajian, Vice-President, Sherwood Neighborhood Volunteers



Officer Reports - Treasurer



ANC 6A Treasurer's Report July/August 2012

Period Covered 07/01/12 - 08/31/12

Checking Account:

Balance Forwarded		\$	18,871.22
Receipts:			
District Allotments:	\$	-	
Transfers from Saving Account	\$	-	
Other:	\$	-	
Total Receipts	\$	-	
Total Funds Available	\$	18,871.22	

Disbursements:

FedEx Office (Photocopying for May 2012)	Ck #1567	\$	311.07
Roberta Weiner (Minutes May 2012)	Ck #1568	\$	180.00
Heather Schoell (Agenda Package June 2012)	Ck #1569	\$	200.00
Miner ES PTA (Grant)	Ck #1570	\$	5,000.00
FedEx Office (Photocopying for July 2012)	Ck #1571	\$	310.66
Total Disbursements		\$	6,001.73

Ending Balance	\$	12,869.49
----------------	----	-----------

Savings Account:

Balance Forwarded		\$	4,207.50
Receipts:			
Interest (07/31/12)	\$	0.38	
Interest (08/31/12)	\$	0.22	
District Allotment for 2nd Quarter FY12	\$	4,836.27	
Transfers from Checking Account			
Total Receipts	\$	4,836.87	
Total Funds Available	\$	9,044.37	
Disbursements	\$	-	
Ending Balance	\$	9,044.37	

Prepared Sept. 1, 2012



Officer Reports - Treasurer



ANC 6A Treasurer's Report July/August 2012

PETTY CASH SUMMARY

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

Prepared Sept. 1, 2012



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

July 16, 2012 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), Pat Joseph, Louis Barbash (quorum)

Committee members absent: Rose Williams, Jean Kohanek

Community members present: Michal Bilick

- I. Agenda
Adopted.
- II. Status report on ANC/COC activities.
 1. Ms. Nelson reported that the commissioners voted to send a letter in support of a proposed playground at Sherwood Recreation Center.
 2. Options PCS has announced plans to expand into rented space at 702 15th St. NE. Commissioner Andrew Hysell (that location is in his SMD) has been asked by Options for a letter of support. In turn, Commissioner Hysell has asked that the COC provide an opportunity for community discussion before he gives his support. Committee members remembered that there have been on-going concerns about the supervision of the youth at Options and how the youth interact with the surrounding neighborhood. There could be zoning issues as well. Commissioner Hysell requested August 13 (COC would normally skip August of meet on the 20th); Dr. Vincent from Options had not confirmed as of the COC meeting but did subsequently confirm.
 3. P'Tones, whose grant request in support of their Sherwood Recreation Center program was approved last month, has approached the ANC to request disbursement of the funds. However, they submitted invoices rather than receipts. Receipts are required, in advance, if the check is to be made payable to the organization. In discussing the matter, the ANC Treasurer, Nick Alberti, learned that P'Tones has purchased equipment - but intended to use it at some other site. This is not permissible, as DC Statute requires the benefit of ANC grants must be to residents of the ANC. This is also in conflict with the grant application wherein P'Tones stated that the new equipment/software was needed because that currently in use at Sherwood was obsolete (though still usable). The P'Tones representative also so stated at both the COC and ANC meetings. There was some discussion as to whether the COC should take any action or provide a recommendation to the ANC in this matter. Mr. Barbash pointed out that it is important to have confidence in the integrity and level of involvement of grant applicants, especially when the group is not locally based. Ms. Joseph followed that this is particularly important given the difficulties of monitoring grants after they are made. For example, P'Tones could move the equipment out of Sherwood at a later date and we would not be able to prevent it, and might not even be aware of it. While it has always been a requirement that materials purchased with ANC money be used to benefit the 6A community (and remain with the facility for which they are purchased), it was not overly concerning in the past. All, or nearly all, of the grant recipients were local organizations, well known to us and unlikely to have the desire or ability to move the resources elsewhere. Going forward, we will



Committee Reports

Community Outreach Committee (COC)



need to consider this possibility more carefully. However, the COC did not feel that we should go so far as recommending that the grant approval be voided. We defer to the treasurer and other commissioners of the ANC to resolve the matter.

- III. Discussion of possible changes to policies and procedures for ANC grant program.
 1. Ms. Nelson introduced the topic by noting that for the past several years, the ANC has sent thank you notes to those organizations providing meeting space and/or website support. There was little discussion as all committee members agreed that this is the correct thing to do. Ms. Nelson will provide draft letters.
 2. **Motion: Mr. Barbash moved that we recommend that ANC 6A send thank you notes in appreciation of support received from Sherwood Recreation Center, Capitol Hill Towers, Church of the Lord Jesus Christ of the Apostolic Faith, Miner ES (use of meeting space) and Gallaudet University (webhosting). Vote 3 in favor, none opposed.**
- IV. Discussion of possible changes to policies and procedures for ANC grant program.
 1. The COC continued consideration of how to administer grants in the new environment where requests exceed the grants budget - which was not generally the case in the past. This is a complex issue and one that the COC feels should be considered very carefully before making any decisions. The COC will continue to work on a draft guidelines document through email and at an August meeting if we have one. A draft will be shared with the commissioners at their September meeting. Any feedback will be incorporated at the COC's September meeting with the expectation that a final version will be formally submitted to the ANC at their October meeting. This will coincide with the start of the new fiscal year and the establishment of a new grants budget.
 2. **Motion: Mr. Barbash moved that we brief the commissioners on a draft guidelines document at the September ANC meeting. Seconded by Ms. Joseph. Vote 3 in favor, none opposed.**
- V. Meeting adjourned at 8:40 p.m.
- VI. **The date of the next meeting was not been set, pending notification from Commissioner Hysell regarding Options PCS. Subsequently it has been established as August 13, 7:30 p.m. at 1235 C St. NE.**

Below are notes regarding possible, draft guidelines for future grant applications:

- 1) Grants budget be divided in half for "Winter" (October-February) and "Summer" (January-July) cycles.
- 2) The "season's" grant budget be further divided in half for larger (>\$300?) and smaller (<=\$300?) grants.
- 3) Small grants will be reviewed on the monthly cycle with deadlines as they currently are. This would allow for organizations (especially small ones) to respond to unanticipated funding needs.
- 4) Larger grants will be considered at the February and July/August COC meetings, considering the relative merits of applicant's proposals in funding recommendations. Mr. Barbash pointed out that having all applicants' present during this discussion will help stimulate their thinking about their own programs. It would also encourage them to think about asking other groups for funding.



Committee Reports

Community Outreach Committee (COC)



- 5) Any funds not expended from the small-grants funding pool for that season-cycle will be available for larger grants.
- 6) Any funds not expended in the winter cycle will be available in the summer cycle.
- 7) Past grant history will be considered in making funding recommendations.



Committee Reports

Community Outreach Committee (COC)



ANC6A Community Outreach Committee

August 13, 2012 Minutes

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

Meeting called to order at 7:38 p.m.

Committee members present: Rose Williams, Jean Kohanek

Committee members absent: Elizabeth Nelson (chair), Pat Joseph, Louis Barbash

Commissioners present: Andrew Hysell, Nick Alberti, David Holmes

Community members present: Dr. Charles Vincent, Amos Pierre, Chris Hardgrave, Ben Kramer, Brittany Kramer.

- I. Agenda adopted.
- II. Dr. Charles Vincent, Executive Director of Options Public Charter School, and Amos Pierre, Principal of Options Academy, presented the school's plans to expand into rental space at 702 15th Street NE.

Mr. Pierre stated that the new facility will house Options Academy, a more intensive, therapeutic program for students with emotional disturbance. The facility will serve 50 students (with a capacity of 60); 30 will come from Options main campus (1375 E St. NE) and from P Street facility (1501 11th St. NW), and the rest from outside special education placements. The facility will feature wraparound services including special education and psychiatric services, with a 3:10 ratio of staff to students in each classroom. Students will be bused from designated stops all over the city right to the door of the facility. Mr. Pierre acknowledged that these students have the greatest challenges in terms of conduct and anger management, in addition to mental health issues.

Commissioners, committee members, and community members voiced concerns about the potential for problems in the neighborhood from an influx of students, given the past issues with fighting, urination, gambling, and drug use; issues that were largely solved when the most challenging students were moved to a site in another part of the city. Students from the main Options campus are often seen roaming in the neighborhood, and some of these problems have started to return. Mr. Pierre and Dr. Vincent stated that comprehensive nature of the program, combined with the direct transportation aspect is what will keep students from having an adverse impact on the neighborhood.

Commissioner Alberti asked if they could guarantee that students will not be arriving at the facility via their own transportation. Mr. Pierre replied that there will be a variety of transportation arrangements for students. Some students may have court dates or other appointments during the school day that could require them to be brought to the school in another fashion and transportation for some others will be the responsibility of their guardians (e.g., students in half-way houses), but all students will be offered bus service from designated spots in the city to the door of the school in a yellow bus on a daily basis. They will also be bused back and forth between the 1300 E St. and the 702 15th St. locations. In



Committee Reports

Community Outreach Committee (COC)



addition, cameras will be installed around the perimeter of the building, and a security guard will be on duty.

Dr. Vincent stated that if any poor behavior is seen in the neighborhood, to contact him immediately—they can send staff members out to collect students and shut down the behavior. A community member voiced concern that the staff’s reach does not extend far enough north from the main campus to address student behavior problems in the neighborhood. Dr. Vincent offered to extend the staff range to H Street NE. In response to a question from Commissioner Hysell, Mr. Pierre stated that they have to make regular incident reports to the Charter Board, so they will be aware of any ongoing issues at the facility. Commissioner Holmes asked if the program at the new campus was the same program that was moved out of the E St. campus to northwest DC about three years earlier; Mr. Pierre said it was.

Dr. Vincent reiterated that community members should contact the school if there are any issues with students, and offered his cell phone number: (202) 270-4448. The campuses are connected by radio, and staff can respond immediately. He stated that school has an open-door policy and community members are welcome at any time. He invited the community to come to the school’s open house in early September (date TBD).

- III. Meeting adjourned 8:15 p.m.
- IV. **The next meeting will take place Monday, September 17, at 7:30 p.m. at 1235 C St. NE.**



Committee Reports
Community Outreach Committee (COC)



September xx, 2012

Lavonne Taliaferro-Bunch, Principal
Miner Elementary School
601 15th St. NE
Washington DC 20002

Dear Ms. Taliaferro-Bunch,

For over nine years Miner Elementary School has provided a meeting place for Advisory Neighborhood Commission 6A. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these public meetings, which are crucial to the functioning of our city.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



September xx, 2012

Minister Thompson
Church of the Lord Jesus Christ of the Apostolic Faith
1235 C St. NE
Washington DC 20002

Minister Thompson,

For the past nine years you have provided a meeting place for the Community Outreach Committee of Advisory Neighborhood Commission 6A. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these public meetings, which are crucial to the functioning of our city.

Please extend our thanks to the members of your church family who have been so gracious in opening the building for us.

Once again, thank you.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports
Community Outreach Committee (COC)



September xx, 2012

Mr. Raphael Marshall, Director
Sherwood Recreation Center
Corner of 10th and G Sts. NE

Dear Mr. Marshall,

For over nine years the Sherwood Recreation Center has provided a meeting place for Advisory Neighborhood Commission 6A activities – the meetings of the Alcohol Beverage Licensing Committee and the Economic Development and Zoning Committee and, most recently, the Transportation and Public Space Committee. We want to express our sincere appreciation for the time and effort you have put in to helping us hold these monthly public meetings, which are crucial to the functioning of our ANC.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports Community Outreach Committee (COC)



September xx, 2012

Dr. Robert Davila, President
Gallaudet University
800 Florida Ave. NE
Washington DC 20002

Dear Dr. Davila

For the past nine years Gallaudet University has hosted a website for Advisory Neighborhood Commission (ANC) 6A. This website (www.anc6a.org) is an essential component in our efforts to provide the greatest possible public access to our proceedings. Non-ANC related information of community interest is available as well. We want to express our sincere appreciation for the time and effort your staff has contributed to this endeavor.

Please share our thanks with Hatim Vali who provides highly professional technical support in a warm and caring way. We also appreciate their renewing the domain name on our behalf.

On behalf of the Commission,

David Holmes
Chair, Advisory Neighborhood Commission 6A



Committee Reports

Alcohol Beverage and Licensing (ABL)



Alcoholic Beverage Licensing Committee
ANC 6A
September 4, 2012

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC6A was held commencing at 7:00 pm EST on September 4, 2012 at the Sherwood Recreation Center, 640 10th Street, NE Washington, DC 20002.

Committee Members Present: Adam Healy, Katy Thomas, Michael Herman and Anne Marie Koshuta
Committee Members Absent: none
Commissioners Present: None
Community Members Present: Jeff Jackson, Troy Williams, and Yvette Williams.

I. Call to Order

Chairman Healy called the meeting to order at 7:07 pm. The meeting having been duly convened was ready to proceed with business.

II. Community Comment

None.

III. New Business

The Spot on H

The owners and the representative of The Spot on H to be located at 1255 H St. NE appeared before the Committee regarding their application for a Class C Restaurant alcohol license. The owners and their representative had appeared before the Committee previously to give an outline of what they were planning with the business. Mr. Healy indicated that because the ABRA placard was issued at the end of July and that the ANC didn’t meet in August, the ANC had authorized Chairman Holmes to protest the application until the ABL Committee could consider it. Mr. Healy moved/seconded by Mr. Herman that the ANC protest the application unless a voluntary agreement is approved prior to the protest date. Motion carried 4-0.

Review of Councilmember Jim Graham’s Omnibus Alcoholic Beverage Regulation Amendment Act of 2012

The Committee reviewed the legislation Councilmember Graham has introduced to make changes to the District’s alcohol control laws. Mr. Healy served as ANC6A’s representative to a task force Graham convened to seek stakeholder input. The task force met 10 times and consisted of ANCs, civic associations, ABRA, MPD, and industry representatives. Mr. Healy said it was a consensus-driven process and not everyone got what they wanted, including Graham. Mr. Healy indicated that he supports the overall legislation and commended Graham for introducing the legislation as it was approved by the task force. Ms. Thomas moved/seconded by Ms. Koshuta that the ANC send a letter to Councilmember Graham supporting the legislation. Motion carried 4-0.

IV. Adjourn

The Committee adjourned at 8:37 pm.



Committee Reports

Transportation and Public Space (TPS)



No report. These are meeting notes.

ANC 6A Transportation & Public Space Committee Meeting Notes
Sherwood Recreation Center (10th Street and G Street NE)
PLEASE NOTE LOCATION CHANGE
July 16, 2012

- I. Call meeting to order at 7:00 pm
- II. New Business
 - A. National Marathon presentation: Ms. Diane Romo Thomas, Director of Communications for the Greater Washington Sports Alliance, was on hand to present a new race route to ANC 6A. The two handouts she provided (attached) describe the overall race route and the race route in more detail through Ward 6. In reaction to concerns raised by ANC 6A year after year, the race route was redesigned so that the race does not encircle portions of ANC 6A for long portions of the day. Ms. Thomas attended the committee meeting in order to present the new course for preliminary approval. Commission Chair David Holmes, Commissioner Nick Alberti and Committee Chair Omar Mahmud all met the new race route with approval. Ms. Thomas agreed to return to the committee to present a final race proposal (including the finalized map, community outreach campaign, etc.) for approval by the ANC. This will likely take place in September or October.



05/29/12

GA
copy



Saturday, March 16, 2013

Marathon & Half Marathon

Course Overview

7:30am // Marathon & 1/2 Start

MAP LEGEND



Band Site



Marathon Course

M Marathon Mileage



Water Station



Half Marathon Course

1/2 Half Marathon Mileage



Medical Station



Marathon Mile Marker



Cheer Station



Half Marathon Mile Marker

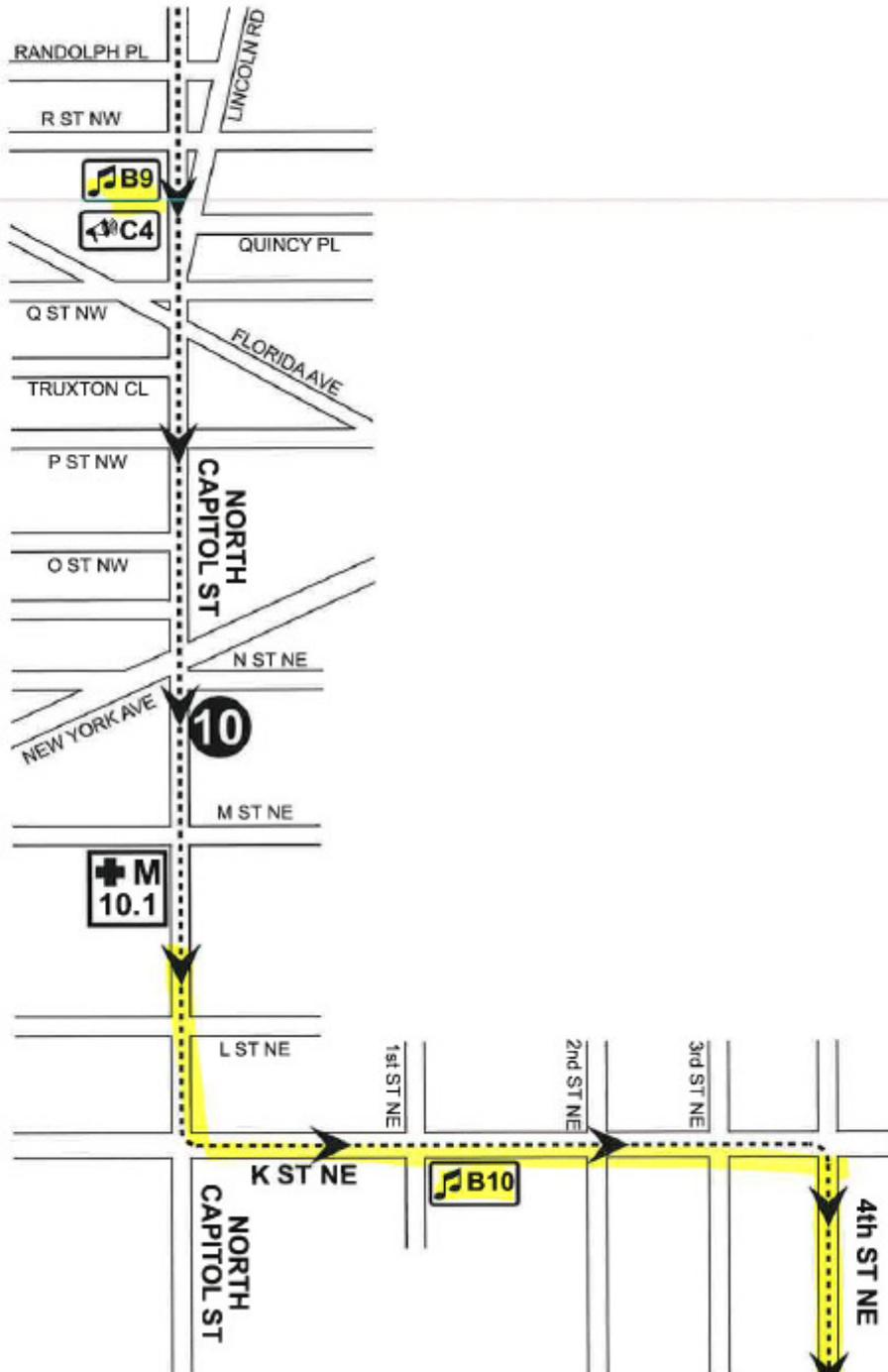


Committee Reports Transportation and Public Space (TPS)



Rock 'n' Roll USA Marathon & 1/2 Marathon

M Mile 9.5 - Mile 10.8
1/2 Mile 9.5 - Mile 10.8



Washington DC. // Mar 16, 2013 // 8

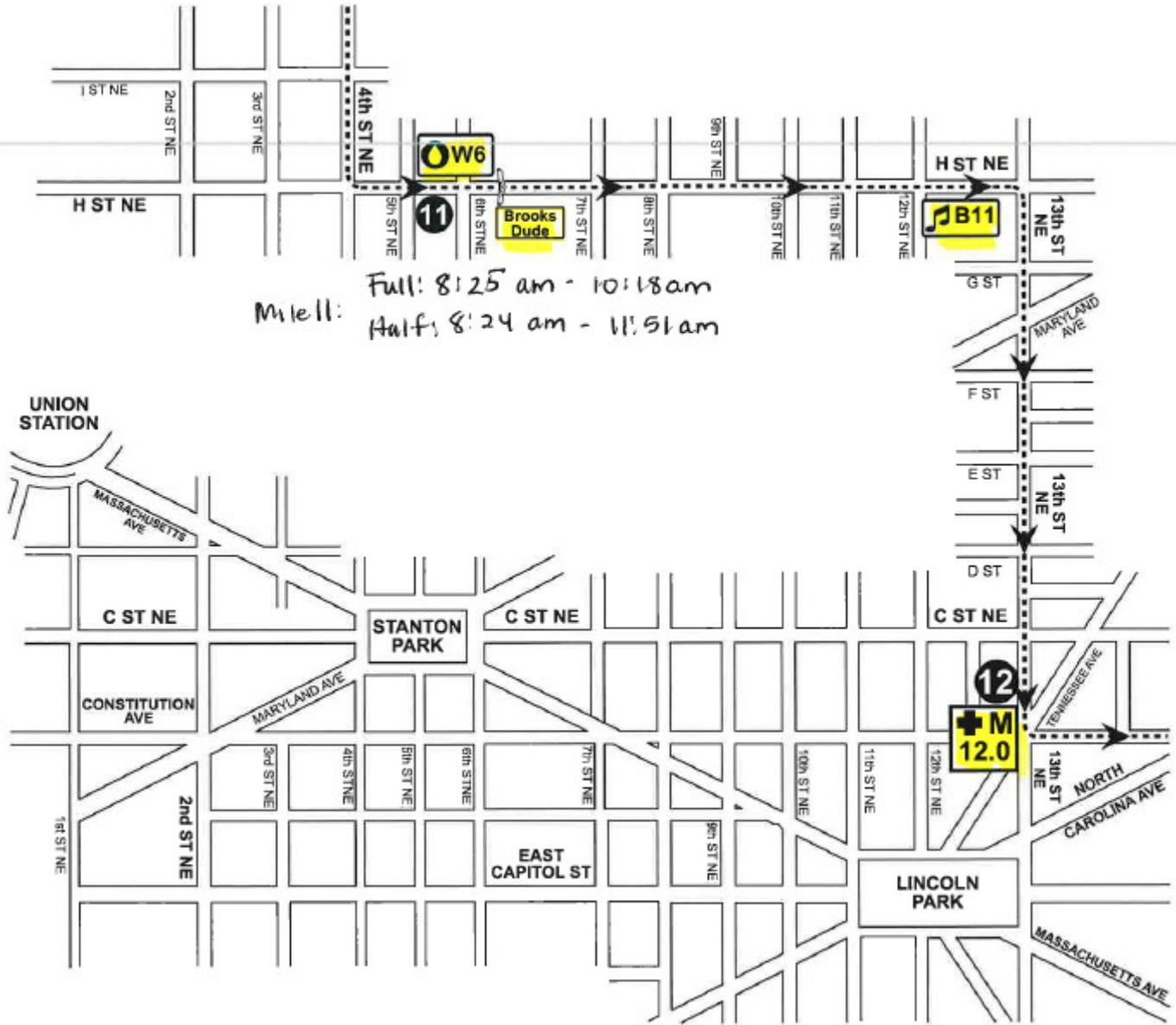


Committee Reports Transportation and Public Space (TPS)



Rock 'n' Roll USA Marathon & 1/2 Marathon

N Mile 10.8 - Mile 12.1
1/2 Mile 10.8 - Mile 12.1



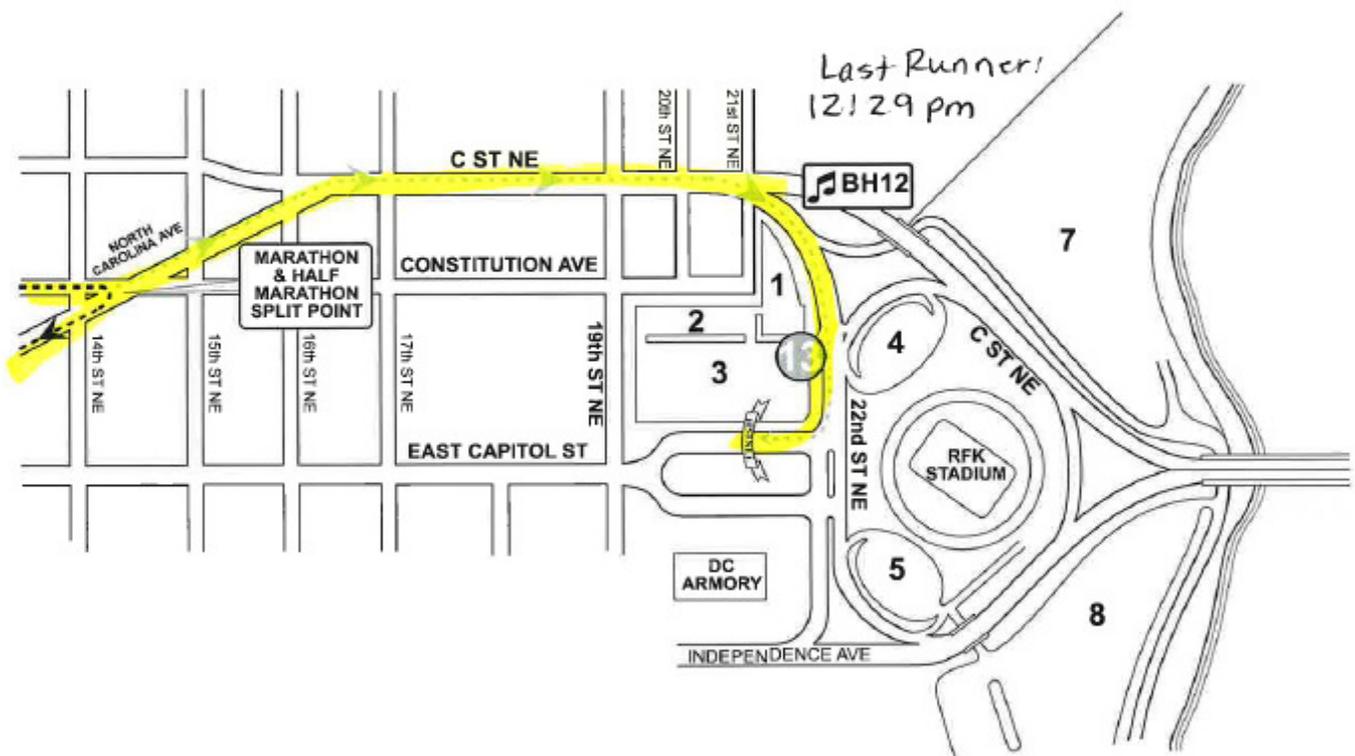


Committee Reports Transportation and Public Space (TPS)



Rock 'n' Roll USA Marathon & 1/2 Marathon

N Mile 12.1 - Mile 12.3
1/2 Mile 12.1 - FINISH





Committee Reports Transportation and Public Space (TPS)



Rock 'n' Roll USA
Marathon & 1/2 Marathon

M Mile 12.3 - Mile 13.8
1/2

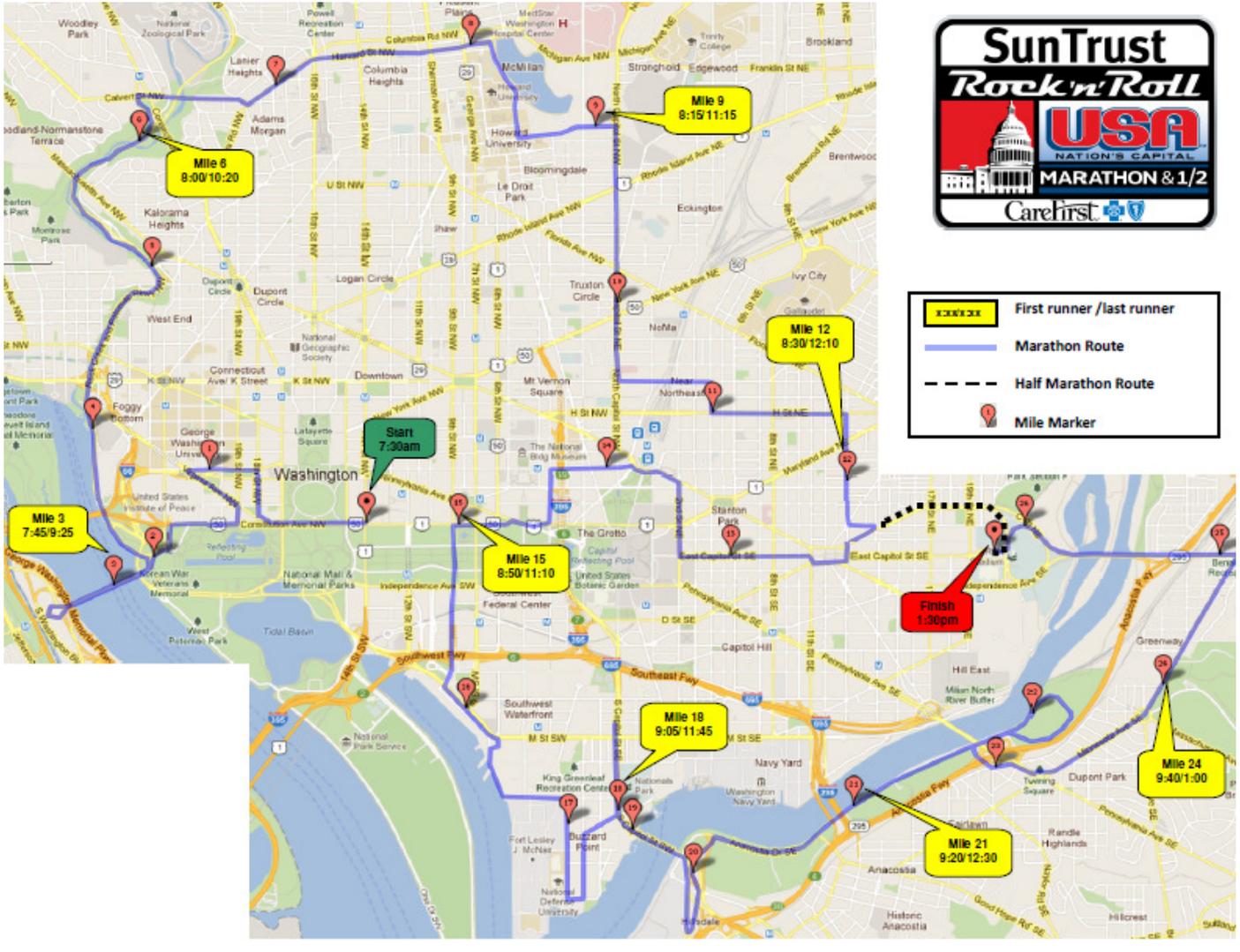


Mile 13 } In: 8:39am
out: 10:43am



Committee Reports

Transportation and Public Space (TPS)





Committee Reports

Economic Development and Zoning (EDZ)



Report of the Economic Development and Zoning Committee of ANC 6A July 18, 2012

Present: Missy Boyette, Jeff Fletcher, Laura Gentile and Charmaine Josiah
Commissioner: David Holmes

Laura Gentile chaired the meeting.

Community Comment: There were no community comments.

Status Reports

Resolution of previously heard BZA/HPRB cases: No report

Vacant Properties: No report

Zoning Regulations Rewrite: No report

H Street Business Liaison Report: No Report

Old Business: No report

New Business

1. 1001 H Street (Ben's Chili Bowl). Kamal Ali representing Ben's Chili Bowl ("Ben's") presented updated plans for the redevelopment of the 1001 H Street site. In the proposed redevelopment, Ben's plans are to maintain all of the brick on the H Street façade. Further, Ben's plans are to raise the ceiling height on the bottom floor. The roof deck will be framed with a decorative metal railing at the top. Ms. Boyette suggested that the developer make this framing / metal bar as minimal as possible.

Commissioner Holmes offered a Motion to ask the ANC SMD representative for 1001 H NE to write a letter to the Zoning Administrator affirming that Ben's has been continuously consulting with ANC 6A about the appearance and construction at its new site and that we see no major issues at this point.

The Motion was seconded by Mr. Fletcher and adopted unanimously.

2. BZA #18413 (257 Warren Street). PGN Architects presented this case in which the owner (Marcus Watkins) is seeking a variance from the lot area and lot width requirements under subsection 401.3 to allow the subdivision and construction of two new flats (two single family rowhouses) in an R-4 district.

The property is currently comprised of three empty lots. In the proposed project, the three lots would be subdivided into two lots. Each lot would have one three-story single family rowhouse with a basement rental unit and parking in the back. Mr. Watkins said that he has



Committee Reports

Economic Development and Zoning (EDZ)



owned the property for more than twenty years. He also mentioned that the BZA has approved a similar proposed project in 1989.

Approximately 15-20 local residents attended the meeting to express their concerns about the proposed project. Their comments included the following:

- Each lot will be just over 1,400 square feet, which is significantly less than the 1,800 square foot minimum required by the zoning regulations.
- The proposed project would include a third floor, which would dwarf the other homes on the block. We believe this would block the light and air of neighboring homes.
- We are very concerned about the increase in density on Warren Street. With four units, we will see an increase in cars. This is a small street.
- This project would add four units in a space originally zoned for two units. This would add too much density to Warren Street.
- The proposed project is not consistent with the character of the other homes on Warren Street. For example, no other homes on Warren include a rental unit or basement.
- This is a cozy street. The alley cuts into the end lot and, if the project is built as proposed, we are concerned that the trash trucks will not be able to fit into an already tight space.
- We do not understand why you need to build four units. Why are our concerns secondary to your objective of maximizing profit?
- The design includes gables out in front of the new buildings, which is not consistent with the character of the other homes on the street.

In response to the concerns raised by the neighbors, Mr. Watkins explained that he needed the rental units to offset the cost of building the homes. He also agreed to consider other design options, including the possibility of building of three 12-foot-wide homes, which would be consistent with the character of the current homes (and with the type of homes that had been built on these lots originally).

Ms. Boyette said that the basement detracts from the street presence and is not consistent with the current streetscape.

Ms. Josiah explained to Mr. Watkins that the applicant would need to prove that the proposed project met the following three criteria for a variance, as described in Section 3103:

- 1) The physical characteristics of the property make it difficult for the owner to use the property in compliance with the Zoning Regulations;
- 2) Granting the application will not be of substantial detriment to the public good (traffic, noise, lighting, etc.); and
- 3) Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations.

To summarize, Ms. Gentile said that, while the Committee could understand that the property may pose a challenge, she believed that the applicant had not shown that the current design would meet all three criteria for a variance. Specifically, Ms. Gentile cited the concerns about the increase in density, inconsistency with character of streetscape, and potential impacts to light and air. In



Committee Reports

Economic Development and Zoning (EDZ)



addition, Commissioner Holmes added that he believed the applicant had not shown that granting the application would not be of substantial detriment to the public good.

Mr. Watkins said that he was willing to reconsider design options but explained that the proposed project is scheduled to be heard by the BZA in early October. Mr. Watkins was concerned that there would not be enough time to discuss options before the BZA meeting. In response, the Committee offered to meet with Mr. Watkins in person and/or to work with him over email to discuss redesign options that could potentially address the community concerns. Mr. Watkins agreed to work with the Committee to develop other options.

Commissioner Holmes made a Motion that the Committee postpone the vote on this proposed project until after it has a chance to work with Mr. Watkins to develop other options. Ms. Josiah seconded the Motion and the Committee voted 5-0 to adopt.

Additional Community Comments: None

Next ED&Z Meeting
Wednesday, August 15, 2012
7 - 9 PM
Sherwood Recreation Center
640 10th Street, NE, 2nd Floor